HOUSE OF ASSEMBLY

Thursday, 7 August 2014

The SPEAKER (Hon. M.J. Atkinson) took the chair at 10:30 and read prayers.

Bills

STATUTES AMENDMENT (RIGHTS OF FOSTER PARENTS AND GUARDIANS) BILL

Introduction and First Reading

Mr PEDERICK (Hammond) (10:32): Obtained leave and introduced a bill for an act to amend the Births, Deaths and Marriages Registration Act 1996 and the Family and Community Services Act 1972. Read a first time.

Second Reading

Mr PEDERICK (Hammond) (10:32): I move:

That this bill be now read a second time.

I rise to speak with regard to the Statutes Amendment (Rights of Foster Parents and Guardians) Bill 2014, or Finn's law. My first contact with Monica Perrett—and I note that Monica and Nathan Perrett are here today—was when I learnt that she had won the Barnardos Mother of the Year award. I was extremely delighted to learn that Mrs Perrett, a well-deserved mother in the electorate of Hammond, had received such a prestigious award. Monica's award symbolises the efforts of a caring and nurturing mother, of not only her own biological children but also those she has chosen to foster, which includes little Finn, now deceased, and her granddaughter, currently.

This is a very moving award and is recognition that Monica, a foster parent and mother, was being recognised for her efforts. Monica Perrett is a mum to six children and has been a carer for the aged and disabled for the past 12 years. She is also an active donor to a variety of different charities, especially those working with children or those whose lives are less fortunate. She is also a crusader for people who are unable to speak for themselves and almost single-handedly brought down a nursing home for severe elder abuse.

Little Finn, who Monica fostered, was in fact her nephew; however, in Monica's eyes he was nothing less than her own son. Finn's biological parents allowed Mrs Monica Perrett to become little Finn's carer, until he turned the age of 18 years old, under the guardianship of the minister. Little Finn, when born, was diagnosed with numerous medical conditions, including spina bifida, fluid on the brain and a hole in the heart. Finn, who was born in February 2014 and who entered care in March 2014, was under the guardianship of the minister until the age of 18 years and under the 100 per cent care of Monica and her husband Nathan from March of this year.

In April, Monica Perrett wins the Barnardos Mother of the Year award. In May, Mrs Perrett kisses Finn goodbye to fly to Sydney for the National Mother of the Year awards; 12 hours later, little Finn passes away unexpectedly after an unexpected emergency admission into hospital. There is nothing I can imagine that would ease the pain of a mother or foster parent losing her baby, and on 7 May 2014, the pain felt by Monica and her family was the worst kind which you can only possibly come to terms with through support, understanding and, of course, the ability to be able to say goodbye.

In many cases, the foster parents have been a huge part of a child's life. The current legislation states that only the biological parents are provided with the rights of the child, including details such as reason for passing and funeral arrangements. When dealing with Families SA, Mrs Perrett was denied any information about her foster son Finn passing, with the reason given that she was not Finn's biological mother.

She was also advised that, although she was granted the right to be the foster parent of little Finn until the age of 18 years, she would not be involved in the funeral arrangements unless the biological parents—her brother and his partner—wanted her to be. Initially, this was not the case, as

the biological parents, who lived in Queensland of no fixed address, denied this, and again, you can only imagine what Monica and her husband had to go through for the right to understand the cause of death, any funeral arrangements, and the right to say goodbye.

Currently, when a foster child passes away, all the rights the foster parent or parents had with the child, all responsibility and decision-making ability, go back to the biological parents. This meant that Monica and her husband Nathan were left with no say. This applies irrespective of the child's age and the length of time the child had spent with the foster parent. Monica has described this as a living hell, battling Families SA rules under which biological parents regained first rights to a child when they died, leaving foster parents with no say.

Departments such as Families SA are restricted in their ability to act in accordance with what they may perceive to be fair and reasonable in these circumstances. Currently, legislation, including the Family and Community Services Act 1972, stipulates that there is no requirement for foster parents to be involved in the funeral process. The Births, Deaths and Marriages Registration Act 1996 in its current form does not provide foster parents with the opportunity to be acknowledged and involved in viewing the body or be acknowledged on the death certificate.

In June, Mrs Perrett started a petition to raise awareness of the issues surrounding her battle with bureaucracy once Finn passed away. This petition received approximately 38,000 signatures backing the grieving mother Monica Perrett to convince the government to change procedures when a child in foster care dies. The Families SA chief executive contacted Mrs Perrett, asking to meet with the minister responsible. In the same month, with that meeting Mrs Perrett secured commitments from the Minister for Education and Child Development and the Premier of South Australia to review the changes she has campaigned for on behalf of all foster parents. These commitments included expediting the viewing of a child's body by foster parents and include an addendum to a death certificate to recognise the role of foster parents in the child's life. I believe Monica has heard nothing since from the government.

I remind the Minister for Education and Child Development of her promise made when talking on ABC Radio on 13 June this year, where the minister promised to look into contacting the department of births, deaths and marriages to see if they can add a statutory declaration to each death certificate of a child who dies in foster care acknowledging the foster parents if it is appropriate to do so.

Also, I remind both minister Rankine and the Premier of South Australia of their promise to write to and acknowledge all the foster parents who have been in similar situations, so that their roles as parents in the lives of these children do not go unnoticed or forgotten. The Perrett family fought this issue because they did not want anyone else to suffer like they had, but also they were pushed to action when they finally received Finn's death certificate and discovered that only his biological parents were listed. Monica is not alone in this situation.

There are many other foster parents who will be faced with the same heartbreaking situation in the future if this legislation is not passed by this parliament. There are approximately 1,800 foster parents who will gain new rights as a result of a campaign fought and won by the state's Mother of the Year. I want to see this parliament support the amendments prescribed in the Statutes Amendment (Rights of Foster Parents and Guardians) Bill 2014, commit to increasing the rights of foster families in the involvement of funeral planning, as well as acknowledging foster parents on the child's death certificate, and also affirm the rights of foster parents and legal guardians.

I again remind the Minister for Education and Child Development and the Premier to follow through on their commitment to see changes made to the current rights of foster parents and guardians. This bill seeks to insert into the Births, Deaths and Marriages Registration Act 1996 new section 38A to allow foster parents and legal guardians to give notice to the Registrar of a person who has died and to amend the definition of a legal guardian to include relatives who care for a child.

Subsections (2) and (3) of proposed new section 38A give the opportunity for foster parents and legal guardians to give notice to the Registrar as soon as reasonably practicable after the death of the deceased in writing in a form approved by the Registrar which includes the information required by the Registrar. All documents will need to be provided in a specified time and to verify, by statutory declaration, information provided for the purposes of the then notice. If the Registrar has received

notice under section 38A, and the Registrar thinks it is appropriate in the circumstances, the Registrar may include the name of a foster parent or legal guardian of the deceased in the entry in the Register relating to the death of the deceased.

Finally, the bill proposes to insert new section 47A into the Family and Community Services Act 1972, which will give authority for foster parents to be consulted about the child's funeral arrangements unless the foster parent indicates that he or she does not wish to be consulted. As a matter of custom, foster parents have not been given rights equal to the rights of the child's parents to contribute to funeral arrangements because there will be circumstances where it may not be appropriate for foster parents to be making such decisions, for example, where the child has been in the care of the foster parent for only a short time or the parents have maintained a close and caring relationship with the child.

I urge this house and this whole parliament to support the Statutes Amendment (Rights of Foster Parents and Guardians) Bill giving foster parents and guardians the rights they deserve where applicable. I do this on the three-month anniversary of Finn's death. Let us all support Finn's law.

Debate adjourned on motion of Hon. T.R. Kenyon.

ENFORCEMENT OF JUDGMENTS (GARNISHEE ORDERS) AMENDMENT BILL

Introduction and First Reading

Mr TARZIA (Hartley) (10:44): Obtained leave and introduced a bill for an act to amend the Enforcement of Judgments Act 1991. Read a first time.

Parliamentary Procedure

VISITORS

The SPEAKER: Before the member for Hartley commences, I would like to welcome to parliament St Joseph's Memorial School, who are here as guests of the member for Dunstan.

Bills

ENFORCEMENT OF JUDGMENTS (GARNISHEE ORDERS) AMENDMENT BILL

Second Reading

Mr TARZIA (Hartley) (10:45): I move:

That this bill be now read a second time.

We are all part of the legislature here, and I believe that we all in our respective communities have a duty to see loopholes in the law, to improve the law across the board and to reflect the community sentiments in laws, as we are part of the sovereign lawmaking body in this state. I rise today to introduce a bill to amend section 6(2) of the Enforcement of Judgments Act.

It is a bill for everyday South Australians, and it aims to punish dodgy debtors who are a burden on everyday people, but more so to install more confidence in the civil justice system. On the face of it, this bill makes a small substitution of the existing subsection (2), but it is an important amendment for everyday people and local businesses in South Australia.

The background to this bill comes from two real-life scenarios in my electorate. The first was where a person had their car run into by a neighbour, made a claim in the Magistrates Court civil jurisdiction minor claims division and found it quite difficult to obtain funds after they sought successful judgement. The second issue that came up in the electorate in relation to this section was where a landlord was chasing unpaid rent and, again, could not satisfactorily obtain funds of under $1,000, as the person involved actually fled and went interstate.

For the benefit of members who are not aware, a garnishee order is a court order directing that money or property of a third party be seized to satisfy debt owed by a debtor to a plaintiff creditor. Typically, a garnishee order is made by a court on application by a judgement creditor. The garnishee order may be made over the judgement debtor's bank account, the debtor's wages or people who owe money to the debtor.

All states, including South Australia, allow for garnishee orders to be made. It is a primary way in which a court can ensure that a judgement creditor receives their awarded damages from a debtor who refuses to pay their debt, but, as the law stands in South Australia, under section 6(2) a garnishee order can only be issued with respect to wages and salaries if the affected party consents to that order.

However, 'dodgy debtors', as I call them, rarely give the court that consent. In my two real-life examples of constituents in Hartley being affected, I can tell you that consent certainly was not given. In fact, in one example, as I mentioned, the dodgy debtor actually fled South Australia to reside in Queensland specifically to make it harder for him to be found. This results in rogue defendants racking up debts that remain unpaid, often indefinitely, and this obviously leaves the creditor and the state empty-handed. South Australia is out of step with much of Australia in that an adjudicator needs the permission of the debtor to make such an order to garnish salaries.

There are a number of ways in which a court can enforce a judgement and ensure that the judgement creditor pays their debt to the judgement debtor. They obviously include an order for payment of instalments, seizure and sale of property or a charging order over property. A problem arises, however, when the debtor refuses to meet those instalments or has no real property that can be the subject of a court order despite the judgement debtor being fully capable of meeting that debt.

This bill will actually give the courts an additional option to ensure that the judgement creditor receives money to which they are entitled. A garnishee order will not be made as a matter of course. The adjudicator will have due regard to the circumstances of the debtor and, if another less imposing order can be made to recover the debt, the court will take that into account when deciding what type of order to impose on the judgement debtor.

Typically, a garnishee order over wages or salary will be imposed if the debtor has not complied with an instalment order and, more importantly, has the capacity to pay but chooses not to pay. I want to emphasise that this will apply where people can pay but they simply choose not to pay. The amendment will also provide courts with an intermediary option between imposing an instalment order and the seizure and sale of property.

It may well be that a garnishee order is in the best interests of the judgement debtor. However, for whatever reason, consent may not be given, and at this point the court would have no option but perhaps to seize the property of the debtor, which could have a significant impact on the debtor and their dependants. Not only this, but seizing property is expensive, and what this amendment aims to do is to allow easier debt collection without additional bureaucracy. It also has the effect of serving as a deterrent to dodgy debtors.

The current irregularity with the Enforcement of Judgments Act will have a significant impact on businesses once corrected, big and small. In Hartley alone, I have over 1,500 small businesses and there are well over 100,000 small businesses in South Australia. Obviously, cash is king in this climate and cash flow is king for these small businesses. When that cash is not paid, it means that someone's wages are not being paid, someone's goods and services are not being paid, and it goes on and on. Any act that assists small enterprise as being able to recoup their debts when collated across the state will certainly go a long way.

As far as I am aware, no information exactly on how much South Australians owe in civil debts has been ever fully or properly calculated. However, it would have to be in the hundreds of millions of dollars, one would think. While the scope for accruing fines is broader amongst the community, the anticipated costs owed by civil parties over many decades could also be many millions of dollars. That is many thousands of ordinary, hardworking South Australians who are out of pocket.

This is a small amendment, but its effects will have a significant impact on our local community—just go and ask local tradies who are not being paid at the moment, local contractors who are not being paid at the moment. Currently, the largest amount owed by an individual, if we want to talk about fines, is over $170,000. The largest amount owed by a company, again in relation to traffic offences, is $149,000 or more. As you can see, the debts can be significant and they may take an extended period of time to pay off.

I would like to talk a little bit about the government's new unit, that is, the Fines Enforcement and Recovery Unit of South Australia which was established on 3 February 2014. Whilst this service—and a good service at that—assists the government in recovery and enforcement of debts, the measures that it can apply often result in much cost and delay on the public purse. If anything, this amendment will serve as a deterrent to debt dodgers and it would actually assist the fines enforcement unit. The types of enforcement actions the unit can engage in, the state can engage in, include:

- restriction of transacting business with the Registrar of Motor Vehicles;
- suspension of driver's licences;
- clamping and impounding of vehicles;
- garnishment;
- seizing and sale of property;
- publication of names; and
- charges on land.

Many of these, however, are extremely costly. Let's face it, it is not worth putting a caveat on someone's property if $700 is due. In the case of my resident in Felixstow, it simply was not worth going to the Magistrates Court time and time again and every time being hit with over a $100 court application to obtain a sum which was under $1,000; it is simply not feasible. Many of these means are costly and allowing the amendment will ensure that these dodgy debtors who can pay but choose not to pay are more easily captured under the law so that these above measures are not required, freeing up time in the Public Service and in the unit.

The bill can apply to all judicial matters before any court covered under the act but in practice the remedy will be most applicable to the Magistrates Court minor civil claims division. The Magistrates Court deals with over 90 per cent of all court work in South Australia, and a plaintiff creditor who seeks damages in that division and is awarded favourable judgement and damages is currently unable to enforce that judgement by garnishee of wages without the consent of the judgement debtor.

This subsection makes a mockery of our judicial system. It gives dodgy debtors the power to prevent a magistrate from making a garnishee order on the basis that they simply do not want to pay the debt, even if they can. What does this say about our court system? Well, it needs improving.

South Australia's is lagging behind when it comes to updating its legislation to reflect the modern day. We have seen examples as recently as yesterday, where SACAT is finally following the example of other states. Other states do allow for a garnishee order to be made with respect to salary and/or earnings of the debtor, but I found no provision so onerous as ours, which specifically requires a court to seek permission from the debtor so openly to make an order against them.

The current unique position in South Australia is that, if you do not want to pay your debts, do not worry about it. I care: I care about law-abiding citizens, people who are using the courts, going about their business the right way, the sole traders, the mums and dads, the hardworking South Australians who do make claims in the Magistrates Court but cannot recoup what they are owed because of some loophole in the system. It is no wonder our unemployment rate is so high. It is no wonder our current business confidence is so low. This goes to the heart of the sovereign risks in terms of dealing with South Australian businesses.

The amendment I put to the house today will stop the protection of these dodgy debtors, and it will better enable businesses and individuals to recover the money they are owed. I would encourage anyone who values the efforts of hardworking South Australians—mums and dads, tradesmen, small business people—over dodgy debtors to support this bill.

I would like to alleviate any fears people may have in regard to this amendment. There may be concerns for those, some may say, who are already struggling with the rising costs of living, with their power bills, etc. However, I would like to alleviate any concerns the house may have for these

people struggling with the rising costs of living. I want to emphasise that people's welfare payments will not be touched under this amendment.

People's welfare payments will not be touched—let's be clear about that. The court will, and always will, have ultimate discretion. The court will always have ultimate discretion. The court will hear from both the debtor and the creditor before the garnishee order is made. It is important that the court has the ultimate discretion because in Australia we follow the Westminster system and believe in the separation of powers. That doctrine is an important one and needs to be upheld.

The court will have regard to any evidence placed well before it as to the judgement debtor's means of satisfying that order, and the court will have regard to the necessary living expenses of the judgement debtor and their dependants, as well as any other liabilities the judgement debtor may have. As is currently the case, the amendment will not adversely affect those who are struggling to make ends meet—it will not. The court will consider their financial position when making a garnishee order. This amendment will help ensure that those who can afford to pay their debts pay those debts, so it complements the units already set up by the current government.

In conclusion, the amendment will give our courts more scope to recover these debts which are such a burden on everyday, hardworking South Australians and, in some cases, the state. It will apply an order that is most appropriate in the circumstances. I would encourage the government to seriously consider supporting this bill. It is not a bill I have plucked from thin air. I have gone to the electorate, listened to the electorate and heard the electorate, and the electorate is telling us that this is a very sensible amendment, and I hope the government will support it. It is a bill that touches real, everyday people on an everyday basis, and I ask that anyone who values the efforts of those hardworking South Australians over dodgy debtors support this bill, and I commend it to the house.

Debate adjourned on motion of Hon. T.R. Kenyon.

CONTROLLED SUBSTANCES (SIMPLE POSSESSION OFFENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 3 July 2014.)

Mr GARDNER (Morialta) (10:59): I am very pleased to speak on the Controlled Substances (Simple Possession Offences) Amendment Bill, which was introduced to the house by the member for Stuart. I commend the member for Stuart for bringing this bill to the house. It is a matter that I know he feels passionately about as shadow police minister and it was something that he brought to party room of the Liberal Party last year. I do not think I am breaking confidences because we took it to an election and it was indeed our policy at the election.

I note that the Labor Party did not match the policy as such, but while they have made comments about this policy first, and about this bill since, I am not aware of them identifying to this stage that they are planning on voting against it, so this provides obviously the opportunity that maybe they will vote for it. I certainly hope they do because if they do not then they stand condemned for ignoring this significant problem in our community and the remedy which is quite simple. It is not a silver bullet but it will significantly improve this situation. It will significantly reduce incidences of the drug diversion scheme being used in a way that it was not intended for.

The bill itself is simple and I will go to the trouble of explaining it. It is two pages, the first one of which contains the title of the bill, and the second of which identifies one change to section 34 of the Controlled Substances Act. The matter relates to the current act which defines that when somebody is charged with the offence of a simple possession offence—and this could be possession of an ice pipe or possession of minor amounts of non-cannabinoid illicit drugs; cannabis, of course, has its own expiation scheme which is different. So, minor offences, the things that you would not necessarily want to disrupt the court's time with as a matter of course, the sort of thing that is a natural first offence, then rather than taking somebody to court, the act describes that they must be referred to the diversion program.

This is an initiative that is quite close to my heart because prior to coming to this house I worked for a couple of years with the federal government in this area. The drug diversion initiative is

a scheme funded by the federal Department of Health and they have agreements which were brought around over a number of years under the Howard government's Tough on Drugs strategy which has been continued by the subsequent Rudd/Gillard/Rudd governments and continued under the Abbott federal government.

Agreements have been made between the commonwealth and the state police departments and courts that will allow for people for whom addiction is the problem, not criminal behaviour, to be diverted into something that will look at their addiction, and look at their potential misuse of illicit substances, and that is as it should be because this is a health problem as much as it is a policing problem. However, there comes a time where the health response is not the appropriate one and a justice response is more appropriate.

This is a case in point: the Police Drug Diversion Initiative in South Australia has been operating since 2001. Over that time tens of thousands of South Australians—I think about 20,000—have been diverted and there have been several thousand more diversions themselves. They get diverted into what is called moral reconation therapy which is delivered by OARS, which is a good organisation.

The health department has chosen the form of diversion, and we established at estimates that the police have no input into that. For a number, this diversion, this moral reconation therapy—several hours of discussing the matter with appropriately qualified people—can help get people on the right track and they do not offend again, they are not caught again, the first diversion is the only one that applies, and that is great. Do you know what? The opposition also believes that a second diversion is fine, so sometimes people make a mistake, and sometimes people get caught a second time.

What this bill does is ceases the practice of endless diversions, which is currently the case. A case in point: we have freedom of information details from the 2011-12 year—and we have asked for more recent data and the former police shadow, the member for Stuart was denied—but the minister I appreciate agreed to take on notice that more recent information during the estimates process. Even as of 30 June 2012, there were 339 offenders who were diverted on three occasions and 137 diverted on four or more occasions. One guy had been diverted on 14 occasions. In fact, I noticed the *Advertiser*, I think a year and a half ago, reported that one person had been diverted 32 times—32 times! That person is clearly not getting the message.

I note that also in the estimates the minister provided details that only about 80 per cent of those who received the diversion comply with it and attend, and this is of concern, too. The figures from this year's budget papers identified that there were 4,650 diversions during the 2013-14 year. We know that about 90 per cent of them are on a first or second occasion. This bill will do nothing to those people; this bill will change nothing for them.

For that 10 per cent who are not taking it seriously, the 10 per cent who get nothing out of the health outcome—which is paid for by taxpayers' dollars—what is the point? It is clearly a waste of the community's money and it is a waste of police time to be arresting these people and then diverting them to something that they may not show up for and they are clearly not getting anything out of, if they are going to be coming back a fourteenth, fifteenth or thirty-second time.

The bill's intention is that after the second time they have been diverted, on subsequent occasions they will face a magistrate. If the magistrate believes that they will get something out of the diversion program, rather than a justice response, then the magistrate can choose to have them undertake the diversion. That is as it should be: the discretion being in the magistrate's hands. However, the current situation, where you can have ongoing diversions is clearly not what was intended by the agreement; it is not what was intended by the government when they made the agreement with the commonwealth, and it is doing no-one any good.

As I say, the bill is focused on simple possession offences but when the simple possession offence is, for example, related to ice pipes and so on, we are talking about very hard drugs. It is the sort of thing that the government and the community demands that we respond to very strongly and try to help people to find a better way.

Sending a message that you cannot keep doing this over and over again and we will keep asking that you go to counselling (and hopefully you will but if you do not, the next time you get picked up you will get diverted again) is not doing anyone any favours and it is not the right response from government.

With that in mind, I hope the government will take this matter seriously and support this very sensible measure. There is no reason for this to be a political measure. South Australia is the only place where this happens, by the way. South Australia is the only place where you get indefinite goes without ever having to face a magistrate.

Mrs Vlahos: No, it's the only place where you get compulsory diversion—the only place you get it.

Mr GARDNER: Yes, the only place where you get compulsory diversion. There are other jurisdictions where the diversion takes place but there are limits on the number of times before you have to face a magistrate. The discretion in New South Wales, for example, that I recall—and I have not checked in the last couple of years—when the agreement we reached in 2007 was made, the discretion was in the hands of the police officer. So, if the police officer thought you would get something out of the diversion, then you were diverted rather than that taking place immediately.

Mrs Vlahos: They are not clinicians.

Mr GARDNER: They are certainly not the conditions here, because here the legislation demands that it happen compulsorily without any consideration being taken into account of the circumstances involved. I know that there are a number of people opposite who are concerned about illicit drugs in our community, the spread of illicit drugs, and young people becoming addicted to illicit drugs, so we should be seeking measures to address this as a problem.

This bill will do that; this bill will help. I hope that the government here today indicates that it is supporting the bill—that is what it should do; that is what it knows it should do and those opposite who believe that we should reduce the amount of drugs in our community, I am sure, will do that. I look forward to seeing them do so in a moment or two.

Mrs VLAHOS: I move:

That the debate be adjourned.

The house divided on the motion:

Ayes 22
Noes..... 19
Majority..... 3

AYES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Brock, G.G.	Caica, P.	Close, S.E.
Gee, J.P.	Hamilton-Smith, M.L.J.	Hildyard, K.
Kenyon, T.R. (teller)	Key, S.W.	Koutsantonis, A.
Mullighan, S.C.	Odenwalder, L.K.	Piccolo, A.
Picton, C.J.	Rankine, J.M.	Rau, J.R.
Snelling, J.J.	Vlahos, L.A.	Weatherill, J.W.
Wortley, D.		

NOES

Evans, I.F.	Gardner, J.A.W. (teller)	Goldsworthy, R.M.
Griffiths, S.P.	Knoll, S.K.	Marshall, S.S.
McFetridge, D.	Pederick, A.S.	Pengilly, M.R.
Pisoni, D.G.	Redmond, I.M.	Sanderson, R.
Speirs, D.	Tarzia, V.A.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Williams, M.R.

NOES

Wingard, C.

PAIRS

Digance, A.F.C.	Bell, T.S.	Hughes, E.J.
Chapman, V.A.		

Motion thus carried; debate adjourned.

COMMISSION OF INQUIRY ON ELECTORAL REFORM BILL

Second Reading

Adjourned debate on second reading.

(Continued from 3 July 2014.)

Mr GARDNER (Morialta) (11:15): I am quite pleased to be able to speak on the Commission of Inquiry on Electoral Reform Bill. This is a very important bill for the people of South Australia and I think those opposite know why. Because secretly in their hearts they know that they were actually misled on their way into the chamber; they belong over here. They belong on this side because barely one in three South Australians thought they were good enough to be in government and the people of South Australia expected that their will would be exercised in the formation of government in South Australia and they did not get that. They did not get that and that is very unfortunate.

The situation we have here is one where it may not even be a matter of intended consequence. I am not suggesting that there was some nasty conspiracy to deprive the people of South Australia in four out of seven of the last elections of the people that they actually wanted to be in government. It does not need to be a conspiracy; it is just the way the system has provided us with a government.

What would ideally be in the best interests of the people of South Australia, I suggest, are two things that we do not have at the moment. First, the situation where the will of the people of South Australia is expressed by those who form government or opposition in this chamber and the second is by having a system where the majority of votes leads to a party being in government or opposition as the case may be.

You then end the nonsense which inflicts so many systems like ours, but ours more than most because of the nature of demographics and the nature of where the votes lie, ours more than most which sees a cluster of seats on one side of town and a cluster of seats on another side of the town deciding who forms government. Therefore, without necessarily being conspiratorial about it, but you can see it happens, that is where the money goes, that is where the projects go as election policies because something is not pork-barrelling when it is an election policy commitment.

It is fair that the people of South Australia can see what is going to be put forward or against. It is fair and it is demanded, in fact, by the system that we have. It does not necessarily lead to good outcomes. I certainly do not begrudge the member for Colton or his community for having a nice new police station, but you will note if you look in the budget papers that it is the only new capital work based on a police station in South Australia and I do not think it is coincidental that it is in one of the three most marginal seats. It is good for the people of Colton and good for the local police station. I stand to be corrected—I am sure the member for Colton can tell me—but I believe they are getting one extra officer and I am sure that will assist the local area.

What would be best for the people of South Australia is if you could have a system that enabled the people of South Australia to make a value judgement on parties free from those sorts of local considerations that change the course of an election.

It may well be that the Labor Party and the Liberal Party might decide on a system where who wins Colton is not going to change the government, it is how many votes people get. It may well be that both parties still offer in their election promises a new police station at Henley Beach. It may

well be the case, but that should be based on a decision of what is in the best interests of the community as a whole and what is in the best interests of policing for people in Henley Beach, for people in Adelaide, for people in Remark and for people in Whyalla. Whether a seat is safe or marginal should have no impact.

How do we get there? We believe that the bill offered yesterday by the government is not sufficient to achieve that purpose. It may well have positive contributions to make to other aspects of electoral matters. A commission of inquiry is something that is set up to have a look at our systemic issues in South Australia and what is going to deliver the best electoral system for South Australia, a statutory commission free from political interference because it is not about the Liberal Party or the Labor Party or the Greens or the Callithumpians. It is about the South Australian people getting an expression of their democratic desire sitting here in this parliament and able to deliver a government that is in the best interests of the people of South Australia and in the best interests of a democratic outcome.

With those words, I think that a commission of inquiry is necessary and this bill will create that. I urge the government, who in their heart of hearts, as I said, want this, because I am sure they want to no longer be the party of only one-third of South Australians. I am sure in their hearts that they want to be a party of the majority of South Australians. The Treasurer tells us all the time that if the system was different then they would campaign differently. The Treasurer tells us that if the system demanded you get a majority of the votes then the Labor Party would campaign accordingly.

I am sure that the members for Taylor, Little Para—all of them—would love to get a majority of South Australians on their side. In fact, it happened once. In 2006, they did get a significant majority of the two-party preferred vote and they even broke 40 per cent in the primary vote. It was a great day for the Labor Party. However, in the other six elections out of the last seven they have not been able to convince the people of South Australia, yet five of those times they have sat on the Treasury benches. I do not think that is what they want in the hearts, so I am sure that if they think about it—if they give themselves a good, hard look in the mirror, they will think about it hard and they will vote for this bill.

Mr WILLIAMS (MacKillop) (11:20): Madam Deputy Speaker, we had an interesting debate on the government's supposed remedy to matters electoral last evening, and it was an interesting debate, because a number of things were claimed in the house and I want to disabuse a number of members of the claims that they made. I will use as my source the 1991 report of the Electoral Districts Boundaries Commission.

That was the first boundaries commission that sat and redistributed the boundaries post the insertion of the fairness clause into our Constitution Act following the 1989 election where the Liberal Party, having won 52 per cent of the two-party preferred vote, failed to win enough seats to form government. That was seen as something that needed to be corrected. There was a select committee formed, chaired by the then deputy premier Don Hopgood, the fairness clause was inserted by legislation brought by Don Hopgood, and then the state had to have a referendum, as is required by the Constitution Act. I will read from the boundaries commission report following the insertion of the fairness clause. Paragraph 14.1 states:

> The Commission is satisfied that there is an imbalance against the Liberal Party in the South Australian electoral redistribution process.

The 1991 boundaries commission acknowledged that there was an imbalance against the Liberal Party in the South Australian electoral redistribution process. The report analyses that, I guess, imbalance, bias—I have referred to it as a gerrymander, some people have referred to it as a bias. The commission in 1991 chose to call it an imbalance, but they did recognise and did acknowledge that it was very much more difficult for the Liberal Party to win an election in South Australia than it was for the Labor Party. I would claim that the exact same situation has indeed continued on over the intervening years and we find ourselves in a situation where the Liberal Party is still disadvantaged.

It was interesting last night when, I think it was the member for West Torrens, claimed that it was not anything other than the fact that the Liberal Party kept making mistakes, kept campaigning less effectively than the Labor Party, continued to pick poor candidates, run poor marginal seat

campaigns, etc. Indeed, that is the argument that has been run by the Labor Party for a very long time, and it is commented on in this very report from 1991. I quote again from that report at paragraph 14.14:

> The Labor Party claimed during argument that its better campaigning methods, better candidates and better policies (presented in better targeted marginal seats) resulted in a greater ability than the Liberal Party to win metropolitan marginal seats. The Commission is not in a position to pass judgment on this particular claim other than to say that it is satisfied that there is more to the problem of imbalance than the claimed better personalities, policies and campaigning methods.

The districts boundaries commission of 1991 certainly highlighted in its report that those claims do not stand up to scrutiny. Those claims do not explain the inability of people who wish to have a change of government in South Australia to achieve that outcome. The commission of 1991 certainly recognised, firstly, that there is a bias and, secondly, that that bias is more than what is claimed by people like the member for West Torrens, who claims that it is not something with intrinsic within the way our electoral system works, it is all about the Labor Party just being better at campaigning with better candidates. I think the comments made by the commission back in 1991 remain just as valid today as they were then.

I now come to another comment that I made. I understand that the Electoral Commissioner before the upper house select committee into matters electoral made the comment along the lines that we have in South Australia the Westminster system, that the party that wins the most seats forms government—it is about winning the most seats—and that the two-party preferred vote should not be a determinate of who wins the vote. I made the comment that the constitutional act of South Australia, following the insertion of the fairness clause, does indeed oblige the boundaries commission to take into account the impact of the two-party preferred vote.

Again, from the 1991 commission, the one that looked very closely at the new clause, looked at all the legal aspects of it and then the application of it and has written extensively in this report about it, the commissioner told that upper house committee that the phrase 'as far as practicable', which is part of the fairness clause—they have to achieve that outcome 'as far as practicable'—basically gave the boundaries commission an out. The 1991 report, with regard to the phrase 'as far as practicable', paragraph 15.5.2 states:

> …the phrase cannot be interpreted in a way which dilutes the Commission's obligation to the point where it is entitled to give no weight at all to it or decline to comply with it.

The boundaries commission in 1991 certainly understood its obligation, certainly understood the meaning of the fairness clause and understood its obligation. As I pointed out in the debate last night, the boundaries commission 2012 report clearly shows that the 2012 boundaries commission failed to understand either the import of section 83(1) or the commission's obligation to comply with it.

I would call on the new boundaries commission, when it is formed, to go back and read all of the 1991 report, because it might learn something which it obviously has failed to understand in recent times. I repeat, that the 2012 boundaries, when the boundaries commission rethrew the vote of the 2010 election when the Liberal Party won a clear majority (51.6 per cent of the vote), when they rethrew those votes box by box across the new boundaries, the Labor Party still won.

They still won that artificial count on the new boundaries—25 seats. They did not win a simple majority or a just majority of 24 seats, they won 25 seats on those new boundaries. Quite clearly, the boundaries commission has failed in its duty under the Constitution Act, in my opinion. I used the word 'gerrymander' to describe what the boundaries commission in 1991 refused to call a bias, refused to call a gerrymander. I still stick by the word 'gerrymander' because I think the gerrymander was locked into our electoral process in 1975. I seek leave to continue my remarks.

Leave granted; debated adjourned.

Motions

ROYAL AGRICULTURAL AND HORTICULTURAL SOCIETY OF SA

Mr TRELOAR (Flinders) (11:30): I move:

That this house recognises the 175th anniversary of the Royal Agricultural and Horticultural Society of SA and applauds its significant contribution to our state.

Just a couple of weeks ago on Saturday 26 July I, along with a number of other members of this chamber, attended a dinner held at the Adelaide Showground at Wayville within the Goyder Pavilion, a huge room. It was attended by no less than 1,460 people from metropolitan Adelaide and also right across regional South Australia, people who had sometimes been involved with the Royal Adelaide Show for generations, and those generations were represented at that dinner. It was a wonderful event, ably hosted by our own Keith Conlon and Jane Doyle, who did a wonderful job. There was live music, fantastic food and a lot of conversations.

I would like to pay tribute to the current chief executive Mr John Rothwell, the current President of the Show Society Mr Richard Fewster, the chairman of the council, who is currently Mr Robert Hart, and Ms Kerstin Freund, who is the personal assistant of the chief executive. I can only imagine the extraordinary amount of work those people and their various subcommittees put into organising this particular event, as well, of course, as the upcoming Royal Adelaide Show, which is celebrating its 175th anniversary. There have actually been more shows than that, because there was a time in the early days when there were both autumn and spring shows.

With reference to the Show Society website, I would like to take members of the house through some of the history and key dates of this wonderful organisation. It was way back in 1836, of course, that the colony of South Australia was first settled. By October 1839 the South Australian Agricultural Society was formed 'for the advancement of agricultural and pastoral knowledge, and to promote the development of the natural resources of our noble Colony'. Of course, we can only imagine the hardship that the settlers undertook in those very first days, but I do know that agriculture played a very important role, a key role, initially in feeding the settlers and ultimately in feeding much of the rest of the nation.

In 1840, just four years after settlement, the first produce show was held in December in Grenfell Street. The exhibits were vegetables, cereals, cheese, wool and leather. The next show was programmed to be in March 1841, so we already had a spring and autumn show coming into play. In 1843 the first livestock show was held in Hindley Street. Can you imagine sheep and cattle in Hindley Street? The first ploughing match was held on Dr Mayo's block at Thebarton. One of the ploughs was locally made, so our blacksmiths were already turning their hand to what the settlement required.

I have never actually seen a ploughing match, but I would love to be able to see a ploughing match one day. In those early days there were teams of horses, there were mouldboard ploughs, and the art was to plough straight and at a consistent depth over the furlong, a furrow length. It is a lost art, of course; in fact, very rarely do we use a mouldboard plough at all in South Australian agriculture.

It went on through the 1840s, and in 1845 South Australian wine was exhibited for the first time. In 1851 samples of South Australian wheat were sent to compete in the great Crystal Palace Exhibition in London, and one sample grown at Mount Barker won first prize against the rest of the world. That was quite a coup for a fledgling colony; we grew the best wheat in, I was going to say the world, but it was probably the Empire.

An honourable member: A wonderful achievement.

Mr TRELOAR: It is still a wonderful achievement. I might digress from my notes briefly because I know for a fact that a farmer in my home town of Cummins, in 1951, 100 years later, exhibited wheat grown in our district and won the grand prize for hard wheat—glyas I think the variety was, but there have been lots of varieties come and go.

In 1860, the society had the use of the colony's first exhibition building. The building was completed at the end of 1859 at a cost of £2,000. Significantly, in 1867, Prince Alfred, the Duke of Edinburgh, visited this colony and opened the Show. Prince Alfred accepted the role of patron of the society, and from then on the Show was able to use the title 'Royal' and, of course, it has been the Royal Agricultural Show ever since. Prince Alfred's name is on many other institutions around this state and this country from that particular visit.

In the 1890s, electricity came to South Australia and transformed the Showground. The oval and trotting track were floodlit and the night shows became very popular. We could stay out late from

then on; electricity had arrived. The first annual pruning match was staged at the vineyard at Underdale, and there were 23 competitors.

Passing into the 20th century, in 1901 the society past the 2,000 membership mark, the first society in Australia to do so. So, we were leading the nation in our progress in our showing. In 1923, the autumn show combined with the spring show, leaving this as the annual exhibition of South Australia's endeavours. Of course, coming up this year again, as has been the tradition, in the second week of September we will be conducting our annual Show.

In 1925, the Royal Adelaide Show moved to the current site at Wayville. In 1926, just a year later, it is thought that this was the first year that sample bags (otherwise known as 'show bags') were given away—in those days they were given away. Deputy Speaker, you may remember when show bags were free. They no longer—

The DEPUTY SPEAKER: I beg your pardon!

Mr TRELOAR: 'You may remember,' I said. Some of us are old enough to remember that.

The DEPUTY SPEAKER: I can remember three shillings.

Mr TRELOAR: Three shillings—so you have stretched beyond my memory, Deputy Speaker.

The DEPUTY SPEAKER: Oh, dig it in a bit further! I think your time is up.

Mr TRELOAR: Nine minutes to go. Three shillings for a show bag, probably pretty good buying.

The DEPUTY SPEAKER: Not threepence: three shillings.

Mr TRELOAR: Of course, the Show Society continued on, but in 1939 through to 1946 the world was beset by war. The Showground at Wayville was at that time occupied by the armed forces for the whole duration of the war as the mobilisation, training and subsequent demobilisation centre. The member for Finniss is nodding his head in acknowledgement, so he may well remember that and he may well remember when show bags were cheaper than three shillings.

In 1964, the Heavy Horse Memorial Club opened. In 1967, the College of Arms granted the society its armorial bearings, that is, ensigns, arms, crest supporter and motto. In 1969, Queen Elizabeth confirmed the society's entitlement to the 'Royal' prefix. So, what Prince Alfred had established, our current Queen Elizabeth confirmed.

In 1974, the Showground facilities and staff were used to assist the Red Cross, the Salvation Army and the government to handle the aftermath of Darwin's Cyclone Tracy disaster—and I do remember that, Deputy Speaker. In 1980, the new Wayville Pavilion was built, and in 1986 speedway motorcycling was reintroduced after an absence of 53 years. I do remember that, particularly through the 1970s and 1980s, speedway bike riding was particularly popular.

In 1995, the Ridley Convention and Exhibition Centre opened and, of course, that was in commemoration of the incredible contribution John Ridley made not just to South Australian agriculture but to world agriculture with his development, here in this very state, of the Ridley stripper. It was just one simple invention, but it transformed the world, honestly it did, and it happened here in South Australia. In 1995, the Royal Adelaide Show was awarded a tourism award for the most significant festival.

We go on. In 2006 the Royal Adelaide Show received the Australia Day Award for Best Community Event in the Unley Council Area, so put that in your pipe and smoke it. In 2008 the Goyder Pavilion was officially opened, and that was the venue for the great dinner the other night—very enjoyable. In 2014 the society celebrates 175 years of being in the forefront of South Australia's agricultural and horticultural interests and will stage its 239th Show, which is believed to be a world record. This is significant because it is extended unbroken since that first meeting in 1839. It is believed to be a world record surpassing even the Royal Bath and West of England Society, which was formed in 1777. Our society is not as old as that, but we have undertaken more Shows.

The Charter of the Royal Agricultural and Horticultural Society of South Australia is to contribute to the promotion and success of South Australia's primary industries through the staging of events and awarding of excellence. From the humble beginnings in 1839 to the event we see today which attracts hundreds of thousands of people, we have also seen show societies form right across country and regional South Australia, and many of them are still growing. The spring show season is much looked forward to by producers right around the state, and many are still very popular with exhibits of produce, craft and handiwork and also showing of livestock: sheep, cattle and horses, of course, which have become show horses—

The DEPUTY SPEAKER: Dogs. I have shown dogs.

Mr TRELOAR: Dogs.

Mr van Holst Pellekaan: Chooks.

Mr TRELOAR: Chooks.

Mr van Holst Pellekaan: Pigeons, chooks.

Mr TRELOAR: Pigeons. The poultry section is of particular interest to me. In fact, my wife's great-uncle was invited to judge poultry at one of the local shows a few years ago—Yallunda Flat, I think. He did not know a lot about poultry but agreed to judge because you know a good-looking chook when you see one. Anyway, the story goes that he awarded all the ribbons and everyone got a blue ticket, a red ticket or a green ticket—first, second or third, whatever it may be. The poultry section was pretty full that year; there was a lot of interest. He had just completed the judging, had fitted all the ribbons and certificates and a big whirlwind came through the poultry pavilion and blew all the tickets off, so they had to be re-judged. The funny thing was that apparently different chooks won the next time around.

Mr van Holst Pellekaan: Same judge.

Mr TRELOAR: Same judge, different winners—so lots of great choice. Sheaf tossing also has made a comeback in recent years. I know that our local show in Cummins celebrates and commemorates the work in those early days when farmers and those involved with the grain harvest would stook the cut grain or the cut stalk and throw it with a pitchfork to the top of the wagon.

Mr van Holst Pellekaan interjecting:

Mr TRELOAR: Dog jumping is coming back. I remember going to the Jamestown Show way back in the 1970s. That was the biggest show I had ever seen at that time, and probably still is, member for Stuart—just wonderful memories. I congratulate the Show Society on achieving this fine celebration and also on the role they have played in the development of agricultural practice and produce in this state over 175 years.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (11:43): I rise briefly to acknowledge the 175th anniversary of the Show Society and to thank all those who have gone before and those who are currently running the Show Society; they do a terrific job. In the past few years we have seen them moving from what has been their core business for 170-odd years to seeing themselves playing a different role within the City of Adelaide and the state of South Australia. I love the way they have reached out. We now have basketball and all sorts of other activities that happen on that site.

So, instead of having an area at Wayville that was used predominantly for two weeks of the year, they are really out trying to utilise what is a fantastic site so close to the city. We have a new train line and a station there now and they really want to utilise that as many days of the year as possible. So I think we must commend the people who are running the society at the moment because what they are doing is fantastic.

The member for Flinders has spoken in depth about the history of the society and also about his attendances at shows growing up, and I had the same thing. In Glencoe we even had a show, it used to be on the October long weekend and that was always good fun, more so to catch up with the rellies and things like that but then you would go to Mount Gambier and I remember my mum and my grandmother sitting up in the grandstand at the show and saying, 'Look at that little boy on

the top of that Brahman bull over there. Who would put their young kid on that bull?' Well, my dad had put me up there, so I was five years old and riding this bull through the grand parade.

Then, when we came to Adelaide to go to the Show, we would hang out in the dairy pavilion. Dad would have the mobile milker there and it was always great to catch up with cattle people from right around the state, who were obviously very dear friends of mum and dad. I think that is one thing the Show does particularly well, people will come from all parts of the state and they gather there and it is a time to be in competition with each other, to see who has the best of whatever commodity it is that they are into, but it is also an opportunity to catch up and share stories and a lot of lifetime friendships have been made at Wayville over the years at the Show.

One hundred and seventy five years, there are not many things in this state that go back that far. It is tremendous that although times have changed things have stuck together. They are obviously not at the same location they were when things first started, they were down at Botanic Park, but they have done a tremendous job. As I said at the outset, the Show Society and the site that they have in Wayville is in very good hands and I commend everyone who is involved at the moment and wish them all the very best for the future.

Mr PENGILLY (Finniss) (11:46): I also rise to support the motion of the member for Flinders. It is significant and important that this parliament recognises the 175th birthday of the Royal Adelaide Show. It is a once-a-year event, for country people particularly when they migrate to the city. I think the only other time a lot of them migrate is for the test cricket, which we appear to have lost as well. The Royal Adelaide Show goes well back in my memory, particularly during my years as a Rural Youth member. There are not a lot of members in this place now who would have been a member of Rural Youth. In our day, it was a great organisation but for the former Rural Youth organisation it was a highlight of the year to come down and participate in the Royal Show events, the sheep judging and cattle judging. We used to have our own competitions and be involved. I made a lot of friendships; people from the bush made a lot of friendships that are still in place.

The Show Society is a bit like an old grandfather clock, it just sits there ticking away and every year comes up with the goods, quite frankly. I pay particular tribute to the people who are involved in the Show year after year. I would like to note particularly the late Mr Charles Thomas from Point Morrison on Kangaroo Island. He was a sheep steward in the sheep judging for years and years, I cannot recall how long, it might have been 30 or 40 years, but he made a regular pilgrimage to the Show and spent two weeks there while everything else was put on hold. People like that are the backbone of show societies and there would be a long list, I am sure, of people.

The Royal Agricultural and Horticultural Society is a highly professional organisation. It does everything particularly well. As members in this place know, each year we are given tickets to the Show, which I try to use every year. I enjoy going. Usually about a day does me out, quite frankly, but I think it is a privilege, as a member of parliament, to go down there and do the rounds and enjoy the hospitality of the Show Society. They are always pleased to see you and it is good to be able to talk to a lot of the older generation who have been there for many years. It is certainly a one-off event. It is a huge contributor to the economy of South Australia and it is a huge contributor to, more particularly, the city of Adelaide for that week or so that the Show is on.

Unfortunately, I could not attend the recent dinner. It just did not slot in, but I know that a number of colleagues on this side of the house went, and apparently a disappointing number from the government side went.

Members interjecting:

Mr PENGILLY: That has come to me from members of the Show Society, not from here, okay? That has come from there: people who have been involved with the Show from many years. They may have had reasons why they could not go; I could not go and that is by the by. However, I look forward to the Show in September. It is very much—

Mrs Vlahos interjecting:

Mr PENGILLY: I am getting quite a bit of assistance, Madam Deputy Speaker.

The DEPUTY SPEAKER: I think you are being provocative, too, but I do ask members to listen in silence and perhaps comment in their own time.

Mr PENGILLY: During the year, we go down there for various things. I know the SADA dinner every year is a highlight, which is held down there, but the new pavilion financed by the former Howard government is absolutely fantastic and is a credit to the society and the way they run that. Those of us attend various functions down there over the year, the Caravan and Camping Show and different things that we are able to go to, so it is a big event. In 25 years, some that are here may be able to go to the 200th one, and they may still be in this place, but not too many, I would think. Not too many might be—the member for Bright may have Australianised his accent and he may well be there in another 25 years.

I congratulate the member for Flinders for bringing this motion to the house. I think it is an excellent motion. I have no doubt that the government will support it. Well, I hope they do. The indication was from the primary industries minister that they would, anyway. So, thank you, and I wish them well for the Show this year.

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (11:52): I also congratulate the member for Flinders for bringing this very important milestone to this house and I certainly do commend him for doing that. The 175th anniversary of the Royal Agricultural and Horticultural Society is a significant milestone, not only for the society but also for our agriculture industries and also for the state of South Australia. As has been mentioned before, the society was formed just three years after South Australia was founded, so that it is a significant opportunity there and a significant milestone.

The society was formed to advance agricultural and pastoral knowledge and to promote the development of the colony's natural resources. Our natural resources and our agriculture society are a great thing and provide great opportunities out there for our farming community. The society became a very progressive and influential body, also turning its attention to research and communicating news and information to farmers and agricultural businesses, which is very important.

It is interesting that the first Show was held in 1840 and there was at least one Show, sometimes two, during the early years of the society. Also, in 1845, wine was exhibited for the very first time at the Show. In 1851, the society sent samples of locally-grown wheat to compete in the great exhibition at the Crystal Palace in London. I must mention that one of those won a prize there, so even in 1851 South Australia had world-renowned and great wheat, so congratulations there. Since the first Show in 1840, the society has played a very central role in helping all South Australians to better understand the agriculture industry and to help drive our state going forward.

About 40 per cent of all South Australians attend the Royal Adelaide Show each year, and as the member for Finniss said, I have not got a ticket at this stage, but I am looking forward to attending the Show this year. Whether they attend to ride the Mad Mouse or to show off their prize bull, everyone leaves the Show with a better understanding of agriculture, and, as the minister for regions, I think that is a very good thing. The people in Adelaide sometimes do not understand the importance of the agriculture society to the wellbeing of our communities.

This year's Royal Show is the 239th, and it will continue the tradition of connecting city and country communities. It connects primary producers with city farmers who rely on their products and also connects the farmers to show their showcases to the city people in Adelaide. In 1888, the central bureau of agriculture was created to advise the minister and to encourage better practices by farmers. The South Australian Department of Agriculture was formed in 1902 with a charter of conducting research, drafting legislation and having a regulatory role to protect the state's agriculture industries.

An honourable member interjecting:

The Hon. G.G. BROCK: Plenty of time—eight more minutes.

Mr Whetstone: Speed it up!

The Hon. G.G. BROCK: Do you want to have a shot?

Mr Whetstone: No. Speed it up!

The Hon. G.G. BROCK: Since those days, the society and the government of the day, no matter which side is in government, have worked closely for the betterment of all state farmers. At this year's Royal Show, which is less than one month away, the state government will partner with the society to deliver the Premium Food and Wine Trail, and the member for Chaffey may interject but certainly we are all united with what the society does and we would hope that they keep going for another 25 to 100 years.

I know there are other speakers who want to speak here today. In closing, I congratulate the Royal Agricultural and Horticultural Society of South Australia on its 175th anniversary and its ongoing role in developing and growing our state. Again, I thank the member for Flinders for bringing this great issue to the parliament.

Mr VAN HOLST PELLEKAAN (Stuart) (11:56): It is my very genuine pleasure to support the member for Flinders in this fantastic motion that this house recognises the 175th anniversary of the Royal Agricultural and Horticultural Society of South Australia and applauds its significant contribution to our state. I know that when the member for Flinders penned those words 'applauds the contribution to our state', he did genuinely mean regions and the city. He meant Adelaide and the rest of South Australia as well because while, obviously, the traditions of the Show are steeped in our primary industries, our rural and our regional culture, that culture has made a very significant contribution to our capital city over 175 years.

I think it is very important that we have such a large, thriving Show in the city which allows rural people to come and contribute and participate, but also shows off to metropolitan people, who may unfortunately not get out to regions very often, exactly what we have to offer. I think that it really is a very valuable two-way street that the Royal Agricultural and Horticultural Society contributes to our entire state, as the member for Flinders has said.

The member for Flinders went through a great deal of history, both very important factual, structured history and also some very interesting personal, family history and involvement and I think that was absolutely outstanding. I do not plan to go over all that again. I would actually like to talk about the links between the Adelaide Show and all the other country shows around South Australia, which are absolutely vital to those communities.

In my electorate, I am exceptionally proud that we have a show at Kapunda, Burra, Eudunda, Jamestown, Melrose and Wilmington all within the electorate of Stuart and there are many more across the state. At Jamestown, we actually have the largest show in rural South Australia. They do an absolutely outstanding job at Jamestown, as do all the other committees and agricultural and horticultural societies which run shows large and small across our entire state.

One of the things that has been so important not just to the Adelaide Show but also to all the shows across rural South Australia is the fact that they have had to walk a delicate, careful and important balance between retaining showing off some of the most important traditional talents and capacities and abilities from primarily farming areas of the state and also working into newer and interesting areas that keep a more modern show-goer interested and entertained.

Of course, the very obvious stuff is the sideshow alley which has been around for 100 years which I have to say is not really my favourite part at all. In fact, it is not anywhere close to my favourite part. However, it is incredibly important because you think of all those teenage kids who go and they love it—fantastic, because it is meant to be a great, fun day out.

All of these show societies are thinking every year, 'What will we present so that we can retain our traditions and also add new, modern and innovative stalls, events, activities and competitions for people as well.' I applaud all the people who put time and effort into keeping shows relevant by retaining those traditional, very important primary industry bases that started them, but also a wide range of very modern pursuits as well. I think that is one of the foundations of the success of the Royal Adelaide Show for 175 years—let us hope there are another 175 years to go—and all of those shows across the state, particularly, as far as I am concerned of course, those in Stuart, some of which have been going for 150 or 160-plus years, which I think is absolutely outstanding success for those small places.

I would also like to point out the very important contribution that shows make to rural education. Public schools and private schools, but primarily public because that is what we have in rural South Australia, run very important agriculture programs for their students, and the shows give them places to actively participate, to show off what they can do and to compete. They give them events and give them times to work towards.

I have to say my favourite part of the shows is going and seeing the school groups that have entered competitions in the shows, particularly in Adelaide where you get groups from all over the state. They come in with livestock, horticultural produce and a whole range of things. You see these school kids, their teachers, their families and other people who support the school putting in an enormous amount of effort into a really healthy, constructive, productive effort to compete at these shows. I think that opportunity to participate is wonderful.

It is wonderful for so many reasons. At one end, you have a valuable educational program where you have targets. If you know you have a footy match every week, and know you have finals at the end, it gives you something to work towards. There is teamwork and discipline that comes into that, and the shows provide that.

They are also very important in another way because what these kids are learning, what the shows give them the opportunity to compete in, is actually real world for many of those kids. It is actually where their future lies. If you get a young person going to a show as part of a school team, whether they are involved in shearing, horticulture, grains, cattle, sheep, wool or meat it does not matter, it is very likely that that is actually their working future. I think the shows offer an incredibly valuable opportunity for them as well. Let me just conclude by giving the member for Chaffey a little bit of credit because I understand he actually enters every year. He enters the jam-making competition.

Mr Whetstone: Don't give away any secrets.

The DEPUTY SPEAKER: Hang on, that is tipping off the judges.

Mr VAN HOLST PELLEKAAN: Yes, as he says—don't worry, Deputy Speaker—I will not share the recipe. I will not share the recipe, but the member for Chaffey participates. I actually have, on the pin board in my office behind my desk, a pennant that says 'Best Exhibit Wilmington Show', but I have to confess it has nothing to do with me. It is one that my wife actually won for a vegetable contribution she made at the Wilmington Show.

On this side, we actively contribute at whatever level we possibly can in shows. I am sure that people on the opposite side would love to do it, and I encourage them to do that if they possibly can. If it is the Adelaide Show, whip up a jam like the member for Chaffey does. If it is a country show, Minister for Police, I am sure you have the opportunity at Gawler to do that from time to time. It is a really fun opportunity, and I really encourage everybody—

Members interjecting:

The DEPUTY SPEAKER: Order! I must admit, I thought Gawler was right up there, but we have been told—

Members interjecting:

The DEPUTY SPEAKER: Order! We have been told that Jamestown is the biggest, so I am leaving that to you to follow up—

The Hon. A. Piccolo interjecting:

The DEPUTY SPEAKER: Order! You will have your opportunity shortly. Member for Stuart.

Mr VAN HOLST PELLEKAAN: I very deliberately kept that sort of parochial competition out of my contribution because every single one of us should stick up for our local shows in our local area. That is what we should all be doing and I recognise and appreciate that wholeheartedly.

Finally, I would like to share some information that the member for Flinders shared with me and I encourage all members to take a look at this. There has been a book written by Mr Robert Linn and launched in March by our state Governor titled *175 Years of Influence and Vision Sharing the*

Good Earth. I encourage all members here to take a look at that book which directly relates to the fantastic motion that the member for Flinders has brought to this house.

The Hon. S.W. KEY (Ashford) (12:05): I should start my contribution on the Royal Agricultural & Horticultural Society by echoing the member for Stuart to stick up for the shows in our own local area. As people would know, I am very pleased that the Royal Agricultural & Horticultural Society of South Australia is in Ashford and also in the federal seat of Adelaide. I know that the federal member for Adelaide, Kate Ellis, and I are very proud to have the honour of having the Show in our area.

I have a number of connections as a local member with that place and I am very pleased to say that I have always found both the staff and the representatives of the Show to be fabulously supportive and innovative in their approach to the future of the Show. I was particularly pleased to have meetings with John Rothwell, the CEO of the Royal Show, where his vision—and I am sure the vision of the executive of the Show—is to make sure that that space is utilised in the best-possible way.

While we have the fabulous Show that we have been talking about in the chamber today, there is also a commitment to make sure that that space is used as well as it can be. With some of the renovations that have happened I—and I am sure other members in this chamber—have been to a number of different functions that are now held in what I would consider to be a very modernised showground.

The other thing that I am really proud of is that in the redevelopment there was a real commitment to having a green space, and I have been on the roof and had a look at the photovoltaic solar provisions that are there and also inspected the water recycling. Up until fairly recently we had the biggest effort both in the area of voltaic power and water recycling in the Southern Hemisphere. It is pretty good for Adelaide to have that record.

In a previous life as a union official, which was fairly difficult, I worked as the industrial officer for the United Trades and Labor Council and I had the honour to be involved in negotiating the site agreement for each year's Show. That included making sure that industrial relations facilities and negotiations were put in place with regard to the workers who were at the Royal Show. That included the amusement area—I know more about the amusement area than I have ever wanted to know other than having to go on there with young people—and also the stalls and the souvenirs and the different people who make the Show the success that it is.

The behind-the-scenes work is fantastic and that professionalism, I understand, has continued. With all the good things that we see, there is a lot of work that goes on behind the scenes, particularly with the groups that show their animals and their products, and the way it works like clockwork is really impressive.

The other thing that I am really pleased to be able to say is that for this Show we should be able to access the new Adelaide Showgrounds station. I see that as a real coup as far as our infrastructure in the state is concerned. There was a lot of heartache for the residents and businesses around that space, but we have come through. I hope members have had the opportunity to look at that station, because one of the things I think is really impressive is not only the architecture but the fact that we acknowledge the effort that has been put in by our different armed services over the years. There is particular artwork that commemorates our veterans. It is a really good story for South Australia, it is a very elegant station and it even looks very good at night with all the lighting that is there.

The next stage of things happening around that space is that there will be an underpass for pedestrians and cyclists. One of the big problems with the great moves that have been happening over a number of years with regard to bike and pedestrian paths along that area is that, once you get to Greenhill Road, then it is a real problem, particularly on the corner of Anzac Highway and Greenhill Road, to actually go further on your bike without big delays.

There have also been complaints over the years from people in wheelchairs and gophers, that it is a very difficult cross road to pass. That work is happening at the moment. I do not think it

will be ready for the next Royal Show, but it is aimed to be finished in November, I think, so let us hope that stays on time and that we have that particular facility.

The other area in which I have worked with the showground people is my community arts project, which is shared by a number of local people, including the Goodwood traders, the Unley council and the member for Unley, which is to improve the appearance of the Millswood underpass on Goodwood Road. The dream is to turn that underpass into an arts space. A lot of people are quite excited about the idea, and I really want to acknowledge the support I have had from the Royal Show, because they can see that as being, perhaps at Show time, something they can use to emphasise and advertise the different work the Show does. They are really part of our community and part of the discussions we have, because of course Ashford is the best electorate in the state and we are just going to go on and make sure we keep that position.

The other dealings I have had, which may surprise some members here, is my interest and commitment to the Roller Derby women. The good thing about Roller Derby at the Adelaide Show is that not only do you get to see the Roller Derby, which can be a bit rough at times, but that particular group is committed to having live music at the Roller Derby. So, there is an opportunity to showcase some of our fabulous talent with regard to South Australian music. Anybody who is into blue grass music, or blues music in particular, will enjoy the music, even if they do not enjoy the Roller Derby, although I challenge you not to enjoy it.

A number of shows happen around the Royal Show, and I have been really pleased to be part of those different celebrations. One of the areas in which I am really interested is the growing of native plants. I usually see the member for Fisher at those shows, where you get very cheap and varied both Indigenous native plants and also native plants from South Australia and around Australia. It is a really good opportunity to encourage people to think about growing not just exotic plants but also Indigenous plants as well.

In conclusion, I congratulate the great success of 175 years by the Royal Agricultural & Horticultural Society. There are lots of stories. The member for Flinders told some of his. I am always very amused by the stories I get on this side of the house. A former minister and member for Adelaide Jane Lomax-Smith has been a member, as am I. I have been a member of the Royal Adelaide Show for a number of years—a very proud one.

She has been given the opportunity by the Country Women's Association—another really important organisation associated with our Show and other country events—to weigh the scone mix, and this is a very important job she has been given. The member for Taylor tells me that she has been given some responsibility in regard to the tea room as well, and I congratulate her. This is a very positive motion and I congratulate the member for Flinders on bringing it to our attention.

Mr KNOLL (Schubert) (12:15): Here we are on another Thursday morning, the greatest time on the parliamentary calendar. I question whether or not the member for Colton is auditioning for some sort of TV show. We were lamenting before that if he brings a basketball into this place, spikes it up and calls it Wilson then we will know what is going on.

Members interjecting:

Mr KNOLL: Sorry, Deputy Speaker for bringing this house into disorder. I wanted to focus a little bit differently from the contributions that have been made this morning in regard to the 175th anniversary of the Show and the society and talk about the local shows in my area and about some of the issues and difficulties local shows in my area have been having.

I am lucky enough to get along to almost all of my shows, depending on whether or not it is an election year, and I will get to that in a second. I was fortunate enough to go to the Mannum Show this year, the Tanunda Show, the Angaston Show and the Mount Pleasant Show, which this year was held on 15 March. I have a request from Nick Seager, the President of the Mount Pleasant Show, that the date of the state election be moved in order not to conflict with the more important Mount Pleasant Show once every four years. I suggested that the AEC have a booth at the Mount Pleasant Show; it could have possibly been the busiest booth on the day in my electorate but, alas, that did not happen.

Shows provide a great way for communities to come together and connect. I want to talk in particular about the Tanunda Show AGM at which I was fortunate enough to be a guest speaker last week. I congratulate Luke Willis, the president, on his work keeping the show going, and the show has just had its 101st year. Highlights include the Bienenstich competition, eating a North German dessert called Rote Grütze, which is sweetened sago with wine. There is also a battle every year between the Lone Pine and Rowland Flat Agricultural Bureaus as to who has the best agricultural display. As the local member, can I say they are both equally as good.

On Wednesday, I talked to the Show Society about the difficult topic of youth engagement in the community and youth engagement in organised structures within the community. I would hazard to say that along with the Labor Party, the Liberal Party, the RSLs and town committees, there are so many organisations I see that suffer from the same issues: primarily, an ageing membership, a declining membership and, in some cases, a real struggle to secure the future of the organisation in general.

It was quite pertinent because I was sitting with about 30 members of the Tanunda Show society; I would hazard to say that 80 per cent of them were over 65 and this was a topic quite close to their heart. I gave the perspective of someone who is younger but someone who does indeed join things. I did not seek to apologise for my generation but instead to help create some understanding so that we can find some ways to make sure that our communities remain as strong as they are and try to strengthen them.

In relation to that, I would like to raise a couple of points now. The first is that for my part I have been very welcome to join the organisations that I have, whether it be industry organisations, sporting clubs, or different branches and subsets within the Liberal Party. I have always been encouraged to join, not on my terms but on the terms that currently exist within the structures that currently exist.

My generation has a very different way of engaging. We are not apathetic and we are not adverse to community involvement. Indeed, the new generation of MPs who have come into this place—and I am looking at the member for Kaurna and the member for Bright and the member for Reynell quite specifically. There is a new generation and we are symptomatic of a generation that wants to engage, but we do so very differently.

Modern technology is one of the biggest impacts and one of the biggest changes. When I am talking about modern technology I actually take a broader time frame. When I look back 50 or 60 years, before the advent of modern communications, in order to get out and interact with the community you had to leave your home, you had to join organisations (of which there were fewer than there are today), and you became involved. That is the way you made friends and that is the way you figured out what was going on.

Indeed, a lot of what I see in the Liberal Party is information dissemination from members of parliament down to branches and from branch presidents through to members. That is all based around a traditional model of information dissemination. However, the truth is that modern technology means that any lay member of a political party, any member of an organisation, can be just as informed and involved sitting at home as they used to be by having to leave the house.

The second thing that my generation has is so much more choice about becoming involved informally and formally with so many different things, from sporting organisations to pursuits where one can get involved over the internet, being able to interact and communicate with friends without ever having to leave the house. That has certainly been to the detriment of structured, traditional organisations.

Another thing I talked about was the fact that the traditional meeting and agenda structure that so many organisations follow does seem more and more pointless to my generation. The idea of going through a structured meeting process—where we recount what we did last time, where we tick off everybody's name, where we listen to reports from a couple of members of the organisation—then afterwards finally get on to discuss something seems quite a laborious way of going through a meeting process.

Again, it comes back to the fact that we have so much information at our fingertips. That means that we prefer more informal ways to engage: open forums where everybody gets to participate equally, as opposed to a couple of people sitting at the front of a room dictating to the people sitting in chairs facing them.

Another thing I found quite interesting about my generation is that because of the amount of choice we have we tend not to commit to functions too far in advance. Many times, when organising a function where I believe 100 people will turn up, seven days before I will have 30 names on the RSVP list and try to deal with caterers on that basis, but in the end we get to that 100 figure. Because of the amount of choice this generation has, people do not want to commit too far in advance in case something better comes up.

Another thing I have noted about my generation is that we are far less willing to donate our time but more willing to donate our money. I looked at this morning's Twitter feed and the campaign by Young Labor—and, indeed, the Young Liberal Movement has taken up the same campaign for the Hutt Street Centre's Walk a Mile campaign—and I noted that the member for Hartley donated $106.01 and was outdone by the member for Lee, who donated $212, although he does get paid more than the member for Hartley, so we can forgive him that.

Those sorts of campaigns, where we are willing to donate money, work quite well; we are more willing to do that than donate our time, so we end up with more professional organisations so that our charities, instead of being community groups run by volunteers, are professional organisations with paid people. As somebody who is stalk called by about a dozen different organisations for money, I know how professional they have become.

In the last minute and 45 seconds I have left, I would like to talk about the intergenerational gap. So many times I have seen organisations built around a friendship group based on a similar generational age, and somebody young coming into that group finds it quite difficult to engage and relate to a generation that is not their own. I think it is there that the answer lies: if we are to engage this next generation, we have to be willing to let them do it on their own terms, with their own formats and their own styles, but with their friends.

It is only by bringing along people and friends with them that they engage fully. I have brought people to Liberal Party branch meetings and, if I bring along a 30-year-old friend who sits around with people in their 50s, 60s and 70s, it is quite hard for them to engage and I have seen them become reluctant to engage. I do think we need to put these things on the record, otherwise we are going to lose that sense of community spirit and volunteerism that has made our community so great over our history.

The Hon. P. CAICA (Colton) (12:25): I, too, wish to speak on this particular subject and, in opening my remarks, I congratulate the member for Flinders on bringing this very important motion to recognise the 175th anniversary of the Royal Agricultural and Horticultural Society of South Australia. It is true that it makes a significant contribution to our state. I think every South Australian has some affinity with what is a revered institution here in South Australia, that is, the Royal Show. The importance of the Royal Show changes as you get older as well. When I was young and the first time that I was allowed to attend—

Mr Pengilly: You're still young, aren't you, Paul?

The Hon. P. CAICA: Compared to you, yes. When I was first allowed to go to the Show by myself, it was a great experience. Of course, most of that time would have been spent in the sideshows and having fun down there but, as you attend more shows, you realise that there is much more to it. Of course, it was not long before I became interested in the bonsais or the chooks or the puffed pigeons—of the feathered variety, of course—wood chopping and a whole lot of things. It is often, for people who live in metropolitan Adelaide, their first engagement with things that are associated with and extremely important to South Australia, that is, our agricultural and primary production sector.

Contrary to the views that are often held by those opposite that we do not support rural South Australia, the fact is we do. The fact is we understand the absolute importance of primary production to this state's economic welfare and wellbeing. The Royal Show each year provides an opportunity to educate those people from metropolitan Adelaide and our areas around the city of Adelaide to get

a greater understanding of the work that is undertaken by people in primary production but also to get an understanding of its importance to our state.

I was lucky enough, for a short period of time, to be the state's agricultural minister and, of course, I enjoyed that role very much. Part and parcel of our job as members of parliament, not just those who have rural electorates but also metropolitan electorates, is to give people a greater understanding of what is a fundamental plank in this state's economy, and that is primary production. It is incumbent upon all of us to do that and support our agricultural and primary production sector as best we can.

Like my good friend the member for Ashford, I have looked with interest at the transformation of the Agricultural and Horticultural Society over a period of time, and I congratulate the successive executives who have transformed that society into one that is actually adding relevance to the role that it plays around South Australia.

Its core responsibility will always be the promotion, welfare and advancement of primary industry in this state, and that is as it should be; but, by expanding its influence into a variety of other areas, it has created the opportunity for what was a two-week event every year to be events that occur across the entire year. Some people might remember, I am sure—some people in this room, even—having been to see the Beatles at Centennial Hall.

The DEPUTY SPEAKER: I was going to say that.

The Hon. P. CAICA: Sorry. Then, I will withdraw that and say that some people may have even seen the two concerts that were performed by the Rolling Stones at Centennial Hall or even gone to see Suzi Quatro or, in the case of others, it may have been to the Sexpo where they have their—

The Hon. L.W.K. Bignell interjecting:

The Hon. P. CAICA: Is it Sexpo? I have never been there, but I am just saying that some people may have, or the farmers' markets that occur on Sunday mornings. I do notice the member for Goyder covering his face, for whatever reason that might be. What I am saying is that it has become a venue that is becoming more relevant to the people of South Australia because of the variety of initiatives that have been undertaken by the society, which in turn lends itself to promoting and continuing to promote that core responsibility of the society.

Unlike the member for Chaffey who has won prizes for jam or the member for Stuart whose wife did something extraordinary with vegetables and won a prize at the Wilmington Show, I have a beautiful ribbon that is very long and says 'First Prize at the Royal Adelaide Show'. I can see people in anticipation saying, 'How on earth would Caica have got that?' and I can tell you.

Anyone who wants to go through the Rose Terrace gates can go there and see a little plaque. I know the former premier was very disappointed when I told him. He got me to open the gates there and he was very upset when he saw the size of the brass plaque, but it is there with my name and that I opened it at that particular time, and as a result of that, in pulling what was a big ribbon, it was the first prize blue ribbon, and I've got that pride of place.

Mr van Holst Pellekaan: You didn't actually win anything?

The Hon. P. CAICA: No, I took it. It was a gift from Mr Charlie Downer and John Rothwell. I said, 'Can I have that?' and they said, 'Yes, you can, minister.' As a member of parliament over a variety of years you get a lot of stuff. Some might say that some stuff is not as good as some other stuff, but this one holds pride of place in my office in the outstanding seat of Colton, down at my Henley Beach office.

I am going to prove to people that you do not have to speak for the entire time. I am going to wind up now, but what I want to do is congratulate executive officer John Rothwell; Richard Fewster, for the work he does; and the executive that does an outstanding job in transforming the Show in such a way that they are making it relevant to more and more South Australians. It is an outstanding institution.

It is an event that hundreds of thousands of South Australians on a yearly basis continue to enjoy. Its very purpose is to underpin awareness, education, and the benefits of primary production in this state. I congratulate everyone involved with it and I also hope, although I certainly will not be here, that in 170 years' time this parliament is celebrating the ongoing role that the Show and the Royal Horticultural Society of South Australia plays in South Australia. Congratulations again to the member for Flinders on moving this motion.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the member for Chaffey, I would like to acknowledge we have visitors in the gallery today from Woodcroft College who are guests of the member for Mawson. They are Years 3 to 7 with their teacher, Neil Turner. We really hope you enjoy your time here this morning and I can tell you that you have come at a really good time because I think a lot of you may have been to the Royal Show so you will know what we are talking about.

Motions

ROYAL AGRICULTURAL AND HORTICULTURAL SOCIETY OF SA

Debate resumed.

Mr WHETSTONE (Chaffey) (12:33): I, too, rise to make a contribution to the member for Flinders' motion and recognise the 175 years of the Royal Agricultural Society Show. As most people who have had a contribution here today have said, the Show is about fun, it is about learning, and it is about a new experience. I think that everyone who has had a contribution here this morning has been a part of that. There has been some fun and there has been a bit of joviality for those who understand the Show. There are those who have been to the Show and have not understood what the Show was about, but they have gone there and they have learnt. I think that is what the Show is about and that is why we call it the Show because it is almost like a show-and-tell or a show and learn.

I will not go back over the history of the Show as some of the members have, but obviously we have to acknowledge that it is one of the oldest organisations in South Australia. The 'Royal' part of the Show was an 1869 prefix that was granted by Queen Victoria so that is where the 'Royal' came from with the Show.

The Show was instigated many years ago for good reason: it was put as a vision for South Australia—not only what South Australia could achieve but also that conduit of what we could do with our agricultural products. That includes not just being able to grow, but how we would export and ways that we would export. I note the joint venture between the ag society and P&O for the first shipment of refrigerated produce from South Australia to Europe. I think that was probably one of the benchmarks coming away from the Show in the early days.

As many have said, there are many facets to the Show. It is not just about the animals, the produce, the equestrian events, the sideshow alley, the food, the smell—there are many, many facets to the Show. If I look back as a young lad, I have many fond memories. One of the first fond memories I have was looking back at the show bags when they were sample bags. Back then it was either a Bertie Beetle or a liquorice show bag, as I remember some years ago. It was about giving people a taste or an experience, and I think that is more importantly what the Show was about.

Of course, there have been many pieces of history that revolve around the Show. One of the most recent pieces of history was the 175th gala celebration night that the Show board put on. I would like to pay tribute to a few people who made that event happen: obviously Richard Fewster, the president of the Show. Richard is a good friend of mine. He has so much passion for the Show, and a vision for the Show and what it can still yet produce and what it can mean to South Australia. You have to have a spare hour to sit down with him just to listen to what his vision is and what he wants the Show to present to the next generation.

Of course, John Rothwell is one of those super energetic CEOs. He is always on his toes, always looking for the next step and always looking for excellence. I think that was proudly displayed at the gala event. Michelle Hocking is the marketing girl down at the Show. I think she did an

outstanding job with her contribution to the night. Of course, there was Rob Hunt and his committee that actually put that Show on.

That gala event was probably one of the better black tie events that I have been to in my black tie career. It had everything: it had the themes of the night, the waiters, the films that went around the walls, the food, the singing, the entertainment. It was all themed around the night. For those who went along—I am not going to point fingers, but I only noticed that there was one person on the other side from this establishment who went along. Sadly, they might have had other events on, but you missed out on a good night.

The Hon. S.W. Key: I was there.

Mr WHETSTONE: Yes, that's what I am saying.

The Hon. S.W. Key: Kyam.

Mr WHETSTONE: Kyam lives in another place, but I was making reference to you, member for Ashford. It really was a great night and it was enjoyed by all. As I said, it really gave everyone an experience, not only of the history of what the Royal Show has meant to the people of South Australia but it was also a night of reflection. It really did highlight just how the country comes to the city and engages.

That is probably one of my great fond memories, because today, sadly, there are many, many young ones who would go to the Show and they go straight to sideshow alley and they do not drift off around other parts of the Show. I think that over time, as the member for Colton has said, people become a little older and engage more with where they are going, and they will wander into the animal pavilions, the produce pavilions, the fashion shows and the technology centres. I think that is where the future of the Show is going.

I think nothing less than with the Show board, with what they are about to present for the future. In having a chat to the president, I asked him, 'What is the future, the next 10-year vision, for you as a Show board president?' One of his favourite lines is that he can see South Australia being the next Silicon Valley when it comes to agriculture. I think he is pretty much on the mark, because the Show board wants to have an ever-increasing role in agriculture, in R&D.

Because we are talking about the Royal Show, we will not get too political, but the R&D is what South Australia will rely on for the next 175 years. It is not about relying on what we have achieved over the last period of time, it is about what we can achieve over the next period of time. I think, sadly, the current government has lost that focus on where the R&D is going. They are reducing funding for our R&D organisations. They seem to be pointing the finger at industry and saying, 'Your role; on your bike; off you go.' I think there needs to be more of a joint venture. For us as parliamentarians we need to be here to make this place a better state, yes, but we also need to make the future a better place.

I will move on to some of my past experiences with the Show. I will share a little of my family history. As a young fellow, I used to visit the Show every day for the 10 days that it used to be—almost two weeks. I very proudly stand here to say that I do have one over the member for Colton because I have many ribbons. They are not ribbons that I just asked for; they are ribbons that were handed down to me.

My grandparents, Freda and Dudley Coombe, were very highly regarded in cattle breeding, particularly in the Poll Hereford area. They had a grand champion for three years. One of my fond memories is that there was always that rivalry between the Coombes, the Bennetts and the Speirs. They all had great bloodlines and they all presented great bulls. I stood there proudly with that ribbon around my shoulders as a young three, four and five year old to say that I was part of that.

I remember that we used to go into the stalls and brush the animals, be a part of it and get the smell all over us. That was the year that you would dress up in your RM Williams moleskin pants and your elastic-sided boots. You were part of it. You would smell of it, proud as punch. If you were lucky enough, you would go round and get yourself a couple of sample bags. I used to sneak into the Heavy Horse that would overlook the woodcutting. It really was a great experience. Another one

of my proud moments was to carry the grand parade banner. To walk out in front of the livestock, carry that banner and lead the procession around the arena was a great experience.

Last year the Show contacted me to say that they had a photo that was taken—I will not tell you exactly how many years; that would give it away—many years ago when I was at the age of three and they did a re-enactment of me sitting on a bale of hay with a show bag and the whip. People have talked about my award-winning jam. Yes, I have won prize money and I have won ribbons. I am back there again this year. I challenge everyone in this house: enter something in the Show; be a part of the Show.

Time expired.

Ms BEDFORD (Florey) (12:43): I would like to add my support for this terrific motion of the member for Flinders—and add my congratulations to everybody who has been involved with the Royal Show over very many years. I am not one to brag myself, but all the ribbons I have won as a dog exhibitor for the last 25 years have been won by myself manoeuvring my Dobermans or pharaoh hounds around the arena. The former member for Torrens is a Rhodesian ridgeback exhibitor and many times we have walked through that portal where it says you go in and however you come out you have gained an experience.

The Canine Association of South Australia has definitely been very grateful to the Agricultural Society for the use of the rear of the pavilion, and I know for the first 15 years of my dog showing life that was the place where we all went. My grandfather in New South Wales—because I am from Sydney, and have attended the Royal Easter Show for many years—used to exhibit prize poppies and budgerigars, so I have had a long experience of sitting in pavilions with people walking past looking at budgies or dogs or whatever.

As the member for Ashford mentioned, the former member for Adelaide the Hon. Jane Lomax-Smith has a long connection with the Show in her role as a chook judge. We also believe she has judged eggs there from time to time, because we know she is well able to judge a good egg when sees one.

Regional shows are something very important to me, because I believe I have exhibited my dogs at every regional show in South Australia. There is a story about a saluki breeder who had imported a dog from Sweden, which had cost him thousands of dollars. The dog slipped its lead at the Glencoe Show and was never seen again. People were out in the scrub looking for this dog for hours and hours.

The man stayed there for a full week—he had come from Sydney with his dog—but they never, ever saw the dog again. So I am wondering if, along with the Tantanoola tiger myth down there, perhaps the Swedish saluki should also be remembered, because I know that the people were devastated to lose their dog in that fashion.

The regional shows also have the carnie people who come out every year and go around Australia. That is a tradition that I think all of us have learnt a lot from over the years, watching the same people return time after time. I know that the CWA, as the member for Ashford said, plays a very important role, and the cakes are a well-contested area. I know Amanda Blair is a very proud cake baker; I have never—

An honourable member interjecting:

Ms BEDFORD: Who? Mark Brindal bakes cakes as well—

An honourable member: A cake decorator.

Ms BEDFORD: A cake decorator? Well, the things you find out. The thing about the Show is that it is a connection for city people to actually understand the country much better. Without it I think we would have lost that appreciation of country in our lives. I do agree that the Show has been a place where you have looked at the plants and the orchids, and who has not bought a gadget at the Royal Show that they have probably never used again?

The Uniting Church café ladies have done a marvellous job for years, and I remember one year I watched someone shear a sheep, spin the wool, and knit a jumper in a day. That was amazing for me to see; I still think of it as an amazing experience. We watched the grand parades, the horses

in action, all those judges. We know kids who spend their entire year getting ready for the Royal Show.

Although I could not attend the gala dinner—I know the Hon. Kyam Maher attended to represent the Premier, and the member for Ashford also went—my excuse is really good. I had just had a new grandchild born, so unfortunately I could not have gone to the dinner. However, I look forward to taking baby Nate and my other grandchildren to the Show, and thank everyone involved not only for giving us those tickets and the opportunity to attend the Show, but also for putting their passion into something that we all really, truly appreciate.

Mr PEDERICK (Hammond) (12:47): I rise, too, to support this motion of the member for Flinders, that this house recognises the 175th anniversary of the Royal Agricultural and Horticultural Society of South Australia, and applauds its significant contribution in this state, and it is a significant contribution. I note that the Show Society was set up only three years after Europeans hit South Australia, and they have to be commended—Richard Fewster, John Rothwell and the rest of the current board—for what they have done over many, many years.

The Show has to be recognised for what it does, especially in these more modern times, in bridging that rural/urban divide. There are a lot of misconceptions that get out about the handling of animals, and I think it is great that people can bring all forms of livestock here. Whether it is chickens that young school children can see at the Show, or whether it is through the pigs, or the dairy or beef sections, the sheep sections, whatever, the animals are presented in their best and their finest so that people can understand where our primary production comes from.

It gives our primary producers the opportunity to show off their produce, and it is not just about animals. It is about the cropping, the awards that can be given, the jams, all the produce that is produced in our great agricultural and regional areas. I think it is great for the many thousands of people who not only assist with the running of the Show but also attend the Show, and who have done so for all these years.

I want to talk a little bit about some of our country shows. The Coonalpyn Show, just down the road from me, has had a bit of a history with our family. I want to tell a little anecdote about a bloke who used to be a shearer in our district and who has sadly passed away in the last couple of years. There is a true story that, years ago, he went to the Coonalpyn Show with his wife and he never saw her again. So, we have a standing joke in our house that, if Sally goes missing for five minutes, I ring up and say, 'Where have you been? Have you been to the Coonalpyn Show?'

Mr Whetstone interjecting:

Mr PEDERICK: Yes, that's it. Sadly, with the drain on population in rural areas that we have seen in recent years, I think that it would be far harder for someone to go missing at the Coonalpyn Show. It is a great little show, and they do a great job. I have certainly been enlisted at the Coonalpyn Show and Meningie Show also as a beer judge. I put my utmost effort into judging the beers to make sure that I give first prize to the most deserving beer—and I did make sure that I reanalysed all of the beers to make sure that we got the winner. It is great to be involved; it does not matter what you are judging or that kind of thing. I am also an annual entrant in the breadmaking at the Coonalpyn Show, the machine-baked bread, and I have some ribbons, some firsts and sadly some seconds.

The Hon. T.R. Kenyon: Do you use your own flour?

Mr PEDERICK: No, I haven't had the time to grind my own flour.

The Hon. A. Piccolo interjecting:

Mr PEDERICK: Madam Deputy Speaker—

The DEPUTY SPEAKER: Order! I am going to protect the member for Hammond on this one rare opportunity where he needs my help.

Mr PEDERICK: Thank you, Madam Deputy Speaker. No, I think that it is a Laucke bread mix we use. There are a few little things you do to give the presentation that little bit extra, but I am not going to put them on the public record.

Members interjecting:

Mr PEDERICK: No, absolutely perfectly legal. I want to note my wife's cooking expertise through the Country Shows Association. I cannot remember which fruit mix it is, but she has managed to get to the regional awards, and I think she has gained a third on that in the last 12 months, so that is quite good.

One thing I must reflect on is a new section in the Coonalpyn Show, the packet mix section. Would anyone think that you would get a prize for making a packet mix? I said to my wife, 'What are you going to do? Do you have to match the photo on the front of the box?' She said, 'No, it's just a matter of trying to get people involved in cooking who maybe haven't as past generations have.' It was funny, but the night before one of the Coonalpyn shows, we had a group of ladies in our kitchen baking their packet mixes. So, it has certainly brought some of the locals together, and they had quite a bit of amusement making their packet mix cakes.

Certainly, there have been some highlights of the Show. I note that the member for Chaffey, when he was talking about going to the Show and the country boys with the moleskins, the RM Williams boots and the blue striped shirt. The Jumbuck Bar was certainly a place to meet and greet, especially on Thursdays at the rams sales at the Show.

Members interjecting:

The DEPUTY SPEAKER: Back to the ram show.

Mr PEDERICK: This was certainly a place to see people, and you always made sure that you were up there for the ram sales. I was there in 1989 when Collinsville broke the record. There is a photo of the back of me in the Collinsville book. One of my friend's girlfriends was with me, and I said to her, 'Please don't even flinch.' Because there was some Argentinian competition, there was quite a bit of publicity about where these rams might end up—and the top ram made $450,000.

In the photo in the book, my hair is a lot more tanned than it is now. It was heady days. Sadly, I do not think the ram was much good actually, but that is another story. There was certainly a lot of money around and a lot of hype and excitement. I must say that the Jumbuck Bar was a place where people met their future wife. It was certainly not the place where I met my future wife, but it was one—

Mr van Holst Pellekaan: But I bet plenty of others!

Mr PEDERICK: Careful. Certainly, on one of my first dates, I picked her up at work (she was working at Kinhill as an environmental scientist), and I said, 'We're going to the Show. Let's go.'

Mr van Holst Pellekaan interjecting:

Mr PEDERICK: No. It was a great thing. It is interesting that, in the last couple of years, I had a significant birthday and Sally had managed to find on Gumtree somehow, in the background of a photo, one of the original Jumbuck Bar signs. So, that is proudly sitting on my verandah because the name of that bar has been changed.

Just in closing, the Show Society has done a magnificent job not just in Adelaide, but right across the state, and I am sure they will do a magnificent job over the next century and beyond. I do not know how you could do better than the function the other night celebrating the society's 175th anniversary. I know Richard Fewster worked on that. He was a bit nervous about it, but it went like clockwork. It was a great function to attend with quite a few colleagues from this house.

My final comment goes to acknowledge the contribution of the Mad Mouse ride at the sideshow. The Mad Mouse was very historic, and I certainly wanted the opportunity to ride it one last time when I found out it was leaving only a few years ago. So one night after sitting I shot down to the Show and had my last ride on the Mad Mouse, and that will stay with me forever.

The Hon. A. Piccolo: And it never worked again.

Mr PEDERICK: I refuse to respond.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr PEDERICK: From a child attending the Show, enjoying all its attributes, until now, it has certainly touched me and my family and many thousands of people throughout South Australia, and it will do so into the future.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (12:56): I would like to acknowledge the contribution of other members to this motion and thank the member for Flinders for bringing it to our attention. I would also like to acknowledge the contribution of all the people who have brought the Royal Show to Adelaide for generations of young people as well as families. I congratulate them.

I would also like to acknowledge the great work that the Gawler Show Society does in bringing an annual show to the town. It is the only remaining two-day country show in the state of South Australia. It is usually held a week before the Royal Show as it sort of ushers in the Royal Show. Ours being the second best show in the state after the Royal Show, it is appropriate that we welcome in the Royal Show.

There are a couple of things I would like to mention. The Gawler Show is still very good in terms of a whole range of products, animals and all the things that a traditional show has. It also has an ambassador program to introduce young people to the show and also get them to actually promote the show, which is a great thing. I am very privileged to be a patron of the Gawler Show Society, and this year's show will be held on 30 and 31 August.

One thing I would like to mention in particular is the role of volunteers. Without volunteers we would not have a Gawler Show and we more than likely would not have a Royal Show either. Right throughout the state volunteers do a tremendous job in bringing the shows to our communities, so I would like to acknowledge the enormous contribution made by volunteers in bringing the shows to life.

I am not sure about other parts of the state, but certainly in Gawler the local service clubs do a really great job in helping out and providing the manpower to make sure the show goes ahead. One of the sad things we see as we go through rural and regional South Australia is the decline in the number of shows, which is really sad, because they really are, in my view, a celebration of community.

Mr TRELOAR (Flinders) (12:58): I would like to thank members from both sides of the house for their contributions this morning and their wonderful support for the Royal Show society here in Adelaide. We also heard some interesting and encouraging stories from rural and regional South Australia. Everybody has their own Show story by the sound of it. I would like to thank the minister for his comments and I concur with his recognition of volunteers. That has probably been overlooked in all of this: how critical they are to making not just the shows but any event right across the state work.

I will very quickly mention the few shows in my electorate of Flinders. In Cummins, my home town, I have probably attended every Show since the age of one. Tent-pegging is a relatively new event there, at Yallunda Flat—that lovely picnic setting. They had over 100 shows. The shearing competition is a real attraction there. The Port Lincoln Show, of course, has gone from two days back to one day, but it is held on the racecourse there in town.

The Lipson Show went into recess for a time, but the community there have reignited the interest in that show and it is now back on the show agenda. Wudinna, of course, is another big shearing show, and Cleve has moved its show to the autumn season to ensure its popularity. Kimba, just outside my electorate but in that of Giles, also has a show.

Thank you once again for all the support. I wish all the best to not just the Royal Agricultural and Horticultural Society of South Australia for their 175th anniversary, but also the shows right across the state for the upcoming Show season.

Motion carried.

Sitting suspended from 13:00 to 14:00.

Parliamentary Procedure

SPEAKER'S RULING

The SPEAKER: Before the member for Hartley rises, he took a point yesterday that the Minister for Agriculture had included in his answer to a government question material that was readily on the departmental website. It turns out that the posting on the website was simultaneous with the minister's answer, and therefore I do not think what the minister did breaches the rules, but I congratulate the member for Hartley on being alert to that.

ANSWERS TABLED

The SPEAKER: I direct that the written answers to questions as detailed in the schedule I now table be distributed and printed in *Hansard*.

Motions

NATIONAL DAY OF MOURNING, MALAYSIAN AIRLINES

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:04): On indulgence, I rise to recognise the national day of mourning to honour the victims of Malaysia Airlines flight MH17. The circumstances surrounding the downed flight are of course tragic, and all South Australians mourn its loss. Our hearts go out to the families and loved ones of the 298 innocent people on the aircraft. Particularly, we grieve for the 38 men, women and children who called Australia home.

We thank the great number of people putting themselves in harm's way in Ukraine to recover those who have been lost and investigate the incident. On behalf of all South Australians, I want to support and thank the commonwealth government for its diplomatic efforts to ensure that justice is served. We are united in grief and in our determination to ensure that justice is done.

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:05): Today, our nation stops to remember the 298 innocent lives that were lost on Flight MH17 and in particular the 38 Australians who perished. As we mourn their tragic loss, we pray for their families and loved ones whose lives have been shattered by the horrendous chain of events that unfolded on 17 July. This tragedy has gripped our nation and affected so many because the victims were everyday people who we can all relate to.

They were fathers, mothers, daughters and sons; they were grandparents and colleagues with dreams and aspirations. Children who had so much more living to do were taken far too soon. No parent deserves to lose a young one like this. No family deserves to lose a loved one like this. The pain and suffering has only been made worse by the volatile and hostile environment surrounding the crash site in Ukraine. Australia's recovery mission has been significantly challenged but remains committed to honouring the victims.

We commend the dedicated men and women who have been working tirelessly in difficult conditions to ensure each and every Australian is returned home to their loved ones. Their commitment and dedication capture the very essence of the Australian spirit. No-one could have predicted this awful event that has resulted in nearly 300 innocent lives being lost. Flags across our country are today flying at half-mast, and the Prime Minister and the Governor-General have joined hundreds of mourners at an official memorial service at St Patrick's Cathedral in Melbourne.

As we take time to reflect on the ill-fated MH17 flight, our thoughts and prayers extend to all the other countries that have been affected by this tragedy, particularly the Netherlands, where most of the victims were from. Those who perished are no longer with us, but they will never be forgotten. On behalf of the opposition, I extend my heartfelt thoughts and prayers to all those affected by this tragic event.

Honourable members: Hear, hear!

Condolence

CREEDON, HON. C.W.

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:07): Also on indulgence, I rise to note the passing of the Hon. Cecil Creedon on 3 August. Mr Creedon was a member of the

Legislative Council from March 1973 until December 1985. The house will have an opportunity to participate in a formal condolence once parliament returns. Our thoughts are with Mr Creedon's family and loved ones.

Parliamentary Procedure

STANDING ORDERS SUSPENSION

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:08): I move:

That standing and sessional orders be so far suspended as to enable me to move a motion of no confidence in the Minister for Education and Child Development to be put forthwith in lieu of question time, the time allotted for the debate be for one hour and the following speaking times apply: the mover and lead speaker opposing the motion, 15 minutes each; a speaker supporting and opposing the motion, 10 minutes each; and a further subsequent speaker supporting and opposing the motion, five minutes each, and no right of reply for the mover.

The SPEAKER: I have counted the house and, there being present an absolute majority of the whole number of members of the house, I accept the motion. Is it seconded?

An honourable member: Yes, sir.

The SPEAKER: Does the honourable member wish to speak in support of the suspension? Preferably not. The question is that standing orders be suspended.

Motion carried.

No-confidence Motion

MINISTER FOR EDUCATION AND CHILD DEVELOPMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:09): Pursuant to order, I move:

That this house has no confidence in the Minister for Education and Child Development in light of her handling of the recent allegations of significant and shocking crimes against children in the care of the state government.

On Tuesday 22 July, the South Australian police held a press conference to reveal that an employee of Families SA had been arrested on multiple charges of child sexual abuse. A month after this initial arrest of a Families SA department employee, the South Australian police and the Minister for Education and Child Development publicly announced that a government employee had been charged with heinous crimes of sexual abuse against seven preschool-aged children, and all were identified as being under the guardianship of the minister.

The department and the government stood side by side and declared that this offender had cleared all of the mandatory tests required to work with children, and yet was still able to get through what the government described as a 'rigorous system'. Questions raised by the media about his suitability for employment were dismissed. Mr David Waterford stated publicly that there was nothing extraordinary about this individual, which was backed up by the minister in a later interview where she stated there was no criminal history and there were no child protection notifications relating to this employee.

On Thursday night 24 July, *The Advertiser* published an online article revealing that the Families SA employee had previous care concerns raised regarding his conduct. This directly contradicted the briefing that the minister had provided to me. Why the delay? Why the delay in discovering the truth about this man's suitability for employment? Why did Mr Waterford and the minister wait for the media and opposition to pursue this atrocity before he reread his notes and realised his mistake? Why was the minister not insisting on a written briefing to ensure that only the correct information was being relayed to the public and to the opposition?

On 28 July, a full two days after Mr Waterford discovered his mistake, he publicly resigned from the department, but the saga was not over. On Saturday 2 August, *The Advertiser* broke yet another scandal within the department: this time, that a Families SA contract driver had been arrested a week earlier for the alleged assault of a 13-year-old girl in state care.

This arrest took place on Sunday night—a full 24 hours before the second confidential briefing given to me by the minister. Again, the minister failed to reveal this second case during our

meeting. Even worse, the minister waited a full six days before advising the parents of the 13-year-old girl of the alleged abuse.

On Tuesday 5 August, SAPOL Commissioner Gary Burns publicly contradicted the minister on radio by confirming that the 32-year-old Families SA employee had been the subject of a separate complaint that was later dismissed. The commissioner acknowledged the veracity of media reports that there had been a previous key notification made against this alleged offender.

Despite this, the minister still refused to confirm that the department had prior information regarding concerns about the man's conduct with children. The fact that the police commissioner could refer to this openly demonstrates that there was no legal implication stopping the minister from full disclosure and talking about the department's role publicly.

This mismanagement comes despite the work of retired Supreme Court Justice Bruce Debelle. It was 402 days ago that Mr Debelle brought down his recommendations relating to the processes and procedures that should be in place when allegations of sexual abuse are made in these circumstances.

There should be no need to remind the house that the Debelle inquiry was scathing of the fundamental failings in ministerial officers of the then education minister, the current Premier of South Australia. Recommendation 7 of the Debelle inquiry is most pertinent to this no-confidence motion. It states:

> That the Minister be informed of allegations of sexual misconduct at a school as soon as reasonably practicable after the Department becomes aware of the allegations—

and that this information—

> …may be given orally or in writing and, if orally, confirmed immediately in writing.

It also goes on to say:

> …the initial briefing be followed by a more detailed briefing in writing when the Department has more information to give to the Minister.

It is categorical. Briefings to the minister must always, ultimately, be in writing. Mr Debelle recommended this because written briefings demand greater rigour and narrow the possibility of errors. Yet, in this case—a case so heinous and appalling, and as disturbing as the matter of this no-confidence motion—the minister failed to receive written briefings before making her public statements.

We know this because former education department and child development deputy chief executive, David Waterford, told us he did not provide a written briefing. Mr Waterford said, 'No consolidated written briefing was in existence on Tuesday the 22nd of July.' No consolidated written briefing was in existence on 22 July.

My briefing of the chief executive and the minister was from memory of reading certain sourced documents. In hindsight this was a fundamental shortcoming in the process for which I was responsible. This minister was content—she was content to receive a verbal briefing before informing the public of these shocking allegations. This is despite minister Rankine previously assuring this house, and assuring the people of South Australia, that each and every one of the Debelle inquiry recommendations would be implemented—they would be implemented in full, and they would be implemented by the end of last year . She promised the people this, and she failed to deliver on it.

Minister Rankine claims that she misled the people of South Australia in that initial media conference based on the inaccurate verbal advice provided by David Waterford. David Waterford, recognising his failings, tendered his resignation as a result of the provision of this misinformation—as a result of the fact that he did not follow the recommendations of the Debelle inquiry. Mr Waterford has acted with the utmost integrity in his resignation. Minister Rankine has no option but to follow the example of Mr Waterford.

The minister failed to follow the recommendations of the Debelle inquiry. The minister's failure against procedure was far more serious than David Waterford's. The minister is guilty of a fundamental shortcoming in the process for which she is personally responsible. The minister brazenly ignored a vital recommendation of the Debelle inquiry and in the process misled the people

of South Australia, yet still wants to keep her job. She can't. She has failed. She has failed in her duty to protect the children in her care.

The minister's deceptions on this matter began at the first press conference she attended after these shocking allegations were revealed to the people of South Australia. The Premier, the minister and David Waterford stood before the media and before the people of South Australia, hand on heart, and claimed there was nothing in this individual's background that would have raised concerns about him being left alone with children. This simply was not true.

David Waterford said, and I quote, 'There was nothing extraordinary about this individual in every regard. He was, for all intents and purposes, a very average person.' Except, he was not very average: he had been the subject of an earlier investigation for alleged inappropriate behaviour involving a female toddler in his care. Mr Waterford knew this, the Premier knew this, the minister knew this. The minister was complicit in misleading South Australians on this critical fact. It is easy to understand why. This is yet another shocking failure of process and procedure in the department in which she leads.

The minister knew full well that the revelation of this information would be politically catastrophic. When *The Advertiser* revealed the truth, the minister then claimed she was unable to discuss this matter because of advice from Crown Law and from SAPOL but consistently refused to present that advice for public scrutiny. I sought my own advice on this matter. Eminent lawyers saw no valid reason why that information could not be divulged.

Think about it: the minister can detail the nature of the horrendous crimes without prejudicing the case but cannot reveal her own failure to act on earlier reports of inappropriate behaviour. It is totally implausible. The minister made a cold-blooded decision to conceal that information because of the political damage that it can do.

When *The Advertiser* revealed the deception she tried to use legal advice as a shield. When the police commissioner, Gary Burns, went on the radio later that week and confirmed that a care notification had been received he snatched that shield away. If the police commissioner could discuss the earlier investigation, then the minister could also. Ludicrously, the minister and the Premier are still clinging to the fiction they cannot discuss this critical failure of the system because of legal advice.

I will let you in on a secret: the public does not believe you—it never has. The public knows why the minister was desperate to conceal her department's failings. The public understands that this failure in process put children at risk for every day this individual continued to work within Families SA.

The public expects ministers to take responsibility for the failings of the departments that they run. In particular, the public has absolutely zero tolerance when those failings involve innocent children. Minister Rankine has desperately tried to conceal a profound failure of process and procedure in Families SA to hang on to her job. The fact is she cannot retain her job because of the initial failure, and she cannot retain her job after trying to conceal that failure. It is time the minister did the honourable thing and resigned.

Both the current minister and the previous two ministers for education and childhood development have consistently hidden behind public servants when questions about their own culpability have been raised. We have now seen the resignation or dismissal of the following public servants from the Department for Education and Child Development: Mr Chris Robinson, Mr Gino DeGennaro, Ms Jan Andrews, Mr Keith Bartley and now David Waterford.

It should be noted that, despite the history of mismanagement and neglect that has embroiled this department under these three separate ministers, we are yet to see a minister accept culpability and resign. It should also be noted that, despite questions raised in both the Debelle Report and the upper house inquiry on the actions of ministerial staffers, we are yet to see a Labor staffer resign. This minister has used public servants as a human shield. The minister has allowed public servants to fall upon their swords rather than accept that as minister she has the ultimate responsibility for failings within her own department.

I have now outlined to the house a sad catalogue of incompetence, evasiveness and lack of responsibility by the Minister for Education and Child Development when it comes to her handling of

recent shocking allegations of child abuse by employees within the government's Families SA agency. Unfortunately, this is part of a broader pattern of behaviour when it comes to the performance of this minister on child protection matters. When the minister was first appointed to her current role in January 2013 she stated that there would be 'no more excuses' when it came to the government's handling on child protection. They were her words and they will be there for everybody to read and reflect upon.

Unfortunately, this commitment by the minister has been honoured only in the breach and never in the observance. To underscore the gravity of the situation, the government has announced that it will be holding a royal commission into this matter. There is a very clear precedent for this situation. When the state's economy was crippled by the State Bank default and subsequent bailout by the government, the Labor premier of the day, John Bannon, resigned his position, making the point in his resignation speech:

> I accept that the buck stops with me. My decision to resign will allow the Royal Commission to report free from any consideration of determining my political fate.

John Bannon acted in the proper traditions of the Westminster system, showing due respect to the fundamental convention of ministerial responsibility. He equally set a clear precedent that in matters such as this—matters of such gravity that a royal commission is required—there is a clear need for the relevant member of the government to take responsibility. This minister and, for that matter, the Premier have demonstrated complete and utter disregard for this fundamental principle. Therefore, this house can have no other recourse other than to pass this motion expressing no confidence in the Minister for Education and Child Development.

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:23): I say at the outset that the Minister for Education and Child Development has acted with the highest standards of integrity, professionalism and diligence in her handling of this most difficult matter. I must say that motions of this sort are not just an evaluation of the target of the relevant motion: they are an evaluation of the prosecutor. They are an evaluation of the prosecutor.

When one carefully analyses the attack that has been made on the minister, when one realises that it is simply based on a series of assertions which have no substance, and when one realises that the gravity of this issue is one about which there should be the highest standards of care and attention paid to ensuring that we conduct ourselves in any public debate about these matters with integrity and with respect to the subject matter of this motion before the house, he will be found sadly wanting.

There are three principal points on which the attack on the minister proceeds: one is this notion that she has in some way hidden behind some advice to not reveal full details about this matter to the public, and indeed to the member himself. At all times, in all respects, the minister has made available to the public, and indeed to the member himself, every piece of information she was permitted to reveal, on advice. Do not just rely upon her assertion of that or my assertion of that: rely upon the assertion of the Commissioner of Police of South Australia. To suggest otherwise, you are casting doubt on the integrity of the Commissioner of Police in this state. Let that be clear, because he has said in clear terms that very point.

The second point that was raised is that somehow there is a recommendation contained within the Debelle inquiry which says that every single thing should be in writing and the absence of doing that was some failure on behalf of the minister for which she should be censored. The first difficulty with that proposition is that the minister did receive written briefings about this matter prior to her making her public announcement. Indeed, both she and I said as much at our first press conference. They are the facts of the matter.

Taking Mr Waterford's resignation letter and extrapolating from his concerns about the fact that he did not prepare a consolidated briefing—one that had taken all of the written briefings and all of the oral briefings and put them into one single document, and his musing that, if he had done that, that may have avoided his error—somehow to conclude that that meant that there was no written briefing in contradiction to the Debelle recommendations is simply false and is not capable of being inferred from any of the material on the public record: the second fundamental misunderstanding—deliberate I would suggest—of the material that is on the public record.

Thirdly is this suggestion that somehow the minister has not accepted her responsibilities as a minister under the traditions of the Westminster system. If the opposition leader went to the Debelle inquiry, he would see a very clear and cogent explanation of the principles by which ministers should be governed for accountability under the Westminster system. On any reading of those principles, the minister could not be in any way criticised for her conduct. In fact, her conduct in relation to this matter has been exemplary.

Her first instinct in relation to this matter was to ensure that appropriate support and advice were in place for victims, as well as the families and carers. She specifically instructed that care plans be in place for every single child who was potentially affected by this conduct. Parents and caregivers of the alleged victims were notified. Families SA also assisted SAPOL regarding identifying other children the accused may have had contact with through their employment as a Families SA carer, and that process is guided by SAPOL and is ongoing.

A task force was immediately established by her to ensure agencies are collaboratively working together in response. That task force has been meeting every weekday. A hotline was established for parents and carers who have questions or concerns and, as of Tuesday, that hotline has received more than 100 calls. The minister also instructed that random checks of residential care facilities were increased. I can also inform the house that the minister joined these workers conducting random checks last night and met with some of our residential care workers.

The minister instructed an independent firm of psychologists to undertake audits of employment records of Families SA residential care workers, and this week the minister announced that former police commissioner Mal Hyde would lead that work. The minister also instructed the fast-tracking of the employment of an additional 180 residential care workers, with a focus on the employment of qualified early childhood workers.

The minister also attended to the concerns and anxieties of staff, both of residential care facilities and foster carers, by walking around agencies and speaking one-on-one to each of those workers and assuring them that they had her respect and support because she did not want that honourable profession denigrated by the public remarks that were being made about Families SA. Last but not least, she insisted that we have an early royal commission, which I agreed to, to look at these important matters, with as broad as possible recommendations, and members of the public are encouraged to provide their feedback on these draft terms of reference.

Mr Speaker, in whom are we entitled to have confidence: a minister who actually puts at front and centre the integrity of the investigation process and the integrity of the prosecution, or a politician who actually seeks to put all of that at risk? Mr Speaker, in whom are we entitled to have confidence: a politician who seeks to put the experience of victims at the forefront of her mind, seeking to shield them from further publicity, or a politician who seeks to revel in the publicity associated with child sexual abuse?

Mr Speaker, in whom should we have confidence: a minister who actually goes to those workers who dedicate their lives every single day of their working life to ensure the care and protection of those little children and ensuring that they actually have the confidence of this government, or a politician who seeks to inflame and provoke public criticism of those very same workers?

We have seen this all before. We have seen the opposition make choices about child sexual abuse and the way in which they have decided to play that into the political sphere in the past. We saw the devotion of extraordinary amounts of resources by this party, the Liberal Party, in the lead-up to the state election. Somebody told them it would be a great idea to focus on the issues surrounding the Debelle inquiry because that would destroy the Premier and that would bring down this Labor government.

Where did that get them? What was the high-water mark in the last state election campaign for this particular issue? That is the abject apology the Leader of the Opposition was forced to give to me personally because his party had lied about the question of child sexual abuse. That is where the politics of playing politics with child sexual abuse got you and your party in the last election, and you have learnt nothing. You come into this place and seek to trade on the question of child sexual abuse and you will be judged harshly for it.

You had a choice. On the first days when this matter was first revealed you decided, appropriately, to adopt a measured and statesmanlike approach to this matter. That is what you chose to do. Faced with the media revelations about details of this matter, media revelations that we had both arms tied behind our back and could not respond to, even when it would have been advantageous to the government to put information in the public sphere which would have exculpated some of the criticism which was occurring to our agencies and our staff, we stood there mute while we were being criticised publicly by the Leader of the Opposition, who decided it was too irresistible to take the opportunity to climb on board the media frenzy to get stuck into this question of child sexual abuse.

That is a question of leadership. That is why this motion is as much an evaluation of the Leader of the Opposition as it is anybody else in this chamber, because the Leader of the Opposition made a choice. He made a choice to do the right thing, to actually be the statesman, to treat this with respect, to allow the investigations to occur, to allow the prosecution to run its natural course, to permit a royal commission, which we announced on the first day, having the broadest possible scope to evaluate the conduct of the government, which could be returned to at any point, and if there was accountability it could have been sheeted home to the government at any time in a proper process. He turned his back on that because he grasped at the political opportunity that was before him. I have seen this before, during the election campaign. I have stood next to—

Members interjecting:

The SPEAKER: The leader is called to order.

The Hon. J.W. WEATHERILL: I have—

Mr van Holst Pellekaan interjecting:

The SPEAKER: The member for Stuart is called to order.

The Hon. J.W. WEATHERILL: I have stood next to the Leader of the Opposition during the election campaign, I have stood next to him during debates, I have stood next to him when I have seen a man who does not know why he is standing there. What we have seen over the last couple of weeks is a person who does not know his own mind about this issue, somebody—

Mr Whetstone: Rubbish!

The SPEAKER: The member for Chaffey is called to order.

The Hon. J.W. WEATHERILL: —who made a decision about how he would deal with this issue and then, when he had put in front of him the temptation of the cheap political opportunity, he grasped at it.

Members interjecting:

The Hon. J.W. WEATHERILL: The problem is you do not believe; you do not believe in anything you are doing. You have actually—

Members interjecting:

The Hon. J.W. WEATHERILL: The Leader of the Opposition does not have the courage of his own convictions because he does not know his own mind. I have to say that this is the big question you need to ask yourself in politics: what on earth am I doing here? You do not know the answer to that question.

An honourable member interjecting:

The Hon. J.W. WEATHERILL: That's right. Maybe it is because you are not interested in social issues. Mr Speaker, the minister has, at every single turn in relation to this matter, had one fact and one concern at the forefront of her mind: that is, the wellbeing of these little children. She has been deeply distressed—as we all have been—about these revelations. She has wanted to share with the South Australian community every single detail she possibly could, and she has done that to the extent that she has been permitted. The police commissioner has confirmed that very fact. She is dealing with a very distressing matter with professionalism, diligence, calm and determination.

She will continue to do that. I have full faith in her. She has my complete confidence, as she should have of the house.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:37): I rise to support the motion of no confidence in the Minister for Education. The minister is the legal guardian of some 2,800 children and is responsible for the care and protection of all children in South Australia. Let us be absolutely clear, from this side of the house, that we accept the minister is not responsible for the unspeakable actions of people who commit crimes against children. However, the events of the past three weeks demonstrate that the minister is now more concerned about shielding herself than she is about reassuring the public that the government is doing everything it can to protect children.

The leader has outlined the minister's failure to be full and frank in her public and private statements regarding this matter. Aside from these matters, what also concerns me is the minister's use of ongoing police investigations and legal proceedings as an excuse for not answering very basic questions in this parliament. Nobody in this place would expect the minister to jeopardise a police investigation or legal proceedings: nobody.

There may be other victims and offenders involved in this matter, and we do not want to interfere with the protection of the victims, the pursuit of offenders, or indeed the successful prosecution of the guilty. However, this is not an acceptable reason for the minister refusing or failing to account to the people of South Australia for her actions, and for those of her department.

This week, we had the ridiculous situation of where the minister claims she has received advice from the police and Crown Law that she cannot speak about a particular matter, but when the police commissioner goes on radio and discloses that information, this raises the question as to whether the minister actually received specific advice from SAPOL as to whether she could disclose that previous care notification which was made regarding the alleged offender and whether it was investigated by SAPOL.

Yesterday, the situation became even more absurd when the Minister for Education again refused to disclose basic information, namely the date of a briefing, but minutes later the Minister for Police provided the parliament with the date on which he had been briefed on the matter. How can identifying a date on which the minister received a particular briefing possibly interfere with a police investigation? How can it possibly interfere with a police investigation, minister?

The police commissioner is doing his job, the Minister for Police is willing to provide information to the public, but the Minister for Education continues to use the falsehood that disclosing what she has done since she was informed of certain matters will impede police investigation. The truth is that the minister is accountable to the people of South Australia, and she needs to answer these questions. Her credibility and the government's are in tatters because of her ongoing failure and refusal to do so, and the only conclusion that can be drawn from these events is that the Minister for Education is simply not prepared to do her job and that South Australians cannot remain confident in her.

Can I say that we welcome the government's announcement to have a royal commission into the child protection system, but again the Minister for Education has failed to advocate for the royal commission to be established immediately. The Premier, the Attorney-General and the Minister for Education have said the royal commission will not be established until after legal proceedings against the alleged offender have concluded.

The Hon. A. Koutsantonis interjecting:

Ms CHAPMAN: Furthermore, if it is appropriate for the minister to appoint a taskforce—

The SPEAKER: The member for West Torrens is called to order.

Ms CHAPMAN: Thank you, Mr Speaker. Furthermore, if it is appropriate for the minister to appoint a taskforce, Mr Hyde to investigate, and the forensic pathologist to start investigating matters in her department, it is then appropriate to appoint the royal commissioner now. The royal commission that will be established is not an investigation into the guilt or innocence of the alleged offender, but of the acts and omissions of the minister's department and to ensure that any systemic failure is rectified.

The minister should know this, because the minister knows that the royal commission can be established while legal proceedings are on foot. We had the Debelle royal commission just last year into the minister's department, which was undertaken while legal proceedings were pending. By refusing to immediately progress the royal commission, the Minister for Education again is letting down South Australians, particularly our children.

The circumstances of the past three weeks have made it abundantly clear that the children of South Australia need better protection. A children's commissioner needs to be established who has investigative powers, but the only voice opposing this is the Labor Party. This is another area where the Minister for Education has failed by offering a weakened structure and failing to support a commissioner with powers. It is time for the Premier to find someone in his cabinet who will have the courage to admit the government's error and fight for the funding to have a proper children's commissioner.

It has also been reported that the Premier retains confidence in the Minister for Education, and indeed he espoused that again today. This is disappointing, but unsurprising, given that he appointed her to the role. The Minister for Investment and Trade and the Minister for Regional Development, however, have an opportunity today to restore public confidence in the parliament and the government by supporting this motion.

They are new to the cabinet and both have agreements with the Premier that permit them to retain their independence and their integrity on matters as important as this. Now is their chance to serve the people of South Australia and vote to restore respect to this parliament and to deliver a better child protection system for our South Australian children.

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:45): The member for Bragg, the Deputy Leader of the Opposition, has raised the issue of the royal commission. Let's be quite clear: the government, from day one, has said that we will have a royal commission into this terrible issue and that the royal commission will have broad terms of reference and all the powers of a royal commission to inquire into every aspect of this matter. Let's be quite clear: the government has never, ever said that it will not proceed straight away to the establishment of a royal commission. The member for Bragg, in her desperation, is just making things up as she goes along.

An honourable member interjecting:

The Hon. J.J. SNELLING: Yes; as has been said before, how could she get it so wrong? She gets it so wrong because she just makes things up. The government has not resiled from its determination to quickly establish a royal commission and that is why, if the member for Bragg was paying attention, she would know that we have released the terms of reference for consultation. It was released earlier this week. I wonder whether the member for Bragg has indeed looked at those draft terms of reference and provided a submission to the government.

We think this is too important an issue to play politics with. This is too important an issue, when we are talking about the safety of young children, an issue that this government takes very seriously indeed and that we will never play cheap politics with—never. Of course, the royal commission may indeed need to proceed in two phases. It may not be able to investigate all aspects of this matter, and certainly not report, until court proceedings are completed. The government has been upfront about that from the very beginning, but there has never, ever been a suggestion that the government is seeking to delay the establishment of the royal commission. That is just a complete furphy.

With regard to other matters that have been raised in the course of the debate, firstly, the Leader of the Opposition has again repeated this nonsense that the minister never received a written briefing. That is blatantly untrue and the Leader of the Opposition knows it. Of course she received a written briefing and there is nothing in Mr Waterford's statement which suggests contrary to that. Secondly, there is this issue of the police commissioner and the remarks he made on radio earlier in the week. Let's be quite clear about this: this government does not seek to interfere in the investigations of the police.

We can see from the comments of the opposition the approach they would have taken to the independence of the police in this state if they had won the last election. It would have gone back to

Queensland in the 1980s, with the Premier on the line to the commissioner interfering with investigations. That is the approach the opposition would have the government take on this matter. We will never interfere with police investigations and we will certainly never do anything that would potentially jeopardise an investigation into a very serious criminal matter.

Some things, I think, if we read carefully through some comments that the Leader of the Opposition has made in the course of his speech, do concern me that they may have the potential to do that, but let's be quite clear: the government will always take the advice of the police about what matters we can reveal and what matters we cannot, and we will always err on the side of caution when it comes to saying anything that might jeopardise either an investigation or, indeed, a prosecution in this particular matter. At all times—and the commissioner has confirmed this over and over again—the Minister for Education has acted in a way consistent with the advice of SA Police.

If the police commissioner wants to release information and make public information, that is a matter for the police commissioner. That is entirely a matter for the police commissioner. It is the police commissioner's investigation. The police commissioner takes responsibility for that investigation. I should quote from what the police commissioner said on radio this morning on this very matter. He was particularly asked the question:

> …did SAPOL tell the Minister that she was not allowed to say anything about the circumstances surrounding the 32 year old man?

The police commissioner said:

> We gave clear briefings to the Minister about...being very aware of and being very careful on anything said that may…prejudice the investigation or the subsequent court case…from that point any minister would need—

Mr Marshall interjecting:

The Hon. J.J. SNELLING: The Leader of the Opposition just does not take this seriously. He just does not take a police investigation seriously.

Mr van Holst Pellekaan interjecting:

The SPEAKER: The member for Stuart is warned for the first time.

The Hon. J.J. SNELLING: He is not interested in the important points the police commissioner has made, which are germane to this issue. He said, 'from that point'—

Mr Marshall interjecting:

The Hon. J.J. SNELLING: You can't scream me down. You can try all you want—

> …from that point any minister would need to take that into account and be very cautious in what they say, so I don't think she is hiding behind that…she is taking that…initial part of these investigations and then the investigation proceeds and we very rarely brief government…aware of what happens on investigation on a daily basis. I got briefed again this morning by Paul Dickson on how the investigation is proceeding so I—

the police commissioner—

> can make statements that the Minister…could not make.

Then further, the police commissioner says:

> …I have a more intimate understanding of the progression of the case and therefore a more intimate understanding of what I might be able to say and what I might not be able to say when it comes to prejudicing the investigation or prejudicing any subsequent prosecution; the Minister would not have that same level of detail…

That is what the police commissioner, Gary Burns, said this morning on radio, which goes to the very heart of the opposition's attempts to try and smear the character of the minister.

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned for the second and final time.

The Hon. J.J. SNELLING: The minister has had two priorities: the welfare of the children for whom she has ministerial responsibility and, secondly, to not do anything that might jeopardise the investigation and the prosecution of this particular man. All the minister's actions have been consistent with those two priorities.

On day one, the Leader of the Opposition took a mature approach to this issue, but how long did that last? One day. Since then, he has acted in a way that shows a blatant disregard for the welfare of children in care and a blatant disregard for the investigation and prosecution of this man, indeed going so far as to make a gutless interjection across the floor yesterday questioning the independence of the police commissioner in suggesting that this government had somehow scripted—

Members interjecting:

The Hon. J.J. SNELLING: It is there on *Hansard*. You all know that he did it. He can shake his head. Everyone in this place knows exactly what he did, and we will hold the Leader of the Opposition to account for that. To go to another point, the minister has had dozens of questions directed at her—

The Hon. J.M. Rankine interjecting:

The Hon. J.J. SNELLING: —over 60 questions directed at her, and many dozens of questions from the Leader of the Opposition. Has one of those questions—just one—gone to the welfare of the children in this matter? Has one single question? Every single question has been about political point-scoring.

What has the Leader of the Opposition been attempting in this matter? He has been attempting to get the minister to make comments or to say something that might prejudice the investigation. Question after question has been attempting to get the minister to say something that might prejudice the investigation: questions, many of which he knows the answers to; questions he has sat in on briefings and been told the answers to. He has been clearly told that this is information that should not be made public; information that might prejudice the investigation and prosecution.

You really have to wonder about the recklessness of this man. Doesn't that provide some insight into the motives of a man who earlier this year said he did not get into politics for the social issues? I will say one thing: on this side of the house we did get into politics for the social issues—social issues are what we are interested in. They are in our very marrow! They are in our marrow, and none more so than the minister for education, for whom social issues go to the core of her being. Mr Speaker, this motion deserves to be tossed out for the cheap, nasty political stunt that it is.

Ms SANDERSON (Adelaide) (14:55): The Minister for Health says that he would never play cheap politics—never, ever. It is the most ridiculous thing I have ever heard come out of his mouth. It was only last night that the Premier, Jay Weatherill, was on the news stating that he would not—

The SPEAKER: Member for Adelaide, it would be good if you just referred to members by their title and not by their surname.

Ms SANDERSON: Certainly. On last night's news the Premier stated that he would not, under any circumstances, support the Liberal's bill for a commissioner for children and he would have none in preference to having either his own or no commissioner, after 11 years of needing a commissioner for children. That is cheap politics.

The SPEAKER: Member for Adelaide, you are anticipating debate on a matter. Could I return you to the no-confidence motion.

Ms SANDERSON: Today I stand with the leader to move a motion of no confidence in the Minister for Education and Child Development. For the last fortnight this state has endured the most unimaginable news, which has escalated every day with further reports of children being put at risk, staff being overworked, communication breakdowns between department and governmental staff, and a litany of systemic failures. The minister is ultimately responsible for these failures and the minister must resign.

The Liberal Party is proclaiming here in this place today the pressing need for a change in culture, a change in priorities, and a change in outcomes in all areas of child protection. We are standing here today on behalf of the South Australians who are bombarding every office of their elected members saying, 'Enough is enough.' We are the voice for the children who have no voice. This minister must resign.

Every day parents and grandparents, teachers and doctors, police and overworked Families SA staff are calling for answers. I cannot understate the urgency of this matter. The government must demonstrate that our most vulnerable children are in safe care, and this must be a priority. Unfortunately, the minister has been unable to convey to the public that she can confidently say that our children are safe. Under the minister's jurisdiction the state has had to bear a catalogue of incidents that defy understanding and still the minister predicts there is more to come.

The only way to send a message of change is to change the system, and that must start at the top. If the minister will not resign, the Premier must take the lead and sack the minister. I call on the house to pass this motion out of respect for all children in state care. We have ultimate responsibility for these children and we owe them the protection they deserve when they are placed in state care.

Child protection is a serious issue and children need a government that takes this matter seriously. Premier Weatherill's government has commissioned a series of reports into child abuse over many years, and the Liberal Party respects and acknowledges the recommendations from each and every one of them. But from every review must come action.

Labor has failed to deliver time and time again. We welcome the announcement of a royal commission that will have broad and far-reaching access to systemic problems. However, the families and children affected will have to wait for years before they learn why this tragedy happened to them.

The minister has had almost five years to make changes to this department. Either the minister has tried and failed or has not tried at all. Either way we no longer have faith that this minister can do what is required to keep our children safe. For many of the approximately 2,500 children under the guardianship of the Minister, the minister is their family. It is the minister's responsibility to keep them safe and you have failed.

Drastic changes must be made and they need to be made now. We cannot let another child be harmed due to this government's inability to manage this department. It pains me greatly to say it but this minister has had enough time and has failed. It is time to bring in a new minister. The minister must resign.

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs) (15:00): This motion flows from tragic circumstances. A terrible crime has been committed by a devious villain. There is a need for action but there is no need for this motion and there is no need for the opposition to have handled it as they have.

Three speakers have tried to make a case today that the house should support their claim that there should be no confidence in the minister, and I must say that it has been a very weak argument which has been put. I do not like this motion and I do not like the conduct that I have seen in the house over the past week. I do not like the obsession of some with sexual abuse and scandal instead of meaningful policy.

I do not like the view of some that the way to get ahead is to raise such issues and beat them up for political purposes rather than to look at causes and solutions. The argument that has been put to the house today is that we should have no confidence in 'her handling', she being the minister on this matter. Well let me assure the house that as the Independent Liberal member for Waite, and I stand beside the Independent member for Frome, we have had a very careful look at this and we have reached our own conclusions.

Can I just—picking up on the points made by the member for Bragg—assure the house that we will not be guided by members opposite when we make our decisions on these issues. We will not see members opposite as the arbiters of what constitutes an independent decision. We will make our own minds up, thank you. Do not pretend that because we might disagree with you that we have not reached an independent leaning because I can assure you we have.

If there is one thing that has come out of what I have heard from you this week, it is that I am reassured about why I am standing on this side of the house and no longer over there. I had the

same concerns when I heard the carry-on over the last year about sexual abuse, sexual abuse, sexual abuse. It is all you wanted to talk about. What about some meaningful policy debate?

Let me get back to the motion. The faults that you have identified cut to the issue about whether or not the minister was able to provide completely false and inaccurate information at the outset of these terrible events. I think that that has been explained by Mr Waterford and I hope you read his letter. When you are in government, if ever you are in government, you will depend on advice. Now that has been very clearly explained.

The next part of the argument is that the minister may somehow have erred in taking advice from police and others that matters should be left in the hands of the police and, shock horror, that it should be left for the police commissioner to reveal any matters to do with the police investigation or looking at a care notification. I might put to the house that it was completely appropriate to leave those matters to the police, and that is exactly what the minister has done.

What has come out of all this is a clear indication that the system is not perfect. What has come out of this is a clear indication that this matter needs to be investigated. I do not know what more anyone could ask for than a royal commission. From day one, minute one, the minister's advice to the Premier was, 'This needs a royal commission,' and the Premier's response was to accept that advice.

All of the issues that you have raised—whether it is about the powers of a children's commissioner or whether it is about any of the issues you have raised—I feel certain will be addressed by that royal commission. If that royal commission agrees with any of those propositions, no doubt there will be recommendations. Then we can act on the basis of a thorough, fulsome and proper inquiry. What this motion is seeking to do is what you have been seeking to do, which is to spoil the issue and make hay out of it for political purposes.

There is a villain in all of this, and I hope that soon he is rotting in gaol, because he is a terrible, evil villain that persecuted and abused these poor little children, and there are other victims: the carers and others who have been dealing with this situation. This motion should not be supported.

The SPEAKER: I should add that the minister's remarks probably violate the sub judice rule.

The house divided on the motion:

Ayes 18
Noes 21
Majority..... 3

AYES

Bell, T.S.	Chapman, V.A.	Evans, I.F.
Gardner, J.A.W. (teller)	Griffiths, S.P.	Knoll, S.K.
Marshall, S.S.	McFetridge, D.	Pengilly, M.R.
Pisoni, D.G.	Redmond, I.M.	Sanderson, R.
Speirs, D.	Tarzia, V.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Williams, M.R.	Wingard, C.

NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Brock, G.G.	Caica, P.	Close, S.E.
Gee, J.P.	Hamilton-Smith, M.L.J.	Hildyard, K.
Kenyon, T.R. (teller)	Key, S.W.	Koutsantonis, A.
Mullighan, S.C.	Odenwalder, L.K.	Picton, C.J.
Rankine, J.M.	Rau, J.R.	Snelling, J.J.
Vlahos, L.A.	Weatherill, J.W.	Wortley, D.

PAIRS

Goldsworthy, R.M.	Hughes, E.J.	Pederick, A.S.
Digance, A.F.C.	Treloar, P.A.	Piccolo, A.

Motion thus negatived.

Grievance Debate

UNSUNG HEROES AWARDS

Mr WINGARD (Mitchell) (15:11): It is with great pleasure that I rise today to talk about some unsung heroes in and around my electorate, who are recognised by the City of Marion and I commend them for doing so. It was with great pleasure that I went to the Unsung Hero Awards night for 2014 and met some outstanding people who are working very hard in the community. The first person I would like to talk about is Adam Harris, the President of the Austral Phoenix Volleyball Club.

Adam has been involved in the club for all of his life, with his father a founding member back in 1973. As well as being president, Adam runs Active After School programs for primary school children, helps with the club's junior development and is also head senior women's coach and he plays in the men's team as well—a great contributor to our community.

There were also awards for arts and culture for volunteers of Dancing with Friends classes at Cooinda Neighbourhood Centre. A couple of people involved here, and there were a few but I would like to mention Joy Smart and John Yard. Joy met John Yard at Wanstall Studio and taught him to dance and they have been dancing partners for 20 years. Together they taught old-time, modern sequence and new vogue dance at Cooinda. Over the years, John and Joy's commitment and passion for dancing has inspired others and kept old style dance alive. Joy only retired a few weeks ago from dance instruction at the ripe old age of 91. Fantastic stuff from, again, some more great people in our community.

Another award went to David Roberts, director of youth projects at Hallett Cove Rotary Club. David is a stalwart of the Rotary Club. He has been a Rotary member for many years and recently led the club's successful youth development projects. This has seen many important links forged with the local Hallett Cove R-12 School and created opportunities for young people. David volunteers in the cancer wards at Flinders Hospital, in the information centre at the Heysen trail and for Kidney Health Australia, a marvellous charity that I know firsthand is doing wonderful things for young people suffering from kidney disease in South Australia.

Another person I would like to mention who has done some marvellous work for the environment is Malcolm McDonnell, Chairperson of the Trott Park Community Garden. Malcolm is a vital member of the Trott Park Community Garden group that has worked tirelessly to become the first community garden to lease council land in Marion and the first in Trott Park. Since the garden was officially opened earlier this year the group has grown to 15 members and is starting to work with the local men's shed, kindy, youth centre and crèche.

In addition to helping people grow healthy food, community gardens bring people together to form friendships and build strong neighbourhoods. Julie does a great job up there as well with the community centre and I know that they use some of the produce from the gardens on the wonderful wood fire pizza oven they have up there and it brings the community together. So, congratulations to Malcolm McDonnell.

Ms Bedford interjecting:

Mr WINGARD: Some say better than a schnitzel, some say on par. They are very good. Perhaps we will go up there and have a pizza, speaking to the Deputy Speaker having a seat at the back, but maybe we will have a pizza instead of a schnitzel next time. Another great community organisation and a couple of people who work very hard on this is Andy Fry and Keith Noble. Andy is the President of the Cove Soccer Club and Keith Noble is manager of the Cove Sports and Community Club. These guys have done a marvellous job working on that facility and on the soccer club in particular. Andy has done a great job to professionalise the club, improve the coaching to an outstanding level and as a result they are getting some great results, both on and off the field. So,

those two gentleman are doing a marvellous job and are well rewarded with Unsung Hero Awards for 2014.

Another person I would like to mention—this time for a Community Spirit Award—is John Dicker, president of the O'Halloran Hill Riding for the Disabled group. He does an outstanding job as well, as does everyone up there at the Riding for the Disabled organisation. John is a committed volunteer and has helped people with a disability enjoy riding horses for many years now. This group does outstanding work. I was up there the other day having a good look around their facility and getting involved with a couple of things, and they have got a few issues they want to get sorted out, issues that have arisen around fire safety, so we are working hard with them. Again, a great community organisation and collectively they all deserve their Unsung Hero Award.

Another one is a Role Model Award for Monica Lubanska. Monica has a passion for healthy living which she is sharing with the community to help people make healthy choices about what they eat and drink. She has spoken about the benefits of raw plant foods on FIVEaa radio, spoken at an open day at Sheidow Park Primary School—who themselves have a great vegie garden, as well—and she has regular posts on social media. She is passionate about seeing juice bars and raw food options at venues across Adelaide.

Finally, I would like to mention another great community member who received an Unsung Hero Award for community work, and that is Bill Heycox. He does a marvellous job with the lights in his front yard at Christmas time raising money for the Flying Doctor Service; in excess of $10,000 over the years. He also drives around people from Minda Home and the Masonic Village. He is an outstanding unsung hero in my electorate.

LYELL MCEWIN HOSPITAL

Ms BEDFORD (Florey) (15:16): Babies are very much on my mind lately as my daughter and her husband have recently had a baby son, my third grandchild, and I thank everyone at Ashford Hospital and the medical staff who officiated at that most happy time for our family. Baby Nate joins my son and his wife's daughters, Olivia and Emily, in becoming my third grandchild, and it has reinforced to me the importance of midwives in our health services who, along with doctors, continue to make the miracle of birth as safe as possible.

This brings to mind an article I saw recently in the *Leader Messenger* by Daniela Abbracciavento, talking about the wonderful work being done at the Lyell McEwin Hospital, a place of excellence, which has just delivered the most babies in any year of its 55-year history. There were 3,489 babies born at the Lyell McEwin Hospital in the 2013-14 year, 31 more than the previous year's total of 3,458, and June was the hospital's busiest month ever; 325 babies were born compared with 291 during the same month in 2012-13 and 263 in 2011-12.

The hospital is the local referral point for public health patients from Redwood Park, Salisbury Heights, Para Hills and Greenwith as well as Salisbury and Playford council areas. It is also a catchment area for the Tea Tree Gully council and the areas around Florey.

The Northern Adelaide Local Health Network midwifery director Meredith Hobbs could not pinpoint an exact reason for the baby boom, but she suggested that it may be linked to new housing developments in the north attracting more residents to the area. The opening of a $34 million women's and children's health hub at the hospital in October had also boosted interest in the demand for the hospital. The hospital is now well equipped for further growth, thanks to the new neonatal unit, an extra five beds, and a new unit that deals exclusively with expectant mothers.

Ms Hobbs said that she was forced to call up about three extra midwives each shift to help cope with the hectic month of June, increasing the number of midwives in the birthing unit, and that on an average day there were eight midwives rostered on each of the three shifts in the birthing unit and normally about 17 midwives on the antenatal and postnatal wards every day over the three shifts. Extra staff are brought in whenever needed to meet the ever-changing demand for maternity services, as you certainly cannot predict when a woman is going to go into labour.

The hospital has good models of care that make mothers feel safe and at ease. They have a birthing centre model where women deal directly with midwives and only see a doctor if the

pregnancy is deemed high risk. The Lyell McEwin Health Service has overtaken the Flinders Medical Centre to become second only to the Women's and Children's Hospital in delivery numbers.

Professor Gus Dekker has been synonymous with birthing services at the Lyell McEwin since my time in this place commenced, and through his pioneering Mothercarer service I have watched both it and the services at the Lyell McEwin go from strength to strength. Mothercarers took a group of young women—single mothers in some cases—and saw them undertake courses to prepare them for a supporting and service role for new mums who are released from hospital earlier than might be expected, providing both the mother and baby are doing well. Mothercarers visit those mums in their homes and undertake all sorts of duties—cleaning, cooking, or collecting older children from school—and I know this has been a very successful program for both the new mums and the mothercarers themselves. It continues to be a valuable extension of services available to mothers in the north and north-eastern suburbs.

Childbirth has been an area of great interest for me since the birth of my own children at the old Queen Victoria Hospital, before its transition to the Women's and Children's. The life-changing experience of a first birth brings home the realisation that we rely on midwives and doctors to care for us at this special and vulnerable time. Nurses and midwives do such wonderful work in their vocation, and improvements we enjoy these days are due in no small part to their commitment, dedication and contribution.

But women have a role to play in giving their babies the best possible start by ensuring they do all they can to reduce risk by cutting out things like smoking and drinking and by maintaining a healthy diet and lifestyle, for obesity is a major contributing factor to the number of caesareans being performed in the community. I quote from an article in *The Advertiser* on 12 May by Grant McArthur:

> The issue [of obesity] has meant some hospitals have had to reduce the number of operations they perform in a day:
>
> A new Australian study is trying to determine the impact of a mother's Body Mass Index on caesareans to help the health system cope and better support families.
>
> The University of Melbourne's Mum Size study comes as anaesthetists are having to rewrite guidelines for administering surgical drugs to cope with the higher and more complex doses needed to sedate larger patients, as well as the escalating dangers facing obese patients in the days after surgery.

So, I can see that there is a lot of work to be done in that area to keep us all healthy and out of the health system, but also to put on the record our thanks particularly to the doctors and nurses who make sure our babies arrive as safely as possible.

STANLEY, DR CORAL

Mr GARDNER (Morialta) (15:21): I am very pleased today to have the opportunity to say a few words in honour of the distinct contribution made by Dr Coral Stanley to the parliament and the people of South Australia and her distinguished service first as principal research officer of the parliamentary library, then parliamentary librarian, most recently renamed as Director of the Parliament Research Library, which I think is a significant win to cap off a fine career in the parliamentary library.

It is funny the way that life has a way of turning in a circle—the circle of life. It was 1996 when as a 16 or 17-year-old young man I had enrolled in Australian Politics 1, a course run by Dr Carol Johnson and Jenny Stock and Dr Coral Baines, as Coral Stanley then was. Dr Stanley invited me into her office with a group of eight or nine of my peers on a very regular basis to undertake tutorials in that course, and now I have the opportunity to invite Dr Stanley into my office with eight or nine of my peers to have a chat about what has happened since.

The career of Dr Stanley: after teaching at Adelaide University for nine years, she then came into this building where, as I said, she has undertaken a range of roles and, in particular, most importantly, was appointed as parliamentary librarian in January 2007. In that role, she has had a strong focus on strengthening the research aspect of library activities, to help members identify and interpret information relevant to their concerns. Reflecting these changes, the library was in fact renamed under Dr Stanley's stewardship the Parliament Research Library in 2007.

All of the library research officers have research backgrounds with appropriate qualifications and experience. By way of comparison, there were two general distribution papers produced for members in 2007, whereas so far this year there have already been seven papers published for general distribution. Under Dr Stanley, there has been an emphasis on providing a reliable and immediate service for members. For example, access to library databases through the extranet for members means a member can access a database on their iPad or phone 24/7 and not just when they are logged into their desktop machine during working hours. We have also seen the introduction of television news clips in 2009.

Dr Stanley has respected the heritage of the library and the parliament. Rare books were identified and removed to the vault for secure and safe keeping. Regular displays of heritage materials and objects held by the library, the Goyder Map display and so on have all been undertaken under Dr Stanley's tight regime in the parliamentary library. Dr Stanley has also worked hard to create interest amongst members as to the role of the library and the work it can do to service parliament's needs. She has established the Friends of the Library, which a number of members here are part of and active participants in, and supported related activities, including talks for the friends and other members, the ATSE lunchtime presentations and so forth.

The role of the Parliament Research Library may not be easily understood unless one has had interactions with the parliament. When a minister stands up to speak, they have support and advice from a department, with many experts in the department providing significant resources to them but, for a member of the opposition or indeed the government backbenchers, the support they have is two staff members, one of whom at least is usually focused entirely on constituency matters and maybe the second one as well, but the second one might help with research.

In maintaining an effective representative democracy, the services provided by that small number of librarians, able to undertake research projects for the public good and able to check facts and statistics for members of parliament, ensure that when we present our case on behalf of our constituents, as much as is possible, we get it right and factually correct and then can make deliberations on the matter thereafter. We rely so much on having those matters looked into and researched accurately, and the parliamentary library is invaluable to members who are interested and focused on serving their constituents with the benefit of accurate information.

I found recently an article about Dr Stanley on page 5 of the 24 April 2000 edition of *Adelaidean* identifying the fantastic work she had done on the MFP. There is a delightful photo, which I will give her a copy of in a moment, and I encourage all members to go and have a look at the paper Dr Stanley wrote. I will not go into it other than to say that, from a sneak peek at the end, the MFP did not turn out to be a great idea. On behalf of the South Australian Parliamentary Liberal Party, and I suspect all members in this house, I wish Dr Stanley all the best, a very healthy, happy next stage in her journey and a very happy retirement with her family. I wish her all the best.

The SPEAKER **(15:25):** I would like to add my endorsement to the member for Morialta's remarks. Dr Coral Stanley, director of the parliamentary library, will retire on Friday 15 August—the Feast of the Assumption. I thank her and congratulate her on her service to the parliament. Coral started in January 1999 as a research coordinator. Coral came from an academic background and worked on improving the library's research capacity.

Coral has made the library a more welcoming and helpful place. She improved media cataloguing, including television news clips, rare book display cabinets, the adopt-a-rare-book restorations, the King Charles lectern display, the Goyder line display, the women's suffrage electronic display and the Friends of the Library seminars. On behalf of the house, I wish Coral the best in retirement and thank her for what she has done for us.

Honourable members: Hear, hear!

COMMUNITY SERVICE ORGANISATIONS

Ms HILDYARD (Reynell) (15:27): I rise today following numerous conversations with a range of South Australian community organisations, large and small, who work in communities with citizens who need support and empowerment on their journey, who are affected by disability or mental illness, who are homeless, who are fleeing from violence, who are looking for a job or who just need a hand for a short period of time.

For decades these organisations have operated in one of our fastest-growing industries in an environment of growing and complex community need, an environment where resources are scarce and there is constant pressure to allocate and grow these scarce resources, pressure to balance with these scarce resources the need to spend time to build the capacity to advocate, fundraise, connect and collaborate, to ensure sustainable change and to provide quality community services to those who need them, and the equal need to appropriately report and manage the governance and staff of their rapidly growing organisations.

These are community organisations at the heart of our metropolitan, remote and regional communities who make a difference with, and for, so many of our most vulnerable community members. These are organisations that are advocates for those whose voice needs to be heard and would not be heard without their support. These are organisations filled with almost 250,000 workers, 30,000 of them South Australians, whose commitment to supporting and empowering people knows no bounds, whose professionalism and experience are extraordinary and whose sheer kindness keeps community members from feeling alone, disempowered and from the depths of despair.

These are the organisations that are under fire from the federal Abbot Liberal government, which is considering a bill that proposes to repeal the Australian Charities and Not-for-profits Commission Act 2012 and to abolish the Australian Charities and Not-for-profits Commission (ACNC).

The ACNC was established in 2012 to support community organisations. It gives expert advice, assistance and valuable data to them, so they can spend less time on administration and more time on the community work they are passionate about and best at.

The ACNC is the independent national regulator of community organisations. It was developed to maintain and enhance public trust and confidence in the sector through increased accountability and transparency, to support and sustain a robust, vibrant, independent and innovative community sector, and to promote the reduction of unnecessary regulatory obligations on the sector.

The ACNC came about after years of advocacy by the sector for it, with its establishment as an independent regulator giving effect to a primary recommendation of the Productivity Commission research report into the contribution of the not-for-profit sector released in 2010. Despite this, the Abbott government wants to scrap this support for community organisations.

Four out of five community organisations want to keep the ACNC. If you visit the website for public submissions on the bill, you will see submission after submission in support of its retention. The sector is extraordinarily unhappy with the proposed scrapping of the ACNC and deeply concerned with the consultation processes, or lack thereof, on the post-ACNC arrangements.

The barely advertised current consultation on post-ACNC regulatory arrangements initially did not even have a session in Adelaide, although one was added later. The consultation on a proposed national centre for excellence, similarly, did not have a face-to-face consultation in Adelaide, leaving South Australians to only complete a survey to have input. So-called consultation on what will happen post the ACNC equates to the Abbott government ignoring the views of the sector which are strongly in favour of maintaining the ACNC.

Comments on the proposed new arrangements are due by 20 August, but the options paper the government seeks responses to states that the feedback will inform public consultations in July and August. Embarrassingly, their submission template has been identified as not working on several occasions and contains a list of stakeholder categories that clearly demonstrate no understanding by the Abbott government of the community sector's scope.

The bill to abolish the ACNC has not yet been finalised. In South Australia, we have an opportunity here to work with and for South Australian community organisations that operate in every single one of our electorates to say that the regulator that was put into place after years of poor regulation and public consultation to design a better system should be maintained.

Tony Abbott it is not listening and wants to see community organisations spending more on reporting than on working in the community. South Australia's community organisations need us in their corner, and I hope that, together, we will be.

EMERGENCY SERVICES LEVY

Mr TRELOAR (Flinders) (15:32): I rise today to discuss the item of levies. Once upon a time, levies were a quite deliberate method of raising money for a specific purpose. The NRM was a classic example. A levy was charged to landowners to help fund the newly-formed natural resources management boards right across the state.

There was also an emergency services levy, which was raised quite specifically to fund the emergency services right across this state: the CFS, the SES and so on. It was generally well-received and people were happy enough to pay it, but what we have seen in this last budget is that it has turned into something else.

The emergency services levy has turned into something else. It has become a land tax. In many cases, the emergency services levy that will be charged to each and every landowner in this state, whether they own a home, a house block or a farming property, will increase by some hundreds of per cent on last year. It has become a tax on the land that people own.

By the government's own calculations, this tax, this levy, is expected to raise over $300 million in the forward estimates. It is a lot of money; it is a lot of new money. The problem with this is it is not necessarily going to go and help fund the emergency services. Are the CFS or the SES going to see any of this new money? I doubt it.

A lot of money is going to be raised from people who own property, and it will go into general revenue. All of a sudden, the government are looking to the people who own property in this state and have made a commitment to improve their lot to help get them out of the mire that we are in at the moment.

I want to talk a little bit about estimates because I left off not quite finishing my contribution the other day. I spent a little bit of time with the Minister for Agriculture and Fisheries in his particular committee and we talked a little bit about cost recovery—we asked questions about cost recovery because I hear from the fishermen in my part of the world that the cost-recovery fees are absolutely crippling their businesses. There is very little transparency in how or why those fees are charged, and there is very little idea, in many instances, as to what those involved in fishing and aquaculture are getting for their fees.

I have a theory about how this government raises its funds: it has a business model and the government begins by providing a service—and let's use fishermen or aquaculture as an example—that it believes that that particular sector or industry may well benefit from. Oftentimes, that particular sector has not necessarily requested that service but government decides to provide it anyway.

After a while it becomes a little bit expensive to provide that service, so the government says to the people, 'Well, we can't continue providing this service even though you haven't asked for it. We feel now that it is necessary for the ongoing benefit of your sector so we're going to have to charge you for it. We're going to charge you for a service that we've invented and that we now have decided that you need. You may not necessarily get anything for it, but you're going to pay anyway.' So that is the business model I see being rolled out right across many sectors.

What we have seen, of course, in the fishing industry are some significant changes that are about to occur: in October the marine-park sanctuary zones are going to come in, and very soon in this place we are going to be debating a bill that is coming from the upper house looking to change the sanctuary zones. We are going to support that and I urge the Independent members of the government to consider carefully their positions for this, because I have heard the government say that sanctuary zones have nothing to do with fishing. Well, Deputy Speaker, it has everything to do with fishing. Like or not, it is all about fishing—and you talk to the people who live and work and raise families on the West Coast—they are fishing families and they are going to be foundering as a result of these changes.

I will give you a ridiculous example of the impact—simple things like including Pearson Island in the sanctuary zone. Pearson Island is not only great for cray bottom and abalone-bottom fishing, but it provides shelter to fishermen. If it is contained within a sanctuary zone and a storm comes and boats cannot take shelter at Pearson Island, then their very safety is at risk.

NATIONAL BROADBAND NETWORK

Mr PICTON (Kaurna) (15:37): There is no doubt that our future as a state as an economy relies upon our ability to use technology and to improve our usage and effectiveness of technology in a whole range of areas. That is why I think it is so important that we take full advantage of the rollout of the National Broadband Network in South Australia.

Unfortunately, most of Adelaide—and particularly the southern suburbs where I live at the moment—has for a long time had very slow internet access. I know that at my house it is regularly very hard to get above one or two megabits per second, and frequently the line drops out. So, it is very exciting that the NBN is being rolled out with such a focus on my electorate in Kaurna. It will really be the first hub of Adelaide for the rollout of fibre to the home.

We already have houses connected in parts of Aldinga Beach, Moana, Seaford, and Seaford Rise where they are getting fibre super-fast connections directly to their homes. And there is more construction underway in those areas, but as well in Port Noarlunga South and Seaford Meadows with plans for more rollouts to come in Maslin Beach and Moana South.

I particularly want to congratulate the member for Kingston, Amanda Rishworth, who fought very hard and successfully to get that rollout happening in the south. It will really make us a beacon of what lies as potential for the rest of Adelaide and what can happen for our health services and our education services with this super-fast rollout occurring across the whole state.

What it does is it improves connections for people in the outer suburbs. There is a particularly large number of people in my electorate who work from home who have set up small businesses as sole traders. To have that ability of connections—not just with people across town in Adelaide through videoconferencing, but with people across the world—is very important to them when they live a fair way out of town and commuting back and forth regularly would take up a large amount of their time. It is much easier for them to use the internet to conduct those conversations and business exchanges.

We are also going to see huge potential improvements with education services with people enrolling online in university courses around the world, furthering their own education and using that superfast connection to get high definition video of lectures and downloads of a whole range of high data usage whether it be, say, in architecture where you might have CAD files that are particularly large or engineering or a whole range of other areas.

Also in health care we are increasingly seeing consultations happen over the internet and through high definition video. Psychiatrists are using the internet in that way as well as a whole range of other specialists who are now being supported by Medicare to do that. I think over time we are going to see many more health services provided online, which is fantastic.

Unfortunately, though, the rollout of this fibre to the home is stopping in very limited areas due to the Abbott government's cuts to this area. They are promoting their own view that there should be fibre to the node rather than fibre to the home, so suburbs such as Christies Beach and Port Noarlunga in my electorate as well as the majority of Adelaide will not be able to get the superfast fibre connections. They are going to have to rely on the 100-year-old copper technology to get faster internet and it is just not going to keep pace with competitors around the world who are actually investing in the proper technology of fibre.

That is why this has been called 'fraudband' by many people around the country. Many people in my electorate who are not getting it are very upset when neighbours just across the other side of the Onkaparinga River will be able to get fibre to the home. I particularly call on the Abbott government to change its short-sighted decision in this regard and roll out proper internet to people all across Adelaide and South Australia so that we have the potential to take the greatest benefit from the growing economy online, and for the greatest benefit of health services and education services for people through that high definition internet.

Bills

LOCAL GOVERNMENT (GOVERNANCE) AMENDMENT BILL

Introduction and First Reading

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (15:43): Obtained leave and introduced a bill for an act to amend the Local Government Act 1999. Read a first time.

Second Reading

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (15:43): I move:

That this bill be now read a second time.

I seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

This is a short but important Bill which aims to make two amendments to the current requirements for elected members of local government, taking into account the impending local government elections that will be held in November this year.

Specifically, this Bill amends sections 60 and 80A of the *Local Government Act 1999*, to enhance the significance of the elected members' declaration on taking office and to introduce mandatory training for council members.

The aim of these amendments is that elected members will develop an enhanced understanding of their roles and responsibilities in representing their local communities. Their declaration upon taking office will be significant, and they will be subject to a mandatory – though not too onerous – requirement that they undertake training and development.

These amendments were recommended by the Ombudsman in the 2011 Final Report of the investigation of the City of Charles Sturt and have been through an extensive consultation process.

To be clear, this Bill is proceeding at the urging of the Local Government Association, which views these changes as being critical to improving the understanding elected members will have about their roles and responsibilities.

It is noted that the Shadow Minister has agreed to assist in expediting consideration of this Bill, given the intention to have new arrangements in place for the start of the new local government term following the November Council elections.

It is the Government's intention to consult on and consider a range of other local government legislative reforms, with a view to seeking introduction of a comprehensive local government reform bill in the first part of 2015.

Should this Bill pass into law, it is intended to amend the *Local Government (General) Regulations 2013* to prescribe the content of the declaration and the mandatory training framework.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Local Government Act 1999*

4—Amendment of section 60—Declaration to be made by members of councils

This clause amends section 60 to enable the regulations to prescribe the content (in addition to the manner and form) of the undertaking that council members must make.

5—Amendment of section 80A—Training and development

This clause amends section 80A to enable requirements to be prescribed by the regulations relating to a training and development policy that must be prepared by each council.

Debate adjourned on motion of Mr Gardner.

STATUTES AMENDMENT (LEGAL PRACTITIONERS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 July 2014.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:44): I advise that I will be the lead speaker and probably only speaker on this bill. This is the Statutes Amendment (Legal Practitioners) Bill of 2014. It is a bill which the Law Society of South Australia has also perused and provided some comments on but, in short, I indicate that they have no objection to the bill. The purpose of this bill is to deal with two substantial areas: one is to make amendments to the Fair Trading Act of 1987 so that the Australian Consumer Law does not apply to a contract for provision of services to which the Legal Practitioners Act of 1981—that is, the principal act—applies.

The government has indicated that it understands there to have been, by the passage of the Legal Practitioners Act, an inconsistency between the Legal Practitioners Act and section 101(3) of the Competition and Consumer Act of 2010, which is commonwealth legislation, insofar as those provisions relate to the period within which an itemised bill is provided. For the benefit of those few in the world who are probably following this debate, that of course relates to the itemised account presented by a legal practitioner.

If members remember the debate on the principal bill at all, they will recall that quite a new regime of obligations and responsibilities has been imposed by the Legal Practitioners Act, which makes provision for various notices and obligations, extending the already pretty extensive obligation in respect of costs. Legal practitioners are obliged to obviously give notice to prospective clients about what their scale of fees are to be, and the terms and conditions of their engagement.

It will be quite a significant regime of obligation and notice to be both complied with and particulars to be incorporated in costs agreements. There is a threshold, but the amount escapes me at the moment; I think it is about $1,500 if there is an expected amount of legal fees to be undertaken, above which this more onerous level of obligation is to be imposed. That is one potential mischief which we are being asked to support and we have no objection to the same. So, for the purposes of clarity, that will be provided.

For the record, clause 34(2) provides that a law practice must comply with a request for an itemised bill within 21 days of the request, while section 101(3) of the Australian Consumer Law stipulates that a supplier must give an itemised bill to the consumer within seven days of the request being made. Without this amendment, the shorter time period specified in the Australian Consumer Law would prevail—more is the pity, I should say. I have never accepted why the commonwealth should have precedence but, in any event, that is the law of the land.

We then accept that seven days is said to be too short a time period for a legal practitioner to comply with the request for an itemised bill, particularly given the complex nature of many legal matters. Furthermore, the 21-day time is consistent with the position in all other states, such as New South Wales, Victoria and Western Australia. We understand the new section 25A is modelled on section 227 of the Victorian Australian Consumer Law and Fair Trading Act and provides that the Australian Consumer Law SA does not apply to contracts for the provision of legal services to which the Legal Practitioner Act applies.

Next, we have a regime of amendments under this bill to the principal act, that is, the Legal Practitioners Act 1981. The most significant of these, I suggest, is that section 57 of the act is proposed to be amended so that money from the Fidelity Fund can be applied for the payment of the salaries and related expenses of the Legal Profession Conduct Commissioner and his or her staff.

Members would be aware that the Legal Practitioners Conduct Board regime has come to an end and under significant amendments to the Legal Practitioners Act as passed last year the matters in respect of conduct of members of the legal profession, somewhat expanded in definition, are now under the surveillance and responsibility of a newly appointed Legal Profession Conduct

Commissioner. Obviously, he or she is to be paid—I think it is a he; I cannot remember who has been appointed now.

The Hon. J.R. Rau: He.

Ms CHAPMAN: He has been appointed. Let us hope I never have to know personally who it is. I should always disclose in these debates that I am a legal practitioner and duly registered and insured, in compliance with our obligations under the Legal Practitioners Act. I should disclose that in the course of speaking on this matter. I think last night, because we were held up here doing lots of legislation, I missed out on one of my compulsory legal practice lectures. I cannot even think what it was about. But I can replace it with another, I hasten to tell the Attorney. It is not one that I have to attend, it just means that you have to have a certain number of points for the year. I am sure the Attorney has to do those too.

The Hon. J.R. Rau: Yes, I do.

Ms CHAPMAN: That's good; I am glad he is because he can actually read all about or listen all about how his laws are being interpreted out in the real world. In any event, it is obviously appropriate, under this new regime, that the commissioner and his staff are paid to ensure there is no inconsistency or failure on the part of the legislation of those moneys that come from the Fidelity Fund.

Section 95 of the principal act is also proposed to be amended to incorporate the fees collected by the Law Society under schedule 1 and clauses 4 and 5 of the Legal Practitioners (Miscellaneous) Amendment Act 2013. There are also amendments to provide for the definition of 'corresponding authority', this is with respect to the conduct commissioner, to be inserted in interpretation to address that omission from the act. There are also amendments to provide for the clarity of the reporting obligation, in that it relates only to offences committed by a legal practitioner or former legal practitioner, not, for instance, his or her client.

Finally, amendments to schedule 4 of the act, which applies to the rules on disclosure of confidential information to information obtained in the course of incorporated legal practice compliance audit. My understanding is that is to ensure that there is protection, obviously, in confidential information being provided which is otherwise prohibited, but of course in the course of an audit that information needs to be disclosed and therefore the practitioner protected in the course of doing so.

So, with those few words we indicate that we will support the passage of the bill and hope that it will ensure that there is no future confusion with respect to the Fair Trading Act and to make sure that the commissioner is duly paid.

The DEPUTY SPEAKER: If the minister speaks he closes the debate.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (15:53): Can I just say thank you very much to the member for Bragg and I thank the opposition for their cooperation and assistance in the passage of this bill. I think we all accept that, given that we had a new regime established not that long ago and that the commissioner has only recently had an opportunity of having a very detailed look at things and considering it from the commissioner's practical point of view, it is probably not unexpected that there would be some finetuning and this bill delivers that. As I said, I thank the member for Bragg for her help in quickly dealing with this matter.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 7 passed.

Clause 8.

The Hon. J.R. RAU: I move:

That clause 8, which is printed in erased type, be inserted in the bill.

Clause inserted.

Remaining clause (9), schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (15:56): I move:

That this bill be now read a third time.

Madam Deputy Speaker, the efficient way in which you disposed of the committee stage of this bill was wondrous to behold.

The DEPUTY SPEAKER: I had help.

Bill read a third time and passed.

CRIMINAL LAW (SENTENCING) (SUSPENDED SENTENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 8 May 2014.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:56): I rise to speak on the Criminal Law (Sentencing) (Suspended Sentences) Amendment Bill 2014, and indicate that I will be the lead speaker for the opposition. I understand we have some other worthy proposed contributors to this debate.

I start by confirming again that I am a legal practitioner and a member of the South Australian Bar Association and former member of the Law Society of South Australia, both of whom I will be referring to in submissions on this debate. The opposition's position on this matter is, in short, that we will support the bill, not because we consider that it is of huge merit—because I do propose to address some shortcomings in relation to what is proposed—but that the government is pressing this bill, and the effect of it is yet to be seen.

The situation is really this: on 6 March, the week before the state election this year, the government, and in particular the Attorney-General, issued a press release entitled 'Mandatory imprisonment for violent offenders.' In the announcement Labor promised 'All convicted serious violent offenders will spend time in jail' and said that 'days of fully suspended sentences for serious violence will be over'. They claimed that courts should not be able to fully suspend a sentence of two years or more for a serious violent offence, and that 'jail time must be served.'

I have read a lot of these press releases over my time, and it is fair to say that this is fairly emotional in the statements it made. It is obviously designed to present a message that the government, especially just prior to the election, will be tough on crime and, in particular, on serious crime, and that it was going to take action. Implicit in all of this is that the law that prevailed then enabled a situation where people were getting sentences for incarceration for significant times, but that for one reason or another the judiciary was being too lax in their treatment of these matters, because they were going ahead and suspending them, and that this in some way was some rampant abuse that we could not tolerate and that the government were not going to tolerate and that they were promising South Australian voters they would remedy.

I had to have a little chuckle at the time I read in the paper just recently when the honourable member Mr Brokenshire, of another place, announced that he wanted to deal with alcohol-fuelled violence that resulted in a death—in particular what is colloquially known as the one-punch scenario—by introducing a mandatory eight-year imprisonment, coupled with reform in this area of the law to specifically exclude the opportunity to rely on being under the influence of alcohol or drugs being taken into account as some part of the defence or excuse for their behaviour.

There was comment made by others relevant to this announcement made by Mr Brokenshire, and the response from the Attorney was that this was just attention seeking by the proponent, Mr Brokenshire, which I thought was a little curious, given the tenor of the type of press release I have just read out. Talk about the pot calling the kettle black, but in any event—

The Hon. J.R. Rau: It's irony.

Ms CHAPMAN: There is nothing ironic about it, minister. It was a blatant attention-seeking approach in that case for the government on 6 March to get adequate attention and try and secure votes. Well, it might have worked. Obviously they ultimately formed government, but, in any event, that is the way things go. Let's just look, then, at what this bill does, which purports to impose this obligation resulting in any violent offender having to spend some time in prison.

Can I start with the general ill that is proposed to be cured here. It is fair to say that on our side of the house we recognise that there is certainly some commentary around the community's lack of confidence in suspended sentencing. In recognising that, prior to the election, from our side of politics we undertook to have some significant and, from our point of view, broader review and reform of suspended sentencing and to limit the availability of suspended sentences.

Because, whilst we can be critical of the government trying to sort of capture the attention of the disquiet in the community about this issue, there is I think at least a perception by some in the community that offenders all too often have had the benefit of immediate release as a result of their sentence of imprisonment being suspended, and this is seen as having got off too lightly. There are some circumstances where there is public outrage about it, and there are obviously calls for review—sometimes appeal—begging the DPP or at least the Attorney-General to encourage that there be some consideration by the DPP to argue that the sentencing was either manifestly inadequate and/or the suspension was unwarranted.

So, there is a general feeling—and I suppose if one were to even assess it from talkback radio and the like—where there are members of the public who get outraged by certain cases in that regard. I do not share that view, but we on this side of the house recognise that there was some public disquiet and so we agreed that it should be reviewed and that we should set down some helpful (we would have thought, if we were in government) ways to assist the judiciary towards some consistency but, as we always argue, providing for some flexibility to ensure justice is done.

In the last parliament, with our agreement, the Labor government raised the threshold for certain offenders to receive a suspended sentence from the good reason test to the exceptional circumstances test. I am not certain how significant that raising of the threshold has been in the number of suspended sentences that have not been granted as a result of that amendment that otherwise previously would have been granted, but we were, I suppose, sending a message to the judiciary that it really had to be that next threshold up to be satisfied that they suspend the sentence.

In relation to suspended sentences, there are, of course, certain circumstances where there are very good reasons why a sentence is suspended. The judicial officer or judge in a number of these circumstances will publish in their sentencing remarks reasons such as having the obligation to provide for dependent children. Perhaps the other parent or guardian is not available and there would be a very serious impact on the children in that situation if their only remaining parent or guardian were incarcerated. There are some exceptional circumstances, as I say, which the public sometimes sees the offender getting the benefit of unduly but, after a judge has considered the interests of other parties, such as children, they will take that on.

Another classic example, of course, is where the likelihood of being able to secure employment upon release is significantly undermined and, again, it is usually in circumstances coupled with a high level of dependency on that person's income. That may be a spouse or a parent or children and the like. We have always respected the need to have the opportunity of suspended sentences, but the government's decision prior to the election was to come out and say, 'Well, look, we're going to address an issue of offenders' exploitation of the accessibility to the suspended sentence in a particular stratum,' and in that instance they then said, 'We're going to take out the serious violent offenders.' It can be a serious offender in other areas, but in this case it was in relation to violence.

That was the category that they plucked out for the purposes of giving a new set of rules for the suspended sentence to apply. As is typical of the government's mantra on these things and the spin that they put on it, they described this as a mandatory imprisonment effect and that certainly brings to pass all of the debates that we have had on mandatory minimum sentencing policy. This is why, I suppose, it is rather curious to think that, having presented this in the public arena prior to the election as imposing mandatory imprisonment, he should be so scathing as to the intentions of Mr Brokenshire in respect of his mandatory minimum sentencing of eight years for alcohol-fuelled violence resulting in death. However, leaving aside that little occasion of hypocrisy—

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: Irony? Don't try and diminish it. It is completely hypocritical, but, in any event, I would just like to point out that, in fact, the government's proposal, we on this side of the house suggest, actually does not introduce a mandatory minimum period except possibly for one day.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: I know. The Attorney interjects to tell me that, 'We didn't say a minimum period.' He did not exactly say that, but he certainly gave an impression to the public in the press release of 6 March titled 'Mandatory imprisonment for violent offenders'. It did not say '(possibly only for one day)': it was just silent on that so, of course, the government was able to put its little bit of spin on this.

The policy did say that the law would not interfere with the court's discretion to set the sentence length. So, here is the outcome. If the head sentence set by the court for a violent offence is more than two years, Labor proposes that a fully suspended sentence should not be available and gaol time must be served.

The Criminal Law (Sentencing) (Suspended Sentences) Amendment Bill before us, however, which purports to introduce this policy, amends the Criminal Law (Sentencing) Act so that, when an adult is convicted of manslaughter or of causing serious harm, under section 13 and section 23 of the Criminal Law Consolidation Act, and is sentenced for two years or more of imprisonment, then, if the court finds good reason to suspend the sentence, the sentencing court can only partially suspend the sentence. This partial suspension, of course, can result in there being only one day.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: The Attorney interjects to say that he has an amendment, which I did receive. The Attorney is indicating that he foreshadows introducing an amendment to ensure that, where there is to be a term of imprisonment, I am assuming this to read that, essentially, the prisoner would have to serve one-fifth of the nonparole period that has been fixed; therefore, if I am reading this correctly, if there was a five-month nonparole period, they would be obliged to serve one month, for example.

The Hon. J.R. Rau: At least.

Ms CHAPMAN: At least. I thank the Attorney for that indication because, otherwise, it just makes a complete mockery of the bill that is currently under consideration. With this bill, there is now going to be a three-tier system. We will have partial suspension of sentences allowed for sentences of less than 12 months, we will have suspended sentences and nonparole periods for sentences between 12 and 24 months, and we will have no full suspension of sentences if the sentence is more than 24 months.

Can I just also indicate that it does not appear that this legislation, or indeed the number of people who are currently dealt with under this as serious violent offenders, is likely to have much of a direct impact. In fact, the Attorney-General had admitted this after announcing this policy. I will quote his statements on that famous program on FIVEaa:

> …in any given year the number of people who fit into this category is quite small…there's very, very few of them each year. So this by itself will have a very modest impact on the prison population…

When the government provided a briefing in May this year, we were informed that, between 2009 and 2012, 42 offenders were found guilty of serious harm or manslaughter. Of those, 23 had a

sentence of more than two years suspended so, of course, that just indicates the very small number that we are talking about.

Consistent with that also is the government's expected projected costs in the policy document that it produced prior to the election. It published a policies costing document, brief as it was, which indicated that the total cost for policies per year for 'life on parole, mandatory imprisonment law to stop serious offenders changing their name and the limitation of suspended sentences' was to be a total of $600,000 per year.

Obviously, this bill reflects only one part of that election policy. Even if all of the money were applied then we are only talking about very few numbers of extra prisoners being held. Given that the cost of detaining a prisoner is close to $100,000 a year, as I say, it would be an indication that the government would be expecting very few extra prisoners to be detained at any one time.

Apparently my predecessor, as shadow attorney, sought some extra particulars in respect to the statistics and costing estimates but that has not been forthcoming. If it has, I should say, I will clarify that with my colleague in the other house, but we understand it has not. In any event, it is not of such moment that it would interfere with our agreement to support the bill, as small an impact as it may have.

The other matter is that, having already looked at this question of increasing the threshold for the applicability or availability of receiving a suspension on the sentence given, one has to consider whether there has been a reasonable period of time that has been granted to see whether that has had any real impact and the answer to that is, 'Probably not'. In any event, we all know why we are here—we are here because the government made this flowery announcement during the election campaign and we will see whether it works.

For the record, I indicate that the SA Bar Association has indicated that it, of course—and I say 'of course' but, consistent with its usual approach in opposing any mandatory sentencing proposal—it therefore does not give its support to the bill. One matter that they do raise, apart from generally indicating that there is a judicial discretion and it should be retained—and I should say that it is supported by the fact that there is the capacity for the Crown to appeal against manifestly inadequate sentences, as I have said, so they maintain the view of keeping the judicial discretion. They do make an observation as follows:

> The specific category of offenders that the Attorney-General refers to in the Bill's Second Reading Speech has been necessary to attract special legislative treatment is 'reckless violent thugs who receive a sentence of imprisonment of two years or more'. If it is thought that this (or any other) specific category of offence or offenders ought to be less deserving of the remedial benefits of a suspended sentence of imprisonment where it is demonstrated that 'good reason' exists (as is the current test), then rather than the discretion being mandatorily removed, then a higher bar might be considered—for example, that 'special' (or even 'exceptional') reasons exist.

Again, that relates to the steps that I think we have already taken in raising that threshold but, nevertheless, perhaps they have not caught up with that. Perhaps it has not been proclaimed, I do not know, I did not go back to check that but, nevertheless, I think the position is pretty clear. They say 'Keep the judicial discretion, there is not an ill to be cured and the rest of it is just all fanciful.'

The Law Society has also looked at it. Again, they unsurprisingly oppose the bill. They have a consistent view in respect of anything that is mandatory in respect of the sentencing process. I have said this before and I am happy to say it again: from our perspective we are not strong on mandatory obligations in this area. We have to be very much persuaded that there is a need for that to occur but the actual effect of this bill is so minimal it seems not to be offensive as the strictly principled position that the Law Society has taken.

The Law Society raises the question because on their assessment they consider that it does raise a question of extra prisoners and how they are going to be accommodated in the prison. I think they start from the basis that, even if it is only a few a year that might be caught by this, as they say:

> The society notes that figures show South Australia's prisons are beyond capacity. South Australia's nine jails have been absorbing a steady rise in prisoners that now exceed the Correctional Services Department's approved capacity.

They go on to say:

> The Society questions how the Government plans to accommodate the extra prisoners that will result from this Bill. Increasing the capacity of our prisons is expensive and will require additional taxpayer resources. The community is not always better served by incarcerating people.

The other thing that they raise in respect of their challenge to necessity for this type of legislation, apart from the principled aspect, is that they consider if the public holds a view in respect of suspended sentences giving a light option to members of the public, then they say:

> …Bills which impose mandatory sentencing arise from a misconception that judges are suspending sentences when they ought not to. It has been shown that when members of the public are fully informed about the particular circumstances of the case and the offender, 90 per cent of those surveyed view judges' sentences as appropriate.

They go on to explain to us (and I am sure they have to the Attorney) various studies and reports prepared by the Australian Institute of Criminology and others to support that statement. They go on to say:

> We repeat our view that the focus should be on the conduct of the offender, not the offence itself. Manslaughter is a serious offence and will almost always result in the offender being imprisoned. However, there are occasionally some cases where the offence does not warrant immediate imprisonment. Some cases have, from time to time, captured the public's imagination with a high degree of sympathy towards the offender being coupled with concern at the unduly harsh consequence of a custodial sentence in the unusual circumstances of the offence.

I will just add in this debate that I had the opportunity recently to attend the Remand Centre with the member for Morialta who is our newly appointed shadow minister for corrections—an excellent start that he has made in this area. I was particularly keen to learn about what capacity there is at the Remand Centre, as to what other policies we might develop in assisting both the management and humane treatment of prisoners in this space.

I am also keen to work with the member for Morialta on areas of reform for prisoners in their rehabilitation, not just in the Remand Centre, because they are sometimes only there for a few months, although our trial lists are going out a bit and sometimes they are there for up to two years, I am told, which is pretty shocking. Nevertheless, I want to bring two things to this debate: one is that, when people are incarcerated—and this bill will capture a few more—there must be some addressing by the government of what they are going to do to help rehabilitate their behaviour, in particular towards domestic violence.

Most of the people in this room would understand that a very significant number of people—and I just got the criminal statistics the other day. Australia wide, in assault cases—we are talking about violence here—the overwhelming majority are victims who are known to the offender and, quite frequently of that cohort, are actually related to them. Yet I was desperately unhappy to hear, when we visited recently—which was confirmed by information I had through our parole system—that at present there is not one single program in our prisons to help with the remediation of domestic violence conduct.

In fact, recently I had an opportunity to view the hearing of an applicant for parole who had almost completed his full sentence, but was eligible for parole under his sentencing arrangement. His application was rejected and an inquiry was made as to what program or what opportunity he had had to rehabilitate in relation to what were shocking acts of violence both to multiple people and property, and the answer was none, because there is not any available. It is still on the website: references to a trial that had been done some time ago by the government and some community counselling that is available for people who are dealing with anger management and the like.

The reality is that, in our prisons today, we have no programs for people who are guilty of and incarcerated as a result of domestic violence. I am quite disturbed by that, not only because it is a huge cost to our prisons to have to keep these people incarcerated, and a few more under this legislation will occur, but even more important is the fact that in the end these people leave the prison—their sentence finishes.

Even if they are not eligible for parole because they have not really been able to get into their head the understanding that what they have done is wrong and how they might control and manage their relationship breakdowns or anger as a result of any incidents that might spark them off into troubled and certainly criminal activity, we need to really address this issue.

We need to make sure, when they do get out—which they inevitably will—that they are going to go back into the community with some capacity to, first, understand the horror that they have inflicted, and learn sufficient skills as to how they manage it in the future. Otherwise, we are just placing those people back in a state which will inevitably result in a repeat of behaviour which is at least unsociable, if not criminal. That, to me, is really what the government ought to be addressing its attention to, to ensure that we fix up some of these people on the way through.

Again, just recently I was provided with some information from a group in New South Wales that is promoting—and I think the New South Wales government has taken up some pilot program to look at online programs for prisoners One of the criticisms I have heard from people in this area is that, apart from the fact that there is none, if you introduce something which is a four-week once a week attendance either at the prison library, resource centre, computer room, or wherever, at a community base, that is simply not enough time to deal with these issues and to actually have any real impact.

One way, relatively inexpensively, of ensuring that there is a prolonged program which has some real effect and therefore is demonstrably more effective, according to the people who were presenting this, is to be able to have it online. What that means is that the prisoner can, in their own room, and often they are incarcerated for a good part of the day so they can have plenty of time to think about it, they can undertake the program, do the feedback work on it and send off their material and so on, all with the view to helping them understand what is not acceptable in their past behaviour to ensure that it is not repeated in the future.

I certainly hope the government is going to follow up on some assistance in this regard. Violent offenders do deserve to have severe sentences imposed on them and we are even prepared to accept that they have to serve some portion of their non-parole period now it is going to be set at at least one-fifth of that, but let us understand that that will introduce some extra people into the prison and we need to ensure that those people are fit for residence next to any one of our families in any street or any town or any place in South Australia when they get out, and if we do not deal with that then they will not be and the situation will be repeated. So, we support the bill.

Mr TARZIA (Hartley) (16:32): I rise to also speak in support of the bill and I recognise the eminent lead of the deputy leader. By way of background, obviously it was Liberal Party policy before the last election and the party recognised the lack of community confidence that may exist in terms of suspended sentencing. At the last election we promised to undertake a broad review and reform of suspended sentencing and to limit the availability of suspended sentences. Nonetheless, I will rise to support this bill. It is essentially a tightening of the act to limit the availability for suspended sentences, especially for the most serious of offences. On the house, we obviously did commit a number of undertakings, as I just touched on.

I want to speak broadly first about suspended sentences as a whole. Arguably, they are widely misunderstood in the community. There is a serious misunderstanding in the community about courts issuing suspended sentences. They can be seen to be soft justice and that judges and magistrates should be tougher on convicted persons who commit crimes regardless of the severity or not of the offence or the antecedents. They are, however, one of the most widely used punishments used by our criminal justice system.

I bring to the house's attention a recent study done in July 2013 by the Australian Institute of Criminology about the effect of suspended sentences, broadly, in Australia, where they actually stated in the conclusion about the length of these sentences:

> Taken overall, these findings support the hypothesis that offenders placed on long (24 month plus) bonds or long (12 month plus) suspended sentences are less likely to reoffend than offenders placed on short bonds or short suspended sentences.

When I speak to practitioners in the area, when I speak to judges and magistrates, it has been my experience that most of them say the same thing, that suspended sentences coupled with things like good behaviour bonds are one of the most important and effective punishments that a court can deliver to a convicted person. Certainly in my experience it has been their view, on the whole, that the majority of people given suspended sentences tend not to reoffend. I note that the Law Society, whilst it may not entirely agree with the concept, has acknowledged that this can be a serious deterrent, especially when issued with a good behaviour bond.

However—and this is not a harsh criticism—I think more can be done in this area. I do not think that the government, or in fact the judiciary, has publicly and adequately articulated the positive impact that suspended sentences can have on the justice system. I do not think they have done enough to properly explain that to the community at large, because the benefits are quite widespread. In fact, I would say that on the whole the government and the judiciary have failed utterly in that task, because there is a lot of information out there and a lot of misinformation, especially in the media.

We hear only a certain amount of facts in relation to sentencing during a news clip, and I think it is fair to say that the amount of misinformation spread into the community as a result of some reporting has not been addressed as well as it could be by this government. So I suggest to the government that if it is serious about improving the reputation of our justice system—and it obviously is—in the eyes of the community, importantly, this topic is an excellent place to start. I will certainly be pushing for greater community engagement and better education about the workings of our justice system in this regard.

In my own electorate I am involved with a number of Neighbourhood Watch groups, some of which pull about 50 to 60 people each time they meet. Felixstowe Neighbourhood Watch, especially, has been good enough to have past magistrates educate the community. It is something I am very passionate about; I think it is really important that people understand exactly how sentences are made up to ensure that the justice system is upheld and that they have the best knowledge possible about it.

I do understand that some offences will require prison, and I also understand that there are offenders for whom suspended sentences will have no impact on their future behaviour. We have all seen that, and no-one is arguing with it. However, most crimes do not involve serious violence or death and, by the Attorney's own admission, only a very small percentage of those types of crimes committed in this state fall into the parameters of the amendments that are proposed today, as the deputy leader on our side pointed out.

I do agree with the Attorney-General that if you are convicted and sentenced to more than two years' imprisonment for manslaughter or causing serious harm, I believe this parliament has the responsibility to tighten the legislation, because there have been inconsistencies in the past about this matter, as we have heard. Between 2009 and 2012 42 people were found guilty of manslaughter or of causing serious harm, and 23 had a sentence of more than two years' imprisonment suspended. That is over half. Obviously I do not know the background of each case, or the factors involved in determining each one of those sentences, but for such serious offences I believe a more punitive course of action is required. That is why I will, overall, support the amendments.

As we heard, the Law Society disagrees with us on this point—and I note I have not renewed my Law Society membership, Madam Deputy Speaker. It obviously does not support the bill because it has had a fairly consistent view, as the Deputy Leader pointed out, in regards to mandatory sentencing. I believe there is room to move on this. I do not think it is offensive to include this kind of mandatory sentencing in this form, because so few instances are caught. On the whole, I think it is a good initiative. I am happy to support the bill.

The DEPUTY SPEAKER: If the minister speaks, he closes the debate.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (16:39): That's the general idea. Can I say first of all, thank you to the members for Bragg and Hartley. I do appreciate the remarks that both members have made. I do understand the concerns that people have about mandatory sentencing as it is described, and I do think there is quite a difference between what I have proposed here and what the Hon. Robert Brokenshire has proposed elsewhere. Let's face it: what he is saying is that if there is a one-punch situation, the court has no discretion and you go into gaol for eight years, full stop. There is no consideration of how, why or anything else. I do not agree with that at all, and I do think that that was attention seeking, and I think I even said it was all sizzle, no sausage, but they did not report that.

The DEPUTY SPEAKER: That's not original. You've said that before.

The Hon. J.R. RAU: No, it's not original, but they didn't report it anyway. I also said—and they did not report this—that if you go to any pet shop in Australia, the resident galah will be talking about mandatory sentencing. That is also not original; that was a poor paraphrasing of Paul Keating on microeconomic reform. Anyway, that is another topic.

Ms Chapman interjecting:

The Hon. J.R. RAU: Mandatory imprisonment, not sentencing. You see, you have got to read carefully. The words are important. Anyway, coming back to this, I just wanted to say this: this proposal here does preserve, first of all, for the trial judge with their absolute discretion the fixing of the head sentence. That is entirely in their hands. If they think the matter is not that serious, then presumably the head sentence will be smaller, and if the head sentence is less than two years, this does not have any work to do.

Also, the trial judge has complete discretion in respect of the fixation of the non-parole period. So, all that very important judicial discretion is entirely preserved in this proposal. We are simply saying that in those circumstances where somebody has committed one of these very unpleasant crimes and they are sufficiently serious in the eyes of the court to warrant a head sentence of more than two years, we say—and I am delighted to see the opposition agrees—that the community expectation is that person should at least do some time.

People might recall that before the election there was a case which received quite a bit of attention. There was a group of young people on a bus coming in from the northern suburbs and there was an older chap on the bus and some sort of affray took place on the bus. This fellow was punched very violently by a young bloke, and it was a severe assault. I think he wound up with compound fractures in his face and permanent residual disabilities as a result of this thing, tinnitus I think and god knows what else. The fellow who committed that offence was sentenced to a head sentence of more than two years, as I recall—I think it might have been three years, actually—and he was completely suspended.

I am not reflecting on the trial judge's competence or anything of that nature. I am sure the DPP looked at the sentence and formed the view that it was not so far outside the bounds of possibility that an appeal on the basis of manifestly inadequate was an appropriate recourse, but I am sure that the public generally would think in a case like that, for a fellow to get a head sentence that big and go no time at all is a bit odd. So, that is the sort of thing we are seeking to capture

The further amendment that I have foreshadowed here is to pick up the point the member for Bragg was initially making, that perhaps judges were only given one day. We have tried to sort that out with the further amendment and it also makes it easier for it to be applied. The Bar Association and the Law Society—I know what they are going to write before they even pick up their pencils. We all do. Every time we put something in here, we know. In fact, I think they have a Gestetner. Do they still have Gestetner machines?

The DEPUTY SPEAKER: None of them work, but we look at them from time to time.

Ms Chapman: You and I are the only ones who know what a Gestetner is.

The DEPUTY SPEAKER: No, I know what a Gestetner is. I even used one.

The Hon. J.R. RAU: There you are, you see? Anyway, I will not go too far down that track for fear of offending somebody. I did want to say this, though, and I will pick up on the comments made both by the member for Bragg and by the member for Hartley, and I listened very carefully to both members. I think there is an appetite in our community—and, from what you two have said here today, in this parliament—for us to have a mature, constructive debate about sentencing in the broad.

It is one of the reasons that I asked the Premier to give me the opportunity to look at justice reform in a big picture sort of way, and I have to tell members that one of the things I am very keen to look at in the not-too-distant future is sentencing, because if anybody looks at the sentencing act, it is such a complex piece of work. I know I have added slightly to that complexity with this, but the sentencing act contains so many completely contradictory obligations that it is hardly a surprise that, from time to time, a judge, trying to make sense of it, does something that the community finds to be a little bit outside their expectations.

I do not think it is good to go around blaming the judges, as some people do. I think we should actually look at the sentencing act in a serious, mature way but not just piecemeal. I think we should look at the whole thing. I say to the member for Bragg and the member for Hartley that I am intending to do some serious work in this place and I welcome the opportunity to engage with both members about this, because I think it should be something that is not party political. This should be a genuine attempt to make progress in the system to which we all should contribute.

Just to give you my very brief thoughts on the matter at the moment, point number one is that I think we have to examine the whole range of sentencing options. I have not studied this enough to have an informed opinion about it, but it may be that the sentencing options available to a court are basically too crude. In other words, there is no incremental stepping up of the sentencing options. It is either a suspended sentence, a bond or you are in gaol.

My question really is: surely it is not beyond our wit in appropriate cases, using technology, if need be, to sentence somebody in effect to home detention where there is no significant risk to the community presented by that person being there. On the positive side, that person still perhaps continues to have a job, still continues to have some sort of balance in their life because they are interacting with family and so forth, but nevertheless can be constrained in their liberty in some respect, without putting the public at risk.

It gets the message through to that person, 'Hey, whatever you did, don't do it again.' It protects the public because some punishment is given to the person, but it picks up the rehabilitation point the member for Bragg was making. What could be more helpful to a person than to keep them in a stable family or work environment? What could be less helpful than to take them out of that and stick them in an institution full of criminals?

Of course, the comments I have just made do not apply to everybody, and nor should they. In my particular conception of the thing, people who commit violent crimes, people who use firearms and people who commit sexual assaults, particularly on children, need special attention paid to them, but there are other people in the prison system who do not really represent a risk to ordinary people most of the time. I think we need to be a bit more flexible about the way we look at that, and we cannot blame judges for making decisions we do not like if they do not have options. That is my first point.

My second point concerns public expectations. There needs to be some mechanism by which a reasonable understanding of public expectations is aligned with what the sentencing options available to the courts might be. This is a significant piece of work, and at that very high level, conceptually, it sounds pretty simple but when you start cracking it down to the nitty-gritty, it gets very complicated.

I just wanted to say that I really did appreciate and listen carefully to the remarks that the member for Hartley and the member for Bragg had to make about this, because it is encouraging to see that a number of people are independently coming to the same conclusion about this important topic. With those few words, I will finish my remarks, and I think we have to go into committee to deal with the amendment.

Bill read a second time.

Committee Stage

In committee.

Clauses 1 to 4 passed.

Clause 5.

The Hon. J.R. RAU: I move:

Amendment No 1 [AG–1]—

Page 3, lines 31 to 33 [clause 5(1), inserted subsection (2b)(a)]—Delete '(being a period not longer than any non-parole period fixed in respect of the defendant) of the imprisonment in prison' and substitute:

> of the imprisonment in prison (which, if a non-parole period has been fixed in respect of the defendant, must be a period that is one-fifth of the non-parole period fixed)

I think I have briefly explained what it is intended to achieve and, hopefully, that is satisfactory.

Amendment carried; clause as amended passed.

Clause 6.

Ms CHAPMAN: I want to raise one matter under clause 6. During the course of the contribution by the member for Hartley, I just want to place on the record that I have found the letter of 6 June 2014 to my predecessor as shadow attorney from the Attorney, outlining some responses to the matters that had been raised in the May briefing. I just want to indicate that.

In fact, having reread it during that powerful contribution by the member for Hartley, I actually refreshed my memory and remembered that I had read it. I just have one question, Attorney. The last paragraph in this letter is in respect of the costings, which I have referred to in our contribution. About what the expected cost of the reform was and how many offenders and convictions there would be, you say, 'Given that this reform is a government election commitment, full costings will be provided in the upcoming state budget.' If you have not been able to identify them in the state budget, could you now tell us what the estimated cost of this is?

The Hon. J.R. RAU: I will have to take that on notice. We will try to sort that out between the houses. I can say this: it was always approached on the basis that there would be relatively few people impacted per year, and most of those who would be would be impacted for relatively short periods of time.

Clause passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations) (16:52): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Sitting extended beyond 17:00 on motion of Hon. J.R. Rau.

Resolutions

STATUTORY OFFICERS COMMITTEE

The Legislative Council informs the House of Assembly that it has passed the resolution transmitted herewith, and desires the consideration of the House of Assembly thereto. The resolution referred to is that:

1. That this council

   (a) Notes message No. 9 from the House of Assembly of 6 May 2014 advising of the appointments to the Statutory Officers Committee of the Hon. M.J. Atkinson, Hon. J.R. Rau and Mr Wingard;

   (b) Notes section 21(2)(e) of the Parliamentary Committees Act 1991 which states 'A person ceases to be a member of the committee if the person…becomes a Minister of the Crown'; and

   (c) Invites the House of Assembly to reconsider the appointment of the Hon. J.R. Rau, Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development and Minister for Industrial Relations.

2. That a message be forwarded to the House of Assembly conveying this resolution.

Parliamentary Committees

SELECT COMMITTEE ON SALE OF STATE GOVERNMENT OWNED LAND AT GILLMAN

The Legislative Council requested that the House of Assembly give permission for the Premier (The Hon. J. Weatherill) and the Treasurer (The Hon. T. Koutsantonis) to attend and give evidence before the Select Committee of the Legislative Council on Sale of State Government Owned Land at Gillman.

Bills

COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

COMMISSIONER FOR KANGAROO ISLAND BILL

Second Reading

Adjourned debate on second reading.

(Continued from 8 May 2014.)

Mr GRIFFITHS (Goyder) (16:56): It is a pleasure to finally rise to speak about the Commissioner for Kangaroo Island Bill. It was listed on the single sitting day of 24 July and it did not get there and has been tabled to be debated this week. It is rather disappointing that it is nearly 5 o'clock on the last day before we get to it—but we are here.

I do confirm that I will be the lead speaker on this bill but there are quite a few who will choose to speak in regard to this bill. Some have a very personal interest in it as a result of where they live or where they were born and raised and there are others who will speak on the potential and impact in other areas that it might raise for them. But there are people that are primarily really quite interested in this one. I confirm from the very start that the Liberal Party will not be supporting the bill.

The Hon. J.R. Rau interjecting:

Mr GRIFFITHS: The minister notes, 'Surprise, surprise.' I can say that it has been part of a very lengthy review and it is some time since the bill was tabled on 8 May. But it has been treated exceptionally seriously. We have tabled eight amendments—seven of those deal particularly with local government and the impact upon that and the concern that I have, and I will talk about that further into my speech and the proposal from the Liberal Party to remove the local government connectivity between the actions of the commissioner and a democratically-elected body.

Lastly, there is an Amendment No. 8 with a suggestion that, while in recognition that one of the amendments from the minister himself talks about a review by the ERD Committee two years after operation and then every subsequent four years, a suggestion from us is that it has a sunset clause of four years in it. So there will be some interesting discussions.

There will be lots of questions and clarification that will also be sought during the committee stage just on the basis that I am able to count and understand that within this chamber I have no doubt that the bill will be supported, but I am also able to have some level of understanding of how the numbers in the other chamber work with the 22 that are there and some indication of where their position might be at this stage. That is what this rather unique opportunity represents because there will be some quite extensive period between any comment made today and the next time this bill is discussed in September for those in the other chamber to consider that.

I want to really enforce the fact with the minister that the Liberal Party has taken its consideration of this exceptionally seriously. I am happy to confirm for the minister's information that I have presented a 10-page report to the opposition—to the shadow cabinet initially, and then portfolio and joint-party committees.

I believe, as I will put a lot of it on the record, that there is a reasonable amount in common about both sides of the equation—the intentions of KIFA when it originally commenced, the Citizens' Jury and the three meetings which have been held, and the consultation the opposition has

undertaken. While not mentioning the names of those people who have given us the feedback, they are all Kangaroo Island residents.

To give an indication of either support or opposition to issues they might have had around that, I want that information also to be available to the minister as part of his review on this and to reflect upon the fact that it was not very long after the bill was introduced by the minister that I chose to go to Kangaroo Island. Admittedly it was very early in the process, from the position of obtaining a full council position, because it had only just been tabled.

Some members of the council have had quite strong involvement with the Kangaroo Island Futures Authority and the preparation and drafting of this bill by having been members of KIFA. I was pleased to receive a variety of letters from the council, including some good review which has stimulated some of the amendments the minister himself has proposed to his own bill, and my recollection is that that talks about clarification and requirements too.

I reinforce from the very start, though, that the reason for the amendments we have proposed about the removal of local government from the equation of a position of influence by the commissioner is to ensure that local decision-making ability continues. This was a bit of a basic issue for the Liberal Party, I think it is fair to say, because a lot of our members have had some level of involvement in local government.

They respect in many cases the challenges involved in getting elected; the reasons people stand for election; the challenges, once elected, in providing a vision for their community; being prepared to accept good feedback, criticism and everything that occurs in between; and the challenge of having to be in front a community at all times and being acknowledged as a representative of the community and making decisions on their behalf and the ramifications. It is from that concern that many members will probably choose to speak about it.

I am pleased that the Minister for Local Government is in the chamber, having served in council himself.

The Hon. G.G. Brock interjecting:

Mr GRIFFITHS: I am not reflecting upon that. I know that the minister has also been on the island—

The Hon. G.G. Brock interjecting:

Mr GRIFFITHS: Twice, the minister confirms—and has met with the community. I know that the minister responsible for the bill has been on the island many times and spoken to people, and that he has been involved in consultation on the island. I believe the minister has also undertaken a consultation in the Adelaide metropolitan area, which I think is a good step because the consultation that occurred in the Adelaide area reflects the non-resident property owner percentage, being quite high (40 per cent or thereabouts), which is common in a lot of coastal communities in particular, and the concentration of people who have a property interest on the island but who reside in Adelaide.

I had a conversation with mayor Jayne Bates just this afternoon. The mayor has flown home in the belief that the bill was probably not going to come on today, and she mayor expressed to me in her way, which I respect, the frustration that she was not able to listen to the debate, as I think her preference is to listen to it, instead of reading it. I have no doubt that she will be back again in September, when we sit again, to listen to the contributions made by others.

I told her about the amendments the Liberal Party has proposed and she said, 'Steven, have you consulted with the community on those?' and I said no. The minister is wagging his finger at me and I understand why, but the amendments we propose refer to the impact upon local government—and it is rather interesting to consult with them when they have expressed in a quite forthright way that they support the bill—and I will actually put onto the *Hansard* record later in my contribution their exact words. I am not trying to prevent the future review of this bill in *Hansard* reflecting all the comments that came back to me on this bill.

The Hon. J.R. Rau: The LGA support it.

Mr GRIFFITHS: The minister confirms that the LGA support its, and it does, via two paragraphs, and that is all. I will flag even at this very early stage the level of disappointment that I

have with such a short response. The minister is wondering why I am upset by that, and maybe it is because I am considering what I think are the wider potential implications of it. Maybe I am reading into it things that do not exist—and the minister's eyes are going backwards and forwards wondering what the hell I am talking about. It stems from a concern that has been raised with us about a potential for the principle encapsulated in this bill of a commissioner being appointed that could be rolled out in different areas. We will talk about that—

The Hon. J.R. Rau: Theoretically, if communities were begging for it like this community is, sure.

Mr GRIFFITHS: Yes. I have no doubt that, by flagging it at this stage, without an opportunity for the real debate to occur—that is why I would have preferred everything to be encapsulated within a sitting week of parliament so that all could know what was going on—not everybody is going to think that the Liberal Party not supporting the bill was actually going to be the right move. I understand that, and some of the feedback that I am going to talk about reflects upon that. However, there is also a vast number of people who are contacting us, or the member for Finniss, who has a very strong particular interest in this bill—

The Hon. J.R. Rau: Now we are getting close to the point.

Mr GRIFFITHS: No, this has been subject to a lot of debate on both sides of the equation, I can assure you—who are not supportive of it. They have seen it as not the best use of a resource, or the impact that it has upon the council—but anyway, I will put that on the record a little bit later. I do from the very start, though, point out that in a sense I can understand why the minister has introduced it. I am not entirely pleased by the circumstances that have created the reason why the bill has been introduced, but I believe that the minister has introduced it to try to improve service delivery.

The Hon. J.R. Rau: Yes, absolutely.

Mr GRIFFITHS: The minister says 'absolutely'. I also live with that creed, I must say. For me, it is all about government actually ensuring that service delivery is the best that it possibly can be for the people and that, no matter what service or infrastructure it is, it is able to compete amongst the hundreds of priorities that exist for government funding to be used. My frustration will always be that I have seen this as a response to a particular area or community that the minister has a level of support for without actually fixing the whole problem.

When I say 'the whole problem', it seems to me that the minister, by virtue of this bill, intends to put in place a role (the Kangaroo Island commissioner) that has the authority to create management plans. Those management plans have a level of control over other individual versions of how a service or infrastructure is to be supplied within the Kangaroo Island community.

I think you are going to need an amazing mix of skills, personality and knowledge of the area to actually fill the commissioner's role in the first place, but I do not see how it ensures that the process of government—the 100,000 full-time equivalent people who work within the public sector, who have the responsibility to provide services across the whole of the state—will necessarily change their mindset.

I believe that the minister has probably put this bill before the parliament out of frustration (no doubt he will correct the record if I am wrong) with the way government is structured, managed, operated and influenced—all these things—on what it actually delivers for people. If it is too hard to change the process of how government does all those things, a way to get a win is to put an authority above it which will direct how these things are to be done.

For me, who has worked within bureaucracies all my life—and I am bureaucratic in the way that I think about these things—you have to be driven, though, about how is it best to deliver, and to reflect that the services and infrastructure that you are delivering are indicative of what the community in that area wants. Now, sometimes you cannot provide that. I understand. Sometimes it is physically impossible. The location it exists in, the resources required for it, the challenges for the personnel you need to deliver the service, or whatever, there are lots of different reasons for it.

In the case of Kangaroo Island, which is just so close to us but indeed so far away in many terms, when it comes to the cost of visiting or living on the island or getting goods shipped there or shipped off of there for an export revenue opportunity, it frustrates me that the process of government is not where the focus is to create a fixed opportunity by ensuring that every government department that operates and provides a service to the people of Kangaroo Island looks at what the real need of the community is. By association, if that is to occur and they are able to deliver upon that expectation and demand of the minister who is responsible for it, that indeed all regional areas benefit in the same way.

I suppose the end debate on this might be that if there is a commissioner for Kangaroo Island do you need a commissioner for every other regional part of the state? In what way do you use the member of parliament for that area and what skillset do they need to deliver upon the expectation of the community that elect them in the first place, or do you look at improving upon the way in which departments are run, decisions that are made by it, how it allocates resources, how it best uses resources, the individual mindset of the public servants who actually deliver all of these things, to ensure that the best possible outcomes are achieved by the community at all times?

That is where for me, and I have no personality issues involved in this, but in assessing the merits of the bill that is how I formed my judgement, entirely upon that way. The way that I formed my judgement is probably the reason that I actually stand in this place anyway because when I was approached about if there was an interest from me in running for parliament it was based upon my own assessment of: did I want to do it? Did I see myself as a reasonable advocate for the people? Was I a worthwhile candidate for others to consider the merits of?

The Hon. P. Caica: The answer was yes.

Mr GRIFFITHS: And I said yes to myself, that is right. The member for Colton said, 'The answer was yes'—

The Hon. P. Caica: And they said yes to you.

Mr GRIFFITHS: Yes, and they have three times, but not in an increasing percentage though, I must admit.

The Hon. P. Caica: No; changing landscape, despite what you guys say on boundaries.

Mr GRIFFITHS: Well, it is. It started from the low area, went up a bit higher due to all these vagaries of life and it has dropped back a bit. But that said, I do not think any member of parliament is worth 25 per cent on the two-party preferred anyway. I do not think anybody is that good, but it is nice to be around 12, I must admit that, yes, it is a great comfort.

The Hon. P. Caica: It's nice to be around four.

Mr GRIFFITHS: The member for Colton says it is nice to be around four, and given the fact that he sits on that side of the chamber I am sure that is why he says that too, I have no doubt about that. When I self-assessed my capacity to do it, and others formed judgements later on, I did so in the belief that I had lived in a regional community nearly all of my life. I have tried to be involved in an organisation of local government that had provided services to the community. I knew what the expectations of people were. I knew about the histories of issues. I knew about three generations of families in many cases and all of the gossip that goes around those sorts of things. But I knew that you needed to have somebody who could be a reasonable advocate for stuff and who would try to take an objective assessment of issues.

The great frustration, or one of the wonderments of being in parliament is that the level of information provided to you makes every decision that much harder to make because it is hard to get a straight yes or no on things because there are so many issues that impact upon it. Others in this chamber are nodding their heads because I think they live with the same level of conflict that occurs within their minds all the time. Minister, it is not very long before my hair will go a similar colour to yours because of the internal debate that occurs about these things.

So, it is the needs of regional communities that has driven the reason as to why I have gone into parliament. It is those needs of regional communities that will drive every decision I make and, indeed, many of the words that I say. When I talk about the coordination and improvement of

services, the best possible use of resources, the version of a commissioner proposal or indeed the way in which departments are run, there are a couple of little examples that I want to give. To me, it is about the duplication of services. This one predates me—on Yorke Peninsula, when I returned in 2000—but it was given to me by a very reliable source, and it is about the Aboriginal community at Point Pearce. I have to say that it is a nice community. I doorknocked there in 2006, and I got one vote in 2010 and one vote in 2014, but I like the people and they need all the support they can get.

I think it was about 1998, and all the providers of services to the Point Pearce community were invited by the local government authority in that council area to come together to talk about how better to improve it. The feedback I got from the person who did the invitation, the facilitator of the day, was that there were groups there who did not know that the other groups were even providing services there. That is wonderful example of where resources—scarce as they are, and as hard as they must be for ministers to get allocated in their budgets from a Treasurer who is expecting certain things in demanding periods of time—have to be used as best they can.

The minister's suggestion for the Kangaroo Island community is through a commissioner. The fervent hope of the Liberal Party is for a management of government processes that ensures the needs of the community are met as best they possibly can be, as efficiently as they can be, and that the community benefits from it, in view of what it has to pay in taxes to fund it all.

So I have reinforced the fact that resources are scarce and we have to get the best outcomes for them, and in that case I do put on the record that I understand why the Minister for Planning—and I presume this is the portfolio area to which the bill relates—has put the bill before the parliament and has stimulated debate about it as well. I have had the opportunity to read *The Islander* newspaper; the member for Finniss left it on the desk this morning and I had look at that. The letters to the editor had some differences of the opinion about things as well, and that shows that even in a strong democracy like we have it will always be a close call as to what the best decision actually is in a lot of ways.

Now we get to the serious part. The bill, for an act to establish a commissioner to provide for the development of management plans in relation to the coordination and delivery of infrastructure and services on Kangaroo Island and other matters relating to the island, and for other purposes, was introduced on 8 May. What I have taken from the feedback, minister—and you have provided us with one briefing opportunity—is that there appears to be a lot of concern that matters concerning Kangaroo Island do not necessarily reach the minister's attention. There are a lot of things that come to the minister, there are a lot of decisions made below the minister, and I understand that the minister cannot manage the minutiae. I understand that he needs to ensure he has good people around him to manage things for him, but it appears as if this bill was a bit of a solution for that.

So in Kangaroo Island's case, on the basis that the minister would become the person responsible for the management plans, the person who reports to the cabinet and therefore have the authority for it, the minister just wanted to be seen as taking an absolutely positive step. This is where the bill has come from. I do not totally support the outcome of it, but presumably that is what the minister has done.

The key objective of the bill is to provide Kangaroo Island with a voice in cabinet via the minister. This is envisaged to assist streamlining infrastructure and service projects. I understand that, and I do not necessarily disagree with it. I suppose the argument I have is that the member of parliament for that area—as for any area—is the voice for their community at all times. The nature in which the parliament exists means, sadly, that the local member is not part of the government, and that means it is rather difficult to have that direct voice into cabinet, and that is why the minister has created this role, presumably with the suggestion, even with a change of government, that the position continues.

The Hon. J.R. Rau interjecting:

Mr GRIFFITHS: The minister says 'absolutely' to that. From my perspective again, as a regional member, I believe that the issues the minister is attempting to deal with in this bill are actually problems that face all country electorates. That is why I am intrigued the government has singled out Kangaroo Island. It might be, indeed, that it is part of your contribution, minister, that you give further words to that, as to why you have decided to target Kangaroo Island, because from my point of view

it is about actually fixing the management of governance so that the services of all the regions are the best they possibly can be.

It is important, I think, at this stage also from my outside perspective that I have on Kangaroo Island just to put some facts on the record. It is a relatively small population: only 4,600 people or thereabouts. It has a relatively small ratepayer basis, I think of about 1,400 property owners, and it has had some significant challenges financially. I know the member for Bragg, in her very diligent work that she does on all things, has actually reviewed some of the annual reports of council and has reported to me the level of loss that might have been incurred and borrowings that they have been forced to undertake and some of the challenges.

I know in the 2012-13 financial year, for example, the net loss of the council was $1.8 million. For any regional council, that is a level of ongoing concern that worries the life out of me, and no doubt it must worry the staff, the elected members and the community of Kangaroo Island, who have the responsibility in the long term to actually turn it around financially. I do also take this opportunity to make all members aware that about one-third of Kangaroo Island's landmass is actually government-owned land through national parks and things like that, which is not rateable and does not contribute to the council's revenue.

As I understand it, the minister's first step in his deep wish to be involved in the Kangaroo Island community was via the creation of the Kangaroo Island Futures Authority (otherwise known as KIFA), which was established in 2011. It was based upon a recommendation from the state Economic Development Board report 'Paradise Girt by Sea'. No doubt others who are far more familiar with this 'Paradise Girt by Sea' report will probably talk about it, but the report highlighted the importance of Kangaroo Island as a major asset to the state, but it did also recognise that the island was lagging behind economically, socially and environmentally.

Decades of over-promising and under-delivery have left many residents facing an uncertain future. That is a direct quote from the report, and I think that must worry all members, too, because the challenge for all political sides and indeed for local government bodies is to deliver on what they promise. It appears as though, for a report by the Economic Development Board to highlight that, this particular area is a great concern.

The objective of establishing the Kangaroo Island Futures Authority was to—and this is over a period of five years—work towards a number of projects that had been identified as crucial to delivering lasting prosperity and benefits to the Kangaroo Island residents. I do note that for the 2013-14 year, KIFA had I believe an operational cost of about $1.5 million, and, as part of KIFA (which will continue for a little while) and the commissioner, there is about $4 million across the forward estimates still in expenditure in this area.

It has been reported that KIFA has facilitated a land use policy. I do reflect as a member of the Environment, Resources and Development Committee of the parliament that planning changes have occurred in Kangaroo Island quite recently: an international brand development, an international framework for tourism, to improve utilities service infrastructure, and it has sought funding for an airport upgrade and development of an approach to future sea access. Member for Bragg, is the airport upgrade in the range of $18 million or thereabouts?

Ms Chapman: Yes.

Mr GRIFFITHS: Yes, $18 million. I know the desire is to secure that from a variety of government grants to do that, but indeed from the talks that I have had with people there is a bit of a difference in opinion as to if an airport upgrade is more important than the costs associated with sea transfers. I know there will be others who will talk about that, too, because for the majority of people (and having used both those options in the last two years) when you book a plane at relatively short notice, it is not cheap, but I also understand that regional airlines have to make a profit. But the sea access services that are provided by SeaLink have heavy investment and infrastructure, too, and, indeed, shareholders for whom they have to return a profit.

KIFA is overseen by an advisory board led by Mr Raymond Spencer, who was also chair of the Economic Development Board, and the first meeting of KIFA occurred in November 2011. I will put on the record the eight key areas of the Kangaroo Island Futures Authority:

1. land use planning;
2. government services and administration;
3. branding and protection;
4. tourism;
5. infrastructure, utilities and communications;
6. business and economy
7. sea and air access; and
8. the community.

It is interesting that the community is No. 8. I think people actually come first in all these things because they drive all these other things, so I personally would have put it the other way round.

Ms Chapman interjecting:

Mr GRIFFITHS: The member for Bragg reflects that they were trying to achieve the cheap ones first. In 2012 and 2013, the state government, the Kangaroo Island Futures Authority, the Kangaroo Island Council and interested residents worked together to identify and 'unlock' opportunities for Kangaroo Island's future. The work resulted in three draft documents which were available for community feedback from 16 September to 11 November in 2013. These documents were then subsequently approved by cabinet in January of this year, as I understand it.

The first document was the Kangaroo Island Plan Addendum, the second was the Kangaroo Island Structure Plan and the third was a sustainable futures development plan amendment. Associated with this were five community meetings that were scheduled as part of the consultation process. My understanding is that, all up, about 138 people attended these meetings, with 38 people in Kingscote at the open day, 18 people at Penneshaw at the open day, 15 people at Parndana, 25 people at American River and then another 42 people who attended the consultation in the evening in the Adelaide CBD.

In addition to the above consultation on the three plans, the futures authority sought to gauge the general Kangaroo Island population with regard to service delivery and to understand what islanders want from government, which is a bit of an all-inclusive thing. People these days want an enormous amount and have very high expectations without considering what level of government should provide it or has the capacity to provide it, but they want these things. As an extension of this, a Kangaroo Island Citizens' Jury was engaged to look at the options to be developed.

I might just put on the record some details about the citizens' jury, too. It was coordinated under the Premier's 90-day change project which was a statewide initiative to enhance community engagement and was coordinated through the Department of the Premier and Cabinet. The objective of the jury was to consider government service delivery on Kangaroo Island. KIFA provided the jury with options to consider, but people have suggested to me that the information made available by KIFA at the meetings was a result of them wanting certain decisions to be made.

By association, this means that the jury was fed details of what they would like to see as the outcomes from that. Some people might shake their head and think that that does not happen—that the government actually engages the community on the basis of wanting the community to make the decisions and does not give them direction on that sort of thing—but the greatest example that I have seen in recent times of where seemingly a preordained position is attempted to be reached via a community group is the marine parks local advisory groups.

Anybody who has followed the marine parks saga would still live with the knowledge that, at the first meeting, as I am advised, particularly in the Goyder electorate for my four marine parks, members of this local advisory group, who were people from the community in the main who volunteered their services because they wanted to get good outcomes from marine parks in their area, were basically given a map of where the proposals were for the different sanctuary and habitat protection zones.

I find that amazing, because this was a variety of people, a lot of whom had a long-term interest in recreational and professional fishing and who held some wonderful knowledge of the sea and the marine environment, but who were given a direction on what the outcome should be before they even had the first chance to sit down and talk about it. Seemingly, the citizens' jury had the same intent by giving a direction on what should be achieved, and there is a practical example that anybody in this chamber who has listened to the marine parks saga would have heard of before.

I am advised that 30 people applied to be part of that Citizens' Jury. Eleven jurors were selected, aged from 16 years upwards, so a variety of ages were involved. They met three times, and there was a small honorarium for expenses; I am not bothered by that. There were three recommendations made from the work undertaken, and they were announced in December 2013. The first recommendation was:

> In partnership, we develop a new Kangaroo Island act which enshrines a democratic governance model that ensures island autonomy, representation and participation in decision making processes.

Ms Chapman: That's what the councils do.

Mr GRIFFITHS: That's right. The member for Bragg comments that that is what councils are for. Indeed, the little note I have made for myself on what to speak about here is: how the hell does one person do that? That is seemingly the case with the appointment of the commissioner. You have a single person who, yes, as I will talk about later, will create local advisory boards, but it is a single person who is entrusted with this responsibility from the minister of the Crown to give direct feedback to the minister and cabinet and who will ensure that democratic governance will actually work, even though they are a single autocrat, when it comes to it all. I am rather intrigued by that, and I am not sure how it links up with what the bill actually proposes. Point 2 was:

> A series of governance models are developed for further community deliberation, these should enable integrated service delivery and address:
>
> - social equity and resilience
> - economic development, and
> - environmental sustainability.

The feedback I have had from a variety of people is that several options were looked at on how to do this, but the minister has chosen an option that does not exist anywhere—

Ms Chapman: Never.

Mr GRIFFITHS: —from what I am told. The member for Bragg confirms that. It is a rather radical move. South Australia is going to be seen as a world leader in this because the minister is intending to put in place, over 4,600 who live there permanently and the probably tens and tens of thousands of people who visit there, an experiment on how decision-making, government service provision and infrastructure should be put in place—very interesting. Point 3 from the Citizens' Jury was:

> That the democratic governance model is developed through a process which is owned and created by islanders and ratified by an island-wide ballot.

The mayor asked me if I consulted with the Kangaroo Island community about my amendments, but I do not believe that the ballot has occurred on Kangaroo Island about this suggestion either. One could argue that there has been an informal method of a ballot because it has consumed the local media for some time, there is no doubt about that, and there have been a lot of comments about it, but I am not aware that people have been given a chance to have a vote on it.

Ms Chapman: It's all about 1 per cent of the population.

Mr GRIFFITHS: Yes. The member for Bragg notes that even the feedback that has been received is probably from about 1 per cent of the population, so there are an enormous number of people out there who have not expressed an opinion or who have not made a decision on what they feel about it; whether they are supportive of it or against it we do not know.

Even on those three points I have highlighted from the Citizens' Jury, I am not actually sure that this bill represents a solution to any of them, even though you could argue it is part of point No. 2,

where it talks about the governance model. Again, I enforce the fact that this is a model that has not been used anywhere.

I was looking for some information about the Citizens' Jury, and I have lodged an FOI seeking the minutes and documentation from the three meetings that were held. I confirmed with my assistant yesterday that we have not received even an acknowledgement and that we do not have a scrap of information about what has occurred there.

The FOI was lodged on 22 May. I think those in this chamber who lodge FOIs quite regularly will probably note that that is not good enough even though, sadly, it occurs a lot of times with FOIs we lodge that it takes some time for replies to be received.

I am also aware that the state government has called for new jurors to work with us in the Kangaroo Island Citizens' Jury to make recommendations on the way in which government services are made available on Kangaroo Island and to support the commissioner if and when the legislation passes. At best we are looking for a new September date now, when it is going to get through this chamber, and then it will probably be some time in October before it is debated in the other place. Now, to the bill itself, after having talked for about 30-odd minutes on the preamble and some other things—

The Hon. T.R. Kenyon: Filibustering.

Mr GRIFFITHS: No, not filibustering, member for Kaurna. This is an opportunity for me to put on the record the feedback that I have had, and I encourage members from both sides to do this, too, and not just talk about concerns they might have had, but indeed the comments and discussions they have had with people. No doubt the Minister for Local Government, having been on the island twice during the period in which this bill has been open for discussion, will put on the record what his thoughts are.

While the first recommendation of the Kangaroo Island Citizens' Jury was to develop a Kangaroo Island act, no reference is made regarding the establishment of a commissioner. It was as recent as February of this year that the notion of a commissioner to Kangaroo Island was publicised, and it was on 19 February that *The Advertiser* reported that, 'A Commissioner for Kangaroo Island would oversee development of the tourism destination as part of sweeping reforms proposed by the Labor government to realise the island's huge potential.'

I do not deny that it has huge potential; I do not deny that I want a stronger economy to exist there so that businesses and individuals do well; and I do not deny that I want to see an improvement in the level of infrastructure investment that occurs there and service delivery that goes onto the island. So the words are right—it is the actions of how it is achieved that is the thing.

That media report included '…government agencies would be required by law to consult the Commissioner when making decisions which affected KI.' I am not sure if it works that way or if it works in the reverse—if it is the commissioner who has the authority to tell them how it is done instead of the government departments going to the commissioner and basically saying, 'Is it okay to do it this way?' So, it will be interesting to get some clarification from the minister on that.

The Deputy Premier's pre-election plan—the minister responsible—to establish the commissioner for Kangaroo Island was announced in conjunction with a package that included $3.5 million to upgrade the Kangaroo Island airport, which was also the subject of an application for $13.5 million in support sought from the federal government, $5 million to develop a five-day walking trail, and I think in the budget $2.25 million in the 2014-15 year—something like that—and a major project status being declared for a $30 million Greg Norman-designed golf course. Coming from Yorke Peninsula where there is a Greg Norman-designed golf course (admittedly it is only of nine holes—not the originally-intended 18 holes) it does represent an enormous challenge to get those things happening. So, great in vision.

The Hon. J.R. Rau: That is a problem for the developers, not for me.

Mr GRIFFITHS: The minister comments that it is a problem for the developers, not for him—I understand that. These are the economic realities that that community and indeed all communities who look at those really large-scaled developments have to deal with, too, because they are

exceptionally expensive. In the minister's second-reading speech on 8 May, as part of his presentation of the bill he commenced that speech by referring to South Australia's Strategic Plan, specifically, these two targets:

- Target 4: Tourism industry—increase visitor expenditure on South Australia's total tourism industry to $8 million and on Kangaroo Island to $180 million by 2020; and
- Target 40: Food industry—grow the contribution made by the SA food industry to $20 billion by 2020 (including 'Clean green food as our competitive edge.')

I do not disagree with those things, minister. Indeed, in my pre-parliament days I know I was told that, while the number of visitors to Kangaroo Island was much smaller than my own patch on Yorke Peninsula, the average-daily spend of those visitors was much higher. We have to try and get some balance where if you improve the numbers then you improve the dollar return—and they all came from that.

These targets coincided with the two key targets made within the Economic Development Board's Kangaroo Island 'Paradise Girt by Sea' report of 2011 that I referred to earlier to double the tourist income within a decade and to double farm-gate income within a decade. Achieving these targets requires an improvement in the delivery of infrastructure and services to the island from the private and public sector.

I know the member for Finniss has talked to me constantly about this. Certainly, in the period before the 2010 election when I had some Treasury responsibilities he was into me all the time about the need for the opposition policy at that stage to focus on infrastructure and the cost of freight transport.

We have heard lots of arguments that have occurred in recent times about reliable electricity supply as well. I know there have been lots of proposals to ESCOSA for the replacement of the electricity supply that goes undersea to the island. That is a significant project to deal with, too ,but it will come upon us one day.

The cost of getting on and off the island is a barrier to the growth of the island's economy and I am aware that infrastructure upgrades have occurred and there are lease agreements that the Crown has in place with SeaLink that provide some surety with that, and I think there has been an investment of financial support towards the seawalls and that sort of thing that are necessary for these berths. Having used those myself and having actually seen it, I understand that there are still probably a lot of competitive bids that have been submitted to try and improve those things too.

The minister, from what I have read and from what I have taken from the conversations with him as part of the initial briefing, probably has some frustration about seemingly a state government focus on Kangaroo Island, I think, and the minister might want to correct me if I am wrong on that. He is probably concerned that decisions that are made within Adelaide are not always in the best interests of the island. I think I could argue that a lot of regional areas would probably say the same thing to the minister.

It appears as though that, in addition to the agency or departments having that focused thinking on Kangaroo Island—and that is the intended outcome for the bill so there is a focus via a quite senior level of influence for that—the minister considers the lack of coordination between government departments and KI is impacting on the delivery of outcomes. I suppose that comes back to the example I quoted on Yorke Peninsula of services to the Point Pearce Aboriginal Community and the improved opportunity for coordination to occur there.

As an example, state government departments and bodies that deliver services on Kangaroo Island include Regional Development Australia, tourism, local government relations, environment and natural resources, education and further education, fisheries and primary industries, native vegetation, SA Water, Department of Transport and, importantly, national parks. In the minister's second reading speech he stated that delivery of state government services suffers from three inter-related major problems from a Kangaroo Island perspective, and I might just put them on the record again:

1. There is a lack of critical mass in any of these agencies that can be devoted to Kangaroo Island issues.

2. The delivery of services tends to be Adelaide or mainland focused (and that is by association with the population so I understand that).

3. There is a lack of any one or more networks joining up services to have a Kangaroo Island focus.

We will talk later about amendments and the challenge that has been put to me by people on Kangaroo Island: 'Steven, if you and the Liberal Party do not support this bill, what is your alternative vision?' The minister says yes. I suppose the first opportunity I looked at was the Capital City Committee where there is a structure put in place by government and where there is a level of coordination between state government and local government. The state government coordination, one would hope, ensures that the coordination of the government departments that operate under the control of those ministers and, by association, with the departments that are part of the cabinet that ministers control.

So that is one alternative that I have suggested to people when I have talked about, 'Okay, our alternative vision is not just the example that I expanded upon before of the improved level of desire to ensure that services and infrastructure are welded or are fixed on delivering what the local community are saying to you,' but at a higher level there is an example of the Capital City Committee.

On the basis that that structure works well—and I wish that the member for Adelaide was a member of that, and that has been the subject of an amendment bill also—the Liberal suggestion for the Kangaroo Island solution would be to have this over-arching group with representation from local government and key ministers whose responsibility is to ensure the outcomes occur and, therefore, what flows from that is the direction that goes to all government departments.

The difference between the Capital City Committee and the legislation that we would suggest—even though we cannot do that via amendments; a completely different issue—is that the local member is involved in that, because of the fact that they are put in place to actually represent the people, and therefore should have very strong connections to them, as the member for Finniss does, having been born and raised on the island.

The Hon. J.R. Rau interjecting:

Mr GRIFFITHS: The minister makes a comment that a lot of this sounds like it is about the member for Finniss. It is fair to say we have had a lot of chats.

The Hon. J.R. Rau: Yes, I bet you have.

Mr GRIFFITHS: Yes.

The Hon. P. Caica: All one way though.

Mr GRIFFITHS: No, not at all. We have had a lot of chats where—and it is a bit reflected in the consultation. When I went to Kangaroo Island, I met with the council and the member for Finniss had a very strong position on this immediately. I understand that, and he will put his position himself. But when I spoke to the council at the same meeting I said to them, 'I am not here to preach on what my position is, but my desire in being with you today is to find out'—even at that early stage—'what your thoughts are, what concerns you might have and what opportunities to improve there are.' That is the basis of what we are doing and that is why I am suggesting amendments to it, too. Even though I am not supportive of the bill, and the Liberal Party is not supportive of the bill, there are changes that we would like to see occur.

The Hon. P. Caica: So keep Kangaroo Island the way it is then?

Mr GRIFFITHS: No. The member for Colton interjects that I want to keep Kangaroo Island the way it is, and that is the farthest thing from the truth, I have to say to you. I am probably only on Kangaroo Island every two years, so I do not pretend to even know in great detail the issues that the community deals with there. However, having come from a regional community—and I live in a town of a thousand people—there is a lot of similarity in the way thoughts are processed.

The Hon. P. Caica: You live on an island?

Mr GRIFFITHS: No, it is a community of 1,000 people, member for Colton. Even though I have the opportunity to go by road, we talk about a lot of similar things. I do have a family connection with the island: my father-in-law lives on the island now and we do talk quite often. He is the greenkeeper of the bowling club and is about to become Lions Club president next year, I think, and all that sort of stuff.

Members interjecting:

Mr GRIFFITHS: We have talked about it.

The Hon. T.R. Kenyon interjecting:

Mr GRIFFITHS: The member for Newland interjects from out of his seat, actually.

Members interjecting:

Mr GRIFFITHS: Outrageous! I am not into that, I can assure you. We have degenerated in the last 12 minutes; I can see people want to close up and go home.

The Hon. P. Caica: We want you to finish, Steven, with the greatest of respect.

Mr GRIFFITHS: I still have lots to go; I am not even halfway through yet.

Mr Picton: Seek leave to table the rest of your remarks.

Mr GRIFFITHS: There are a lot of personal reflections that I want to include in this; there is a lot that I want to say.

Ms Chapman: Mine might be worse, so be grateful for small mercies.

Mr GRIFFITHS: Someone else could have stood up first, that's right.

Members interjecting:

The DEPUTY SPEAKER: Order! Back to the point.

Mr GRIFFITHS: I will put on the record the role of the commissioner, so we have the chance to have some debate about that:

1. To improve the management, coordination and delivery of infrastructure and services provided by government agencies on the island.

2. To assist to improve the local economy, including the marketing of products and the development of the tourism industry.

3. To prepare and keep under review management plans dealing with the delivery of government projects and services to the island.

That is the absolute key thing for us: the development of management plans.

4. To have responsibility for coordinating and using existing public servants and programs to deliver outcomes in line with the regionalisation of policy formation.

In the notes that I have attached to that I say that they are honourable targets. I can understand that.

The Hon. J.R. Rau: Give us a go. Let us have a crack at it.

Mr GRIFFITHS: That is why we are going to come back and talk about this later on. They are honourable targets, but I still come back to the basis of: why is it that a single person, who is appointed and not elected, is deemed to be the person that will do that and not elected members? It seems to me that it is guided solely by the one person. That is where I would be interested for the minister, as part of his response to this, to outline some of the special skills that are going to be required of the commissioner, for a person worthy of that role. They have to have the wisdom of Solomon, just about.

The Hon. J.R. Rau interjecting:

Mr GRIFFITHS: So, that will be the great change and I do look forward to the minister putting on the record some of the skillset that he is going to be seeking in the appointment that he wishes to make of the commissioner in this. Another target is to have the power to establish local advisory boards and it does say, I believe, that you must establish those. That has come about from an amendment that the minister has proposed on this. Instead of, I think, before it talked about 'shall' and there was no certainty attached to it, so—

The Hon. J.R. Rau: May.

Mr GRIFFITHS: May. My apologies. The minister says may. But this reflects, I think, some of the feedback that came from the Kangaroo Island Council about the surety that needed to be attached to creating those local advisory boards. I would be interested to know also, minister, about how you are targeting those. Are they focused on a locality in which they might operate? Are they focused on a particular type of service? Are they focused on a national park solely? Are they focused on business groups?

It would be interesting to know—because the island is rather diverse, there are population spreads that exist and land use differences that exist—how the intention is to do that. Presumably you are going to want to make sure that you have some people with great marketing skills, with some of the products from the island too, people who have had international experience, potentially, on the growth of an economy and making best use of the resources that exist on the island and grow opportunities to invest in it. So, getting all of those things right will be a challenge.

The deputy leader and I have had a variety of meetings about this and briefings that have been coordinated by the minister's office, and he has been very generous in that, I must admit. Whenever requests for that to occur have gone through it has happened relatively quickly. Indeed, it was not that long ago that Mr Golding from the minister's office approached me and said, 'Is there any more information that you need on this?' So, I certainly appreciate the fact that information flow and accessibility has been there.

I think it was in one of the earlier meetings that the deputy leader and I had that we were told that in addition to the commissioner there was only intended to be two full-time equivalent staff that would be associated with this and presumably those staff and the commissioner were to be located within the Department of the Premier and Cabinet, or planning, was it?

Members interjecting:

Mr GRIFFITHS: Planning, was it? Planning; I apologise. At the time of the announcement the cost of the commissioner was expected to be in a range of $860,000 per year for a four-year period, I believe, for total operations, but given that the budget across the full projection talks about, I think, very close to $4 million over that same four-year period—

Members interjecting:

Mr GRIFFITHS: Yes; well, some of that is KIFA continuing for a short time also and then transfer responsibilities and things like that. The development and implementation of management plans is the key component of the bill. The legislation provides the framework to enable the commissioner to prepare and implement management plans which take precedence—and that is the key word for me—over other state authority management plans and also because local government is included as part of the definition of 'state authority' over local government, the Kangaroo Island Council, that exists in the area.

Indeed, that was the emphasis of the very first question I asked the Kangaroo Island Council when I met with them: did they see any concerns about the fact that local government has been required, for some time, to prepare management plans? What its vision is for the next 12 months, what its forward projections are for five, seven, 10 years, and to plan extensively and communicate those with the community and involve the community in the preparation of those management plans before they get endorsement of it because it drives what the level of rate income required to deliver those services actually is.

Did they see a concern that a single person with a high level of authority can come in and, potentially, presumably, whatever, if they do not agree with that vision, even though it has been

developed by wide consultation, put an alternative vision in place? I thought that was an entirely relevant question. To be fair to the Kangaroo Island Council, it is very early in the process and there are not enough elected members who had been involved at that stage of it, I think, to express an informed position on that, so I got individual feedback from a few members about some different components of it but not to that wider arching question.

Now I note that one of the amendments from the minister, in consultation with the council, talks about this scenario where an alternative vision is developed which has an impact upon local government and, by association, may create a cost pressure, and the opportunity exists for the commissioner and the council to talk about or seek alternative funding sources. In my discussion with mayor Jayne Bates this afternoon I told her that this is one the key things for me, because it provides no surety, absolutely none.

It talks about the scenario potentially being created but does not provide any definitive answer as to where the solution is going to come from. Potentially, it could be for any amount of dollars or any amount of alternative resources that need to be allocated for something, which could have an impact on the decisions made by the elected members and, by association, the funds that are provided to that council to do that by the community who own property there, and by the attraction of state and federal government grants on that.

That is a key issue for me, and I think that is part of the reason why, even with the amendments, the Liberal opposition has chosen not to support the bill, because of the concern that still exists there. In the committee stage there will be a lot of questions posed about that, and I think that for the people of Kangaroo Island that level of clarification needs to occur, because the words you say will be the drivers of actions in the future. So that is an absolute key point for us.

An honourable member interjecting:

The DEPUTY SPEAKER: He is not in his chair; ignore him and keep going. Continue.

Mr GRIFFITHS: He is a bad man.

An honourable member interjecting:

The DEPUTY SPEAKER: Order! Continue.

Mr GRIFFITHS: On 21 May the minister was good enough to provide a briefing in his office in Parliament House. I was in attendance, the deputy leader was in attendance, the member for Finniss was in attendance, as was Ms Kristina Roberts from KIFA and Mr Goode, who had drafted the bill on the minister's request. The minister relayed that the purpose of the bill was to ensure that the Kangaroo Island community continued to have a direct voice in the cabinet—and the member for Finniss is ringing me now.

The DEPUTY SPEAKER: This might be an opportune time then to ask the member for Goyder to seek leave to continue his remarks.

Mr GRIFFITHS: I seek leave to continue my remarks.

Leave granted; debate adjourned.

APPROPRIATION BILL 2014

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 17:58 the house adjourned until Tuesday 16 September 2014 at 11:00.

Answers to Questions

INDIGENOUS PROGRAMS, GRANTS AND FUNDING

4 Dr McFETRIDGE (Morphett) (27 May 2014). What Indigenous programs, grants and funding were provided by each department or agency under the minister's portfolio for 2011 and in each case, were these funds recurrent, current, operational or capital expenditure?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing): The Minister for Agriculture, Food and Fisheries has received this advice:

During 2010-11, there was funding of $426,000 allocated towards indigenous programs within my Ministerial responsibility as Minister for Agriculture, Food and Fisheries.

These programs were:

- The four year South Australian Feral Camel Management Project due for initial completion in June 2013, extended by the Australian Government to 30 November 2013 ($249,000)
- A once-off project for the delivery of Indigenous initiatives within Primary Industries and Regions including implementing PIRSA's Reconciliation Action Plan ($157,000)
- Once-off delivery of Coastal Aboriginal heritage site management workshops ($15,000)
- Four year scholarship to the University of Adelaide, ending in 2013-14, for Aboriginal and Torres Strait islander students ($5,000)

All expenditure was operational in nature.

INDIGENOUS PROGRAMS, GRANTS AND FUNDING

10 Dr McFETRIDGE (Morphett) (27 May 2014). What Indigenous programs, grants and funding were provided by each department or agency under the minister's portfolio for 2011 and in each case, were these funds recurrent, current, operational or capital expenditure?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations): I am advised of the following:

Renewal SA did not provide Indigenous programs, grants and funding during 2011.