

HOUSE OF ASSEMBLY

Thursday, 25 September 2014

Parliamentary Procedure

SPEAKER, ABSENCE

The CLERK: I inform the house of the absence of the Speaker. The Deputy Speaker will take the chair.

The Deputy Speaker took the chair and read prayers.

Bills

ENFORCEMENT OF JUDGMENTS (GARNISHEE ORDERS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 7 August 2014.)

Mr VAN HOLST PELLEKAAN (Stuart) (10:33): It is my pleasure to rise today to speak on the Enforcement of Judgments (Garnishee Orders) Amendment Bill 2014 put forward by the member for Hartley. This is an excellent example of a newly elected member of parliament coming forward and proposing something that he has thought out very seriously to actually help the government enforce what we all consider to be a very standard principle, and that is that people who have debts have to pay them.

It is also very important because it includes the capacity for a repayment program where people's ability to repay the debt is not immediate. While we would all hold to the principle that if money is owed it needs to be repaid, I am sure every single one of us can have sympathy for people who may get themselves into situations where repaying the debt as and when they should, for one reason or another, may just not be possible.

Using the garnishee system is a very good way to try to do both, to stick to the principle and also show some understanding because, of course, the garnishee mechanism does not have to be used for the entire debt to be repaid immediately. It can be used to put a payment program in place. That is one of the many reasons why this proposal by the member for Hartley is very positive.

As the law stands, a garnishee order with respect to salaries and wages can only be issued to a losing party if that party consents to the order. That consent is seldom given resulting in many rogue defendants racking up huge debts that remain unpaid leaving the state and creditors empty-handed.

There is a system in place where garnishee orders can be used when money is owed to the state so that the state can support families. This was my first experience with the garnishee system, many years ago—probably 15 years or so ago—when I first became an employer, and I was never aware of this, of course. At that point in time I had 15 or 20 staff members. Occasionally, one or two of them ran into strife, and difficulties they might have had in their past caught up with them.

As an employer it was incumbent upon me to deduct from their wages and pay it to the government so that the government could contribute to repaying their debts. Those debts were, typically, with regard to spouse or child maintenance. At the time I thought it was a bit of red tape; a bit of a hassle. It was extra admin that I had to do every week in my wages calculations, but I did not mind the principle of it because in that situation somebody in government was trying to make sure that the former spouse, or the children, were getting the support they deserved.

One thing that is very important here with the member for Hartley's proposal is that this could be extended to non-government debts, and we would all agree that the principle of whether or not a debt should be repaid is not really based on whether or not it is owed to the government. The member

for Hartley is trying to propose that parliament adjusts the law so that in appropriate circumstances, an appropriate amount of money—which fits into an appropriate payment plan—could be forced to be taken out of somebody's wages, salaries, or in fact any other income they might have.

I think it is a very positive contribution that the member for Hartley is making, and I think the government should consider it very seriously. It has a genuine enforcement capacity, but it also has a very, very genuine aspect of flexibility so that the enforcement could be used to implement an appropriate repayment plan. I wholeheartedly endorse the member for Hartley and his proposal. I think it is a very well thought out, very sensible proposal from a newly elected member of parliament with a strong legal background who is drawing on that and trying to make some positive suggestions, and I hope the government will see its merits.

Debate adjourned on motion of Ms Digance.

COMMISSIONER FOR CHILDREN AND YOUNG PEOPLE BILL

Second Reading

Mr MARSHALL (Dunstan—Leader of the Opposition) (10:38): I move:

That this bill be now read a second time.

This is a very important bill that the Liberal Party brings to the house. There is probably no other issue in South Australia at the moment which has captured the interest of the people of South Australia as much as child protection. I think it is fair to say that people on both sides of the house understand that our child protection system is not working to its optimal. We need to be doing everything we can to fix the system and to assure the people of South Australia that we have ongoing measures in place to ensure the continuous improvement of the system, the monitoring of the system, and that every child and young person living in South Australia can do so in a way which is acceptable to the people of South Australia. That is not the case at the moment.

The origins of this bill go right back to 2003. In 2003, supported by the opposition, the government established an inquiry into child protection in this state, and that inquiry was conducted by the Hon. Robyn Layton QC. One of the primary recommendations of her report to this parliament, to the government and the people of South Australia was the establishment of a commissioner for children and young people. This was in 2003, 11 years ago, when this was a primary recommendation, yet still nothing has been put in place here in South Australia.

Let's fast-forward to the DeBelle inquiry. When the DeBelle report was released, I distinctly remember the government standing on the steps of the parliament here saying that they would bring in new legislation to fulfil the recommendation made by the Hon. Robyn Layton—at that stage, 10 years earlier—to establish a commissioner for children and young people, and that the government would do it by the end of 2013. Let me tell you: that did not happen.

I congratulate the government that it did at least produce a draft bill before the end of last year. They put this out for consultation in July of last year. In October, when the response to that draft bill came in, it was overwhelmingly unsatisfied with the model the government put forward, mainly because they thought this commissioner, which had taken 10 years to get to this point, was toothless.

So, we made it very clear that this would be unacceptable and that, if we were elected in the March general election, we would immediately move to establish a commissioner for children and young people in this state and this commissioner would have investigative powers. We went to the election with that, the government did not fulfil its obligation to introduce its own bill, so earlier this year my colleague the Hon. Stephen Wade in the other place introduced our bill.

I am very pleased to say that this bill has passed the other place, and that is why it finds itself in this chamber today. I am not going to speak at length because quite frankly I think the contributions made in the other place have been substantial. I would like to see this bill brought to a vote today, because I think it is a very important development in our overall child protection framework here in South Australia.

However, I will highlight some of the key differences between our bill and the government's own bill it has responded with. They had plenty of time to introduce their bill; they did not do it. They

only introduced it after we, in frustration, brought our own bill to the parliament. In fact, interestingly, the government introduced their bill on the afternoon of the budget.

I do not think any member of this parliament can ever remember a time when the government has introduced its legislative framework after the budget has come down on budget day. They have been caught short, they have been embarrassed by the Liberal Party again taking the lead in this important area. They have had a casual attitude towards child protection for an extended period of time. They have been caught out and it is now time for some movement.

Let's have a look at what the differences are between what we are offering, what has already passed the other place and what the government has put forward. Firstly, our commissioner for children and young people will importantly be an independent statutory officer. This is somebody who is not going to be reporting to the government of the day: this is somebody who is going to be reporting to the Parliament of South Australia.

We have strong stakeholder support for this, and why wouldn't we? Think about it. You are putting a commissioner in place to provide ongoing comment and advocacy on behalf of children and young people in this state, to provide for systems improvement recommendations—of course, that person must be independent of the government of the day, and this is a critical part of the legislation which we put forward today.

The second, and possibly the one that has received the most attention, is that we would like to see our commissioner for children and young people have investigative powers. Overwhelmingly, stakeholders have said that, if you have a commissioner without the powers of investigation, this person will just be another government bureaucrat, and that is not what we need in South Australia.

The government I think quite disingenuously has said that this will cost the taxpayers a fortune, it will set up a separate bureaucracy, with the commissioner having to make detailed investigations into tens of thousands of complaints each and every year. That is complete rubbish, and the government knows it. It is just part of this scare tactic the government has been running.

To any speakers from the government side who want to speak after me I say: be aware that we reject these claims, the stakeholders reject these claims, and the people of South Australia reject these claims. The Liberal Party is not in any way, shape or form recommending, nor is the legislation before the house in any way suggesting, that the commissioner for children and young people will take over the role of the police as the primary agency in terms of investigating child protection issues. So, I make that point.

Clause 23 of the bill before us at the moment specifically deals with matters which (and I highlight here 'may') may be investigated by the commissioner, like they are going to be investigating each and every issue raised. Also, it goes on to say that the commissioner must not investigate matters unless they are satisfied they are not being investigated by the police or the Coroner. So, there will not be a massive additional workload for this commissioner to look at all issues in South Australia. But from time to time we believe the commissioner needs to have the opportunity to look at issues that have been overlooked, or systems failures overall, in South Australia, and to leave out that investigative power is completely unsatisfactory.

Other states of Australia already have commissioners. In fact, I think we are the only state now without a commission, the only state in Australia without a commission. Other states have commissioners who have these investigative powers, and from time to time they conduct detailed investigations, report to their parliament and highlight their findings to the parliament and in the media to draw attention to problems and breakdowns, and that is exactly what we need here in South Australia.

The third major difference between our proposed legislation and the government's is in the area of accountability to the parliament. Our legislation provides for an annual report to be given to the Parliament of South Australia; again, it is part of this overall theme we have that a commissioner should be independent of the government of the day, independent of the minister, and they should be reporting to the parliament.

People have lost confidence in this government's ability to handle the crucial area of child protection in South Australia. The government should want this, it should actually be saying, 'This

will be fantastic because it will be an independent audit on our performance.' It should not want to have this spectre hanging over it, this spectre and public perception of incompetence in this area. It should want it cleared up, and a commissioner would be the perfect person to do it. It will only be the perfect person to do it if they have the powers of investigation to allow them to arrive at their recommendations and the ability to conduct their office independent of the government of the day and report directly to the parliament.

I thank Stephen Wade for the enormous amount of work he has put into the development of this bill. I thank the stakeholders who have made many representations, very carefully considered, sensible and reasonable suggestions, on the bill that we should have here before us. We did not pluck this bill out of thin air. It is based upon the government's draft legislation, so that was the basis for it, but we have augmented that with very considered feedback from stakeholders, as well as our own Liberal policy. So, thank you to Stephen Wade, thank you to the stakeholders, and thank you to the Legislative Council for their careful consideration of the bill and passing it, and now it is here before us today.

The government really has to consider what it is going to do here. We would like to have a respectful debate, a vote and a resolution on this piece of legislation. The government should not be using its numbers in the parliament to play politics with such a critical issue as child protection. This is an issue which needs resolution, and I respectfully ask this chamber today to move this through to a vote so that we can move forward on this important area. I commend the bill to the house.

Ms DIGANCE (Elder) (10:51): When the government consulted the public on our draft legislation for the Child Development and Wellbeing Bill, some key feedback emerged. In addition to a children's commissioner, people wanted an overarching legislative framework for children and young people that would address their protection, their development and their wellbeing. In fact, they wanted a framework that would enable society to support and nurture them so these children could flourish and grow to be the best they could be. They wanted a child development council to ensure children's concerns were front and centre across government and the community involved in informing the nature of local services. As its title suggests, the opposition's proposed private member's bill seeks to deliver on just one of those aims.

It seeks to establish a children's commissioner only. It establishes this commissioner with powers so punitive it would set out to investigate and punish. It comes from a model of thinking that is disciplinary and disempowering, displaying a belief that parents of children need to have the big stick brought down on them. It is simplistic in nature, not realising the enormous complexity of what it is to be human and what it is to have a baby, a child or children.

Mr Marshall: Oh, give me a break. You are saying the opposition doesn't know about—

Ms DIGANCE: Steven, you are speaking to me. Thank you, I appreciate it.

The DEPUTY SPEAKER: Order! No, stop, sit down.

Ms DIGANCE: Sorry, Deputy Speaker.

The DEPUTY SPEAKER: No, I will not have it. I will leave the chamber. If you cannot sit and listen in silence as we listened to you—

Mr Marshall: This is offensive.

The DEPUTY SPEAKER: Well, it is offensive.

Mr Marshall: Are you listening to it and not ruling on it?

The DEPUTY SPEAKER: It is offensive, now please do not argue about it. I want everybody to be quiet and listen to each other today. If you have a problem with the debate, please rise and make a point of order, but do not yell across the chamber. No interjections at all.

Ms DIGANCE: It is simplistic in nature, not realising the enormous complexity of what it is to be human and what it is to have a baby, a child or children. It is a reactive bill, not proactive. This flies in the face of the Layton report, which specifically excluded the functions of deciding individual complaints and grievances.

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms DIGANCE: It burdens the commissioner with being a lone advocate for children and young people, and it ties up time and resources—you need to hear this—duplicating activities of SAPOL, the health and community complaints commissioner, and the Ombudsman, to name a few.

In its core role of advocating for children and young people, this commissioner model will be completely hamstrung, restricted to responding after abuse has already occurred. Having dumped provisions like the child development council and the outcomes framework in the government bill, it fails to capitalise on the state and local government agencies and the wider community's ability to make a difference in the lives of children and young people.

While our bill entrenches the wellbeing of children and young people as a priority throughout government and actively works to create an environment where children's wellbeing and their healthy development is everyone's business, the private member's bill from those opposite has no such provision. Our bill establishes the child development council—

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms DIGANCE: —and the outcomes framework—

An honourable member interjecting:

The DEPUTY SPEAKER: Order!

Ms DIGANCE: —which requires state and local government agencies to demonstrate—

Mr GARDNER: Point of order!

The DEPUTY SPEAKER: You have a point of order, member for Morialta. I hope it will not be frivolous.

Mr GARDNER: I would like to draw your attention to 118. The member is arguing for a bill that is also in the same session but which is not presently before the house.

The DEPUTY SPEAKER: I will draw that to her attention.

Ms DIGANCE: Thank you, Deputy Speaker. Our bill establishes the child development council and outcomes framework which require—

An honourable member interjecting:

The DEPUTY SPEAKER: She is talking about her bill.

Mr GARDNER: Correct, in contravention of the point of order: standing order 118.

The DEPUTY SPEAKER: You are asked not to speak about the bill.

Ms DIGANCE: Thank you, Deputy Speaker.

The DEPUTY SPEAKER: You can talk about a concept, but not the bill.

Ms DIGANCE: In the concept of our bill, the framework—

Mr Marshall interjecting:

Ms DIGANCE: —and the council were supported—

The DEPUTY SPEAKER: No, order!

Ms DIGANCE: —in the most recent consultation.

Members interjecting:

The DEPUTY SPEAKER: Order! We do not need your help. You are not to refer to the bill because it is on the table.

Ms DIGANCE: I will move on from there. When I spoke previously on this issue, I highlighted a story about a young woman, whose life's misfortune saw her as a single mother who lived alone with her toddler and a newborn baby. I spoke of her lack of extended family or direct support and how she was not coping and suffered postnatal depression. On the first visit, the signs of distress were apparent with a scene of poor hygiene of the children and herself. This was a young mother categorised at risk, and the welfare of her children was at tipping point whereby temporary removal of the children was imminent.

In this situation, there were two pathways: simply removing the children and disempowering this young mother or working with her, supporting her, building her self-esteem and helping her with parenting skills. Gladly, the latter path was chosen and the family unit flourished and grew robust as underlying issues were addressed. I remind you of this story as it demonstrates and illustrates the merits of an encompassing bill that does not just look at a children's commissioner. It looks at a focus on collaboration of professionals and community, building and reinforcing the strength of human spirit, believing that change is possible.

Striving to be our best is important and that is what we need to do as human beings. It seeks to improve the way all sectors in the community integrate policies, planning and support to help improve outcomes for children and young people. South Australia can only benefit as a fairer and more productive society if we engage a more encompassing bill as opposed to simply looking at the private member's bill which highlights a children's commissioner only. The private member's bill, I would suggest, is a lost opportunity to have a real community-wide impact on improving the lives of children across our state.

The DEPUTY SPEAKER: No-one is speaking on your side? The member for Adelaide.

Mr Marshall interjecting:

The DEPUTY SPEAKER: She is on her feet. I have just given her the call.

Mr MARSHALL: I seek to close the debate.

The DEPUTY SPEAKER: We have speakers on this side and I looked to your side first because I was told she was speaking, so we are now going to Reynell.

Mr Gardner: I told you she wasn't going to.

The DEPUTY SPEAKER: She stood up. I can't help it if she stands up, can I?

Mr Gardner: She's not standing.

The DEPUTY SPEAKER: She's not now, but here she is.

Members interjecting:

The DEPUTY SPEAKER: Order!

Ms HILDYARD (Reynell) (10:58): Thank you, Madam Deputy Speaker. As I have said very firmly in this place before, it is absolutely unquestionable that the development, wellbeing and support of every single one of our South Australian children and young people is the highest and most pressing responsibility for all of us as parliamentarians and, indeed, for every member of our South Australian community.

It is clearly an issue that is firmly in all of our hearts and minds at this time and always, and I have no doubt that we all strive for the very best for every one of our young South Australians, for there is nothing more pressing for the future of South Australia as a community than to look after our children and young people the best we can.

It is imperative that we enshrine in law our collective intention to do this, and enshrine in law processes that reinforce our collective responsibility to protect children. We can, however, only achieve our collective goal to keep our children well, safe and supported by respectfully collaborating, by employing our finest collective thinking through relentlessly putting the needs of our children and young people first, and educating, empowering and protecting every young South Australian.

We must rigorously measure those collective efforts and the results achieved by focusing on outcomes and, in contrast to what is before us, this is what our bill does. It focuses on measuring and achieving outcomes with an outcomes framework—

Mr GARDNER: Point of order, ma'am.

The DEPUTY SPEAKER: Yes, I draw the member for Reynell's attention to not quoting the bill.

Ms HILDYARD: Sure; no problem, madam Deputy Speaker, I will move on. For a bill that purports to have, at its heart, the wellbeing of children and their development, the outcomes for them are not measured nor focused on in this bill. Instead, this private member's bill is disturbingly reminiscent of the Independent Commissioner Against Corruption (ICAC) Act 2012.

What is even more frightening is that it appears to go even further in places than ICAC, creating serious criminal offences with few of the legal protections specifically included in legislation such as the ICAC Act. It contains an offence with a maximum penalty of one year's imprisonment or \$25,000 for misbehaving before or wilfully insulting the commissioner or an investigator.

Exactly what this means, or who judges whether a person is misbehaving or insulting, is not clear. Whilst none of us want to see a commissioner insulted, I think we can agree that imprisoning someone for this appears extreme, and indeed detracts from the collective focus firmly being placed on children and young people it is our responsibility to keep safe, nurtured, educated and empowered.

Whilst no other state has investigative powers in this arena, this private member's bill allows the commissioner to enter any land or building, public or private, and carry out any inspection he or she considers relevant. Even the ICAC Act requires the authority of the Supreme Court for that commissioner to enter private buildings. The ICAC Act also stipulates requirements for the issuing of such a warrant and the grounds on which a warrant can be issued—neither of which appear to be contained in this bill.

Essentially, this private member's bill has much in common with the ICAC Act, with a key difference: it fails to include the protections granted by that act. This bill seeks to establish a heavy-handed, narrow, punitive model of commissioner which, in the absence of any proper costings from the opposition, is estimated to cost more than \$40 million. That is a big investment for a flawed model with concerning provisions which appear to do little to actually improve children's lives.

It fails to include an outcomes framework for the state, provisions which attracted strong support in executive consultations. The council and the outcomes framework in best practice should be underpinned by a community approach to children's wellbeing and development that I have previously described in this house, and also ensure efforts are backed up by research and data. This is an approach championed by neuroscientists, researchers and economists, including the late Dr Clyde Hertzman; former thinker in residence, the late Professor Fraser Mustard; and Nobel Laureate, Professor James Heckman.

A focus on measuring effort and outcomes is also strongly supported by the community sector, which plays an integral role in supporting and protecting our youngest South Australians. Having a council and outcomes framework would ensure that state and local government agencies are held to account by requiring them to demonstrate exactly how they are working to improve outcomes for children and young people. Surely, measurable goals and formal reporting protocols are a critical feature of all that we do in this place and all that we aspire to do.

In essence, whilst the best approach is to employ a whole-of-community approach focusing on children's wellbeing and development, this private member's bill is manifestly both narrowly targeted and heavily weighted towards punishment and intervention in the aftermath of abuse. It does not focus on prevention or on education and community involvement, and certainly not on understanding whether any measures and outcomes are actually achieved. We can certainly do better than this for the wellbeing of children in South Australia and we will do so. Surely the emphasis on any legislation enacted in this area should be on what can be done to make South Australia the best possible place to raise children, not only a method of punishing those who fail to do so.

The Hon. P. CAICA (Colton) (11:05): I also rise to speak on this private member's bill. At the very least it appears to me to be hacked together with provisions drawn from both the government's Child Development and Wellbeing Bill, and I will not detail that bill given what has occurred earlier, and the ICAC Act. It appears to me in its frenzy to establish a commissioner, the opposition has stitched together a model weighed down by the obligation to decide on complaints and grievances.

I would also point out, and I heard it again on the wireless this morning—it was a nice interview between the Treasurer and the leader—the term 'an old, tired, 12-year Labor government'. I notice the opposition leader nodding his head, obviously in agreement with what he said this morning but, having a look at this, it would seem to me that what we have is a tired, thoughtless, non-progressive, in fact lazy, 12-year opposition.

This particular bill manifests itself as that and, as I said, it is weighed down, and certainly in a frenzy to establish a commission that has been cobbled together. I reinforce this point, and not many, despite their post-election rhetoric—

Mr Marshall: When are you going to make your first point, you are 1½ minutes in?

The Hon. P. CAICA: I have made my first point.

Mr Marshall: What was your first point?

The Hon. P. CAICA: My first point is that what we have is a lazy, tired, 12-year opposition that will find itself a tired, lazy, 16-year opposition in the year 2018. My other point is that they have cobbled together in a frenzy something that is not going to work and not going to deliver.

Mr TARZIA: Point of order, sir: 128. This seems irrelevant to the debate at hand.

The SPEAKER: I think the member for Colton was saying it was a bill that was 'cobbled together in a frenzy'. Whether one can cobble in a frenzy, I do not know, but I think he was addressing what he saw as the demerits of the bill. I cannot uphold that point of order.

The Hon. P. CAICA: Thank you, sir, and I will always defer to your far more superior use of the English language. The point that I was leading to, my third or fourth point, for the benefit of the leader, is that prior to the election in the very thin, if you like, pre-election policy commitments that were made by the tired, old, 12-year opposition was that \$600,000 (I think it was or thereabouts) would be provided for the establishment of a child commissioner. I might be wrong here but I think it was \$600,000, and I am not quite sure what could have been achieved with \$600,000, let alone the proposed investigative—

The Hon. J.M. Rankine interjecting:

The SPEAKER: The Minister for Education will not heckle the member for Colton, out of her seat, and she is called to order.

Members interjecting:

The Hon. P. CAICA: That is not the first time—but, anyway, \$600,000 proposed prior to the election for the establishment of a child commissioner is not going to go anywhere. Following review over the past two years—and this is a very important point which I hope is not lost on the Leader of the Opposition—no state or territory in Australia has investigative functions for their commissioner. Queensland was the last to remove them and did so recently.

The point that I make here is that continually the Leader of the Opposition is not only calling this government a tired, old government but also talks about the progressive nature of the Liberal governments on the eastern seaboard and everywhere—those progressive governments—well, they appear to be only progressive when it suits them, because Queensland, as I said, was the last to remove these provisions and it did so recently and no other state or territory in Australia has investigative—

Mr Marshall interjecting:

The Hon. P. CAICA: Gee he's rude, sir, but that is not for me to judge, that is for you as the Chair, but you are getting very loud lately, Leader of the Opposition.

The SPEAKER: Quite.

The Hon. P. CAICA: Yes, right, sir; I will move on. Quite frankly, as I said, and I will say it again, no state or territory in Australia has investigative functions for their commissioners. Queensland, that progressive Liberal government on the eastern seaboard, was the last to remove them and did so recently. This model is outdated and out of step with current practices, which focus on improving the conditions in the lives of children and young people, rather than on investigation and punishment in the aftermath of abuse.

We still do not know how much this model will cost. We can only go by the example of the old Queensland model, which was jettisoned, as I mentioned earlier, which included investigative functions and had a budget, sir, would you believe, of \$40 million and hundreds of staff. Of course, this progressive opposition would do things differently than their progressive counterparts who are always being cited on the eastern seaboard.

That is a massive amount of investment in a commissioner who does little to promote prevention of child abuse, fails to ensure state and local government are making children's wellbeing a priority in their policies and, importantly, fails to promote a community-wide approach to children's wellbeing and development, which was perfectly articulated by the member for Reynell in her contribution.

Alarming, these resources will be tied up in investigation and, despite the words of the deputy leader in his contribution earlier, duplicating the work of SA Police and a range of other bodies, including the Guardian for Children and Young People, the Health and Community Service Complaints Commissioner, the Independent Commissioner against Corruption and the Ombudsman.

The role of advocating for children and young people must be broader than investigation and punishment. It must lead a community-wide approach to child safety, development and wellbeing. It must be an impetus for better outcomes for children from the beginning of their lives and demand everyone—and I mean everyone—take responsibility for this matter.

The Hon. S.E. CLOSE (Port Adelaide—Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for the Public Sector) (11:11): I move:

That the debate be adjourned.

The house divided on the motion:

Ayes 21
Noes 18
Majority 3

AYES

Bedford, F.E.

Caica, P.

Gee, J.P.

Hughes, E.J.

Mullighan, S.C.

Picton, C.J.

Snelling, J.J.

Bettison, Z.L.

Close, S.E.

Hamilton-Smith, M.L.J.

Key, S.W.

Odenwalder, L.K.

Rankine, J.M.

Vlahos, L.A.

Bignell, L.W.K.

Digance, A.F.C. (teller)

Hildyard, K.

Koutsantonis, A.

Piccolo, A.

Rau, J.R.

Wortley, D.

NOES

Chapman, V.A.

Griffiths, S.P.

McFetridge, D.

Pisoni, D.G.

Tarzia, V.A.

Whetstone, T.J.

Gardner, J.A.W. (teller)

Knoll, S.K.

Pederick, A.S.

Sanderson, R.

Treloar, P.A.

Williams, M.R.

Goldsworthy, R.M.

Marshall, S.S.

Pengilly, M.R.

Speirs, D.

van Holst Pellekaan, D.C.

Wingard, C.

PAIRS

Brock, G.G.
Redmond, I.M.

Bell, T.S.
Weatherill, J.W.

Kenyon, T.R.
Evans, I.F.

Motion thus carried; debate adjourned.

LOCAL GOVERNMENT (ELECTIONS) (VOTING) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 3 July 2014.)

Mr GRIFFITHS (Goyder) (11:18): By standing, I have a right of reply opportunity not only to having moved this, and listened to other speakers on it, but also to recognise the contribution made by the member for Giles, from the government, indicating that the government, and to quote the words—

The SPEAKER: If the member speaks he closes the debate.

Mr GRIFFITHS: I respect that, sir. I did say that, I believe, at the start. The government has indicated that it does not support this bill, but the member for Giles goes on to explain some circumstances where I believe there is a level of support for it, but they do seek an opportunity for it to be reviewed after the elections in November this year, in the fullness of time after that has occurred.

From my point of view, I have a recent letter from the Local Government Association that discusses its continued support for it. In recognition of that occurring, I believe it is quite appropriate that it does take place. My bill brings about changes from 1 January next year, but I just want to take up a couple of points that were made by the member for Giles in his response on behalf of the government.

He said that, until the 2010 government elections, those entitled to the property franchise did not need to be enrolled to vote. However, having worked in local government, and I respect the fact that the member for Giles was an elected member for some time, I conducted elections and counted votes and that was the case: you did have to exercise a request to be enrolled on what I would then term to be the supplementary roll because, without being on some form of roll, how can you qualify the validity attached to that ballot being put in place?

This was before postal votes. This is when there was a vote day conducted, as state and federal elections are, and people came into the voting booth, asked for the voting paper, were provided with it and their name was crossed off one of the two rolls that existed, and the reason for that vote was exercised. That is not quite correct, and the member for Giles might want to reflect upon that.

I acknowledge that there have been calls from some quarters, including from some councils, to reinstate the automatic enrolment. Again, that is a slight variant in being not correct either. For me there is still a requirement for an enrolment to be physically lodged. Yes, there is an entitlement to be part of that enrolment but it is not an automatic situation that by being a property owner or a business lease operator or a lessee in an area where you are not on the House of Assembly roll for an automatic right to exist. It still has to be provided in an electronic or written form for that vote opportunity to be registered.

The government has indicated at this stage that it is not prepared to support it. In my conversations with the Minister for Local Government he has said that, as part of the wider-reaching review of the Local Government Act that he intends to conduct in coming months which will, no doubt, create legislative requirements to be considered within this place next year, he has a measure of personal support for it. I believe they are his words, but if I have misrepresented him I apologise—and for it to be part of that wider review that he undertakes. That does fit in with the government's position of not supporting it, because he wants it to be part of a wider review.

I think it is an appropriate time. I have had responses from 19 or 20 councils in the affirmative. There was one that was concerned about it but the Local Government Association, as the peak body, has supported it. Even recognising that changes did occur a relatively short time ago (in 2009), it is a great opportunity for democracy to work well. It is providing the easiest possible opportunity for as many people as we can possibly get to be involved in what I consider to be an exceptionally important level of government—local government—and to exercise their rights and to ensure that they vote for who they believe to be the absolute best representatives to make decisions on their behalf. I commend the bill to the house and I hope that the government has reconsidered its position somewhat.

The house divided on the second reading:

Ayes 18
 Noes 21
 Majority 3

AYES

Bell, T.S.	Chapman, V.A.	Gardner, J.A.W.
Griffiths, S.P. (teller)	Knoll, S.K.	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.	Wingard, C.

NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Caica, P.	Close, S.E.	Digance, A.F.C. (teller)
Gee, J.P.	Hamilton-Smith, M.L.J.	Hildyard, K.
Hughes, E.J.	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.	Wortley, D.

PAIRS

Evans, I.F.	Weatherill, J.W.	Goldsworthy, R.M.
Brock, G.G.	Marshall, S.S.	Kenyon, T.R.

Second reading thus negated.

STATUTES AMENDMENT (RIGHTS OF FOSTER PARENTS AND GUARDIANS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 7 August 2014.)

Mr GARDNER (Morialta) (11:29): I am very pleased to support the excellent bill that the member for Hammond has brought to the house. I refer members to the second reading speech the member for Hammond gave in introducing this bill, and I know that there are other members who will wish to speak on it. Unfortunately, we will not have time today for them to do so.

When I was the shadow minister for families and communities, the nature of the relationship between foster parents and Families SA was one of the issues that was regularly drawn to my attention by foster parents, and, indeed, by those other people who took an interest in the care and protection of the children those foster parents had responsibility for at the time.

The case that the member for Hammond has identified on the unfortunate death of a child under guardianship, when the foster parents, who had provided a loving home for that child, did not have the right to be involved in the funeral arrangements, I think is exactly the sort of reason that we have the opportunity to bring private members' bills. The department may have expressed the words that we would like to hear and they may have expressed the sentiments we would like to hear, but they have not given the right of foster parents to be able to be involved to a suitable level of the acknowledgement and celebration of their child's life.

I commend the member for Hammond for taking up the cause of his constituent, a former mother of the year, to be able to ensure that those rights are enshrined in legislation. There is plenty of flexibility for the department, in the way the regulations are applied, to make sure that it works, but I urge all members to support this bill.

Debate adjourned on motion of Ms Digance.

Motions

INTERNATIONAL DAY FOR DISASTER REDUCTION

Mr VAN HOLST PELLEKAAN (Stuart) (11:31): I move:

That this house—

- (a) recognises International Day for Disaster Reduction, expresses its deep appreciation to both professional and volunteer emergency services workers throughout our state; and
- (b) calls on the government to do more to prevent natural disasters from occurring and to prepare our emergency services workers to fight them.

In December 1989, International Day for Disaster Reduction was established to promote disaster prevention, mitigation and preparedness. Originally celebrated on the second Wednesday of October, in 2009 the UN General Assembly decided to designate 13 October to celebrate this day, and that is my reason for speaking to this motion today, in anticipation of 13 October, which will come very shortly.

The International Day for Disaster Reduction is a day to celebrate how people and communities are reducing their risk to disasters and raising awareness about the importance of disaster risk reduction. It is a day to encourage every citizen and government to take part in building more disaster resilient communities and nations—and, of course, that applies to states as well.

I will address my first remarks to part (a) of this motion, that we as a house recognise the day, and express our deep appreciation to both professional and volunteer emergency services workers throughout our state. The focus on professionals and volunteers is absolutely crucial because, while they might come from different services by name and wear different uniforms, and while some might be full time and some might be part time, and some might be paid and some might not be paid, when they are working on behalf of a community to try to prevent a disaster or are actively fighting one or helping with recovery afterwards, they are all at the same risk, they all have the same heart in the job and they all deserve exactly the same appreciation from us.

I think that in the heat of battle, so to speak, volunteers and professionals would be very willing to stand side by side to support each other on behalf of our community. I think that is a very important issue that needs to be recognised, so I do find it very unfortunate that the government has chosen to provide cancer compensation to professionals but not to volunteers.

I think there could be no starker example of the fact that the government has not quite grasped how important it is that we value these emergency service workers in exactly the same way, whether they be professionals or volunteers. The fact is that the government chose to grant the cancer compensation, if it should be needed, to professionals and, when asked to provide it for volunteers as well, they said no. When asked very clearly and very specifically, they said no.

Speaker, let me take your mind back to last year before the election when they were asked by the member for Frome to provide that cover. When the member for Frome came to this house and spoke on behalf of volunteer firefighters, the government said no, and that is exceptionally disappointing. I guess what is even more disappointing to me and to many people in the broader community is that the government held so steadfastly to that view and remained so steadfast that it

has actually somehow encouraged the member for Frome to vote against a motion providing that same compensation.

Let me say really openly and really directly that the member for Frome is a friend of mine and he has a good heart, but I also have to say very openly and very directly that I do not believe he is using that good heart he has when looking at this issue. For him, last sitting week, to vote against a motion—not a bill but a motion, which is an expression of intent—to provide the same level of cover to volunteers as to professionals, I find exceptionally disappointing.

Of course, he is doing that as a minister in the Labor government. I do not pretend to understand exactly how all that works, but somehow the member for Frome, as a genuinely Independent country member of parliament, proposed that volunteer firefighters receive exactly the same support as professionals, but, as a Labor government minister, he voted against the principle last week. I very earnestly call on the government to accept this proposition that we recognise this day and express our deep appreciation to both volunteers—

The SPEAKER: Member for Stuart, there is a convention, nay, a rule that members cannot reflect on a vote of the house that is done and dusted, so by all means speak to your motion, but do not reargue the issues around that motion that was dealt with by the house recently.

Mr VAN HOLST PELLEKAAN: Okay; thank you, Speaker.

The SPEAKER: Standing order 119, I am told.

Mr VAN HOLST PELLEKAAN: I will remember that one, thank you. I very earnestly call on the house to support this motion which recognises that there is equal value to our community in both professionals and volunteers. I hope that, in future, when similar motions or similar bills come before this house, the government and all members who took a particular position on the last occurrence will reconsider their position on the next occurrence.

With regard to part (b) of my motion, I call on the government to do more to prevent natural disasters from occurring and to prepare our emergency services workers to fight them. When I gave notice of this motion several months ago, I read exactly those words out. I looked across, and the senior government ministers sitting opposite me at that point in time laughed, sniggered and sort of joked and said, 'We cannot prevent natural disasters and all that sort of stuff.'

I took exception to that, but I decided to just wait until today to comment on it, because—do you know what, Speaker—it is actually possible to prevent natural disasters. If infrastructure is in place, exceedingly heavy rains will not create the floods which would result in natural disasters. Mitigating infrastructure in place in advance and the effective use of it can prevent natural disasters. Even though the natural event cannot be controlled, the resulting potential disaster can be controlled.

Imagine the Brown Hill Creek catchment, which many people fear could result in a natural disaster of flooding in suburban Adelaide, imagine if the infrastructure was put in place and the earthworks were completed and other programs were put in place that people have called for so that exactly the same rain event would not result in a natural disaster. Imagine a fire, a very small fire in the bush somewhere in South Australia which is contained, which is stopped, which is put out, which does not turn into a natural disaster, versus exactly that same fire, a small fire, which gets out of hand because it is not dealt with properly and that does turn into a natural disaster.

Think of an earthquake that affects buildings that are built to a standard so that they can weather that earthquake, there is no natural disaster, versus exactly the same earthquake affecting buildings which are not so well built, the buildings collapse and then we have a natural disaster. It is actually possible in some instances, not all, but it is very possible to do work in advance so that exactly the same weather event, or other naturally occurring event, may not turn into a natural disaster. That is the intent of part (b) of my motion.

I again earnestly ask the government to support this. I have to say that I stand here with some happiness when I note that there was a joint press release put out by the federal Minister for Justice and the state Minister for Emergency Services just two days ago saying that the commonwealth Minister for Justice, Michael Keenan, and South Australian Minister for Emergency Services, Tony Piccolo, today announced more than \$7 million of projects to assist communities

across South Australia to build resilience to natural disasters. That is fantastic. My motion has had some positive effect already and I am very grateful to both the commonwealth and the state government for responding so positively.

I also note that the Council of Australian Governments in a report of 2011 and the Productivity Commission in a report which I understand was released yesterday both called for more financial resources to be put into natural disaster mitigation as opposed to natural disaster recovery. So, there are a lot of people out there, it is not just me, who believe that it is actually possible. One of the fantastic things about the Productivity Commission report that came out yesterday was that it said that you could spend less. If you spend the money up-front you can spend less. Put that money into disaster mitigation, into avoiding natural disasters, into doing the sorts of things I was talking about before, so that natural events do not turn into natural disasters. That will actually cost less money than the clean-up and recovery efforts that are required afterwards.

I very earnestly call on the house to support this motion. I ask the government not to amend it, as is often the government's way, because it is very genuinely put. I am quite confident that, whether the government chooses to amend it or not, government members, in their own individual hearts, would like the government to do more to prevent natural disasters. They would like the government to do more to prepare our emergency services workers to fight them. I think members opposite would like the government to give volunteer firefighters the same access to, essentially, workplace care and safety and medical support, if necessary, after the event as professionals get.

I do think that members opposite would like the money collected from the emergency services levy increases that have gone out to households to go to emergency services rather than to other parts of the budget. I have no doubt that members opposite would be much more comfortable if that were the case. I have no doubt that members opposite, in their heart of hearts, would personally fully support this motion, and I ask them to do so when they vote on it.

Dr McFETRIDGE (Morphett) (11:45): I am old enough to remember 1956, when my father, who was in the South Australian fire brigade, as it was then, went off to help in the flood recoveries on the River Murray in the big floods. I was only four at the time, but it is a very poignant part of my life. I do remember dad going away and my mother's concerns about what he was doing.

So, it has been a part of my life since my early childhood recognising that we do live in a state where we have natural disasters occurring far too frequently, and it is not just the 1956 floods. In 2003, in the second year of my role as a member of parliament, there was a malfunction of the lock gates at Glenelg, there were heavy rains, and over 200 houses were flooded in Glenelg North. I remember the impact of that natural disaster (some might say that it was a man-made disaster caused by malfunctioning lock gates) when the rains came and we had the floods.

We do live in a very flat capital city that is prone to flooding. In 2003, there were 200 homes flooded, some of which had to be demolished and some completely gutted and started again. Some people left the district because of it, and I understand that there were even some severe mental health issues because people could not cope with the stresses and strains.

Mitigating a natural disaster and recognising a natural disaster as a part of living in South Australia, as well as living in Australia, is something we must all do. The most important thing we have to do is to get together in this house to do what we can to make sure that the people of South Australia are given the best protection, both physically and mentally, from disaster and to help them to recover when there is a flood, an earthquake or a bushfire.

Let's not forget that we do have a number of earthquake faults here in Adelaide and throughout South Australia. As far as bushfires go, the big ones which everybody would remember and which we have heard mentioned in this place many times are the bushfires of 1939, 1956 and certainly 1983. We had Bangor and Eden Valley and others last fire season. Let's hope that we never have another Ash Wednesday or Black Saturday in South Australia. The Adelaide Hills, unfortunately, are a disaster waiting to happen. We have had numbers of speeches in this place about being prepared for bushfires.

Natural disasters are a real issue. The need to prepare both the physical infrastructure plus the need to prepare communities to cope with natural disaster is something this government has put some effort into, and certainly the federal government has put some effort into, and I will talk a bit

more about that in a moment. The most important part of our preparedness for a natural disaster and the recovery from a natural disaster is the emergency service workers we have in South Australia, the thousands of men and women who give up their time; some are paid for it, many are volunteers.

As I have said in here before, when there is a fire or some other incident happening that is threatening lives and property, these are the people who are running towards that incident whilst other people are running away. They put their life and safety at risk, and we need to recognise and support that, and one of the best ways we can do that is by making sure that they are well resourced, well funded and well trained.

It is disappointing to see that the South Australian government is the only government in this nation that has reduced funding for firefighting services. The last state budget had \$7 million in it for emergency services. That is nowhere near the real increase in costs of running emergency services. If we are to provide an expanded emergency service to the people of South Australia, this government really needs to look at what it is doing. It needs to grasp the nettle. It needs to recognise that the cost of recovering from disaster, whether that is a house fire for somebody or a large bushfire or flood, and the life-long impact for many people is enormous. It needs to put its money where its mouth is.

Let's also not forget those who support our emergency workers: those in the volunteer marine rescue and the surf lifesaving organisations, and there are so many other organisations and service clubs that come in and assist when there is a natural disaster. I know the Salvation Army were at Glenelg at 2 or 3 o'clock in the morning serving cups of tea and coffee and some food to the emergency workers who were down there and also to the people affected, giving them some comfort and assistance. There are so many people right across the South Australian community who I know everybody in this place is very proud of, and we need to make sure we are supporting them and letting them get on with the job that they want to do, because they want to make sure that South Australia is a better place to live and bring up families.

The good thing about the current federal government's ability to get hold of a very difficult budget is that they are recognising areas where there is just an imperative to make sure extra funding comes in. Back in May this year, the federal government announced \$15 million for national bushfire preparedness. I think South Australia has some share of that. I am not aware of the exact share, but I do know that in June \$7 million was put out there by the federal government to improve natural disaster resilience. I am not sure what the national total was for natural disaster resilience improvement, but the federal government is certainly putting their money where their mouth is and working in a cooperative and bipartisan way with all governments.

I am very pleased to see that minister Piccolo was gracious enough to accept the fact that we are all in this together and that the \$7 million that has been given to South Australia will provide funding towards 37 projects, such as social recovery at Eden Valley and Bangor communities—there is \$60,000 there. There is \$134,000 for flood mapping on Kangaroo Island, the member for Finnis' area, and \$63,000 for community education on the importance of animal management in emergency plans.

Can I just quickly mention a colleague of mine, Dr Rachel Westcott, who runs SAVEM. That is a veterinary organisation where vets, veterinary assistants and members of the public are coming together and helping with animals affected by natural disasters. A very important part of natural disaster recovery and resilience is preparing. Julie Fiedler at Horse SA is another person who has been involved there as well. I think everybody in this place knows how important pets are to people. One day I had a lady come in and say, 'You can put the kids down, just don't put the dog down.' It is a well-known fact that people mourn more for their pets than they do for their family, so that is a very important part of it. I am pleased to say there is \$63,000 in the Natural Disaster Resilience Program for preparing in that area.

The need to make sure that we are updating ourselves and communicating with all members of the public to make them aware of upcoming disasters and what they can do to mitigate the effects of natural disasters is being seen now in social networking. The Queensland Police Service has done an excellent case study on disaster management and social media. We see that in South Australia SAFECOM has developed Alert SA, along with the police, SES and the fire services. Those social

networks, alerts and supports by electronic means are so vital for not only informing people and allowing them to prepare when there is an imminent disaster happening, such as a bushfire, but also making them aware of what they can do many months ahead.

With the upcoming fire season—I think it starts on 1 October in some districts, so really next week—it is not if it happens but when it happens in South Australia. We hear it every year and we should never ever get complacent about it. Whether it is a fire, a flood or an earthquake, we really do need to recognise the fact that not just on the international day for recognising natural disasters and disaster mitigation but all year round we should be doing everything we can to prepare for what can happen.

I heard someone the other day talking about stocking up on dry food. When something happens you are not going to have the food, the sustenance that you need. It is a real part of our life, so I strongly support the motion of the member for Stuart. I hope others in this place speak about the motion and their own experiences and recognise the fact that the people of South Australia need to be supported by this parliament.

Mr WHETSTONE (Chaffey) (11:55): I too rise to support the member for Stuart's motion. Once again, I think this is another commendable motion. The member for Stuart continues to put up many. Obviously we have heard a bit about the background to the motion. The International Day for Disaster Reduction was established in 1989 to promote disaster prevention, mitigation and preparedness. I think that is something that many of us take for granted. Our governments and our emergency services people are prepared and ready, and in many instances volunteers are always training, always getting better, always getting their equipment in preparedness for one of those disasters.

Obviously disasters come in many forms, but I will touch on just a few because of the time. Particularly here in South Australia, we have heard people talk about floods and fire, but also drought. Drought is one of the many unseen disasters that occur. It is one of those disasters that creeps up on us and, in many cases, there is nothing we can do. We cannot fight drought. We can prepare, we can help, but we cannot put out a drought. We cannot mitigate like we can for a flood. When a drought is upon us, it has implications far and wide: environmental, social and economic. It is something that my electorate and the people of Chaffey have experienced. When I was elected in 2010, we were on the cusp of coming out of a drought. It had huge implications on all facets of the electorate. It was a very damaging disaster.

It was a millennium drought, it had all the impacts, but it was reliant on something that we had always taken for granted. We had water in the river, plenty of water in our tanks and access to water whenever we turned on a tap. I remember that back in the late 1990s I went over to Canberra to lobby some of the federal politicians, to let them know that had they actually done their numbers they would know that the amount of water that was in storage and the amount of water that we were taking out of that storage did not balance. The numbers were not there. They looked at me in disbelief.

Over a matter of months it became very obvious that our take was going to far outweigh what was left in storage. It was their belief that it was going to rain and that enough water would be put back into storage and everything would be okay, but along came the drought. That prompted the Howard government to stand up and implement some change, a long-term strategy, and that was a basin plan.

I think along the way both colours of government have put their hand up to try to be a part of that reform. I feel that some elements of government have done it better than others, and I think right at this minute we are experiencing reform that has been long overdue. The basin plan will be rolled out by 2019, and hopefully we will look back in 10 years' time and say that it was well administered, well rolled out and that we are the beneficiaries of good government decision-making.

One thing I am fearful of is that we will look back and say that we could have done it better, and I am sure that is what will happen, but it is about preparing for the future. What we do today is not about what we could have done in the past. What we do today is about what we are doing for our next generation and for tomorrow.

Natural disasters come fast and furious. The member for Morphett talked about the floods back in 1956. They were actually a build-up. It was not just a flood of 1956; 1955 was the wet year and 1956 just complemented that year, and it really ran over the top of South Australia. Obviously, the Murray River and the Darling River met and the floodwaters came together, and that is why there was so much impact in South Australia. The flood waters came down fast and furious and scoured the river corridor and flood plains and washed away huge amounts of infrastructure. It almost washed away the town of Renmark, because it is smack bang in the middle of a flood plain, and it just had to bear the brunt.

Volunteers, locals and farmers undertook all sorts of mitigation. I am led to believe that there were huge undertakings to try to divert the course of the river, which is a monumental task, particularly back in those days with the size of machinery and what people were able to do. There were a lot of explosives used and there was a lot of land dumping and intervention to try to stop the town being washed away. Those who might know the path of the river know that it comes around what we call Whirlpool Corner and that flood plain heads towards Renmark. It created considerable damage but it gave us a considerable lesson to learn about the way we could mitigate for the next flood.

We put up levee banks to mitigate the effect of the next flood and those levee banks are, in part, still there but, sadly, they are in very poor condition. I have made a lot of noise to this current state government that we should be preparing to have those levee banks fixed in case we have another inundation of floodwater but, sadly, it has become a blame game. 'It's not our responsibility. It's not our doing. We will blame the local government.' The local governments throw their hands in the air and, suddenly, they are looking for federal government intervention. While we are playing the blame game nothing is getting done and, again, I call on the state government to look at a better strategy. They are looking at it but it is almost in the too-hard basket and it is something that needs to be addressed.

I have talked about drought and floods and I will now talk about fires. The member for Stuart would well understand the impact of the recent bushfires in his electorate, and there were recent bushfires in my electorate. The fire at Billiatt was a huge fire, with many tens of thousands of hectares being fully burnt. The Billiatt Conservation Park was completely burnt. We lost species of birds and all sorts of plant species in that fire.

It was almost left to the farmers, in many cases, to stand ready and once that fire came out of the park they had to protect their land. There were many volunteers up there and they did a great job. There were many government department fire people up there. Some did a great job, some were left wondering, and some were left looking for where they could fill the fuel.

In all, the volunteer base performed very well, but I pay tribute to the landowners and farmers who fought that fire. They had a lot of machinery and a lot of equipment and, if not for them, that fire could have spread into much more private land and made a real mess of this country. If it had got away, it would have not only inundated farm country but it would have spread further into conservation parks and who knows what might have happened.

I call on the current state government to have a better fire-break program. The grid program is something that has been used, but not effectively, and cold burn has been implemented, but is not working effectively. Looking at some of the Billiatt areas where they attempted cold burn you can see the impact it had where the fire went through, and it definitely slowed the fire down. In many cases that cold burn was not initiated through lack of ignition in the cool period, and I think we need to have more of a will to make sure that those cold-burn and back-burning programs are put in place, implemented, and put into effect.

Time expired.

Ms DIGANCE (Elder) (12:05): In support of this motion the government recognises International Day for Disaster Reduction on 13 October 2014. Whilst Australia does not formally acknowledge this day, we are a signatory to the United Nations International Strategy for Disaster Reduction known as the Hyogo framework.

Each year Australia reports its progress against the National Strategy for Disaster Resilience which has been adopted by all states and territories, including South Australia. Announced this week was more than \$7 million in natural disaster resilience grant funding that is a joint initiative of the state and commonwealth governments. The funding is directed at programs that help prevent natural disasters, build community resilience, and support emergency services volunteers.

There are 37 projects in total that cover a broad range of topics such as: developing our flood mapping data; reducing the human cost of heatwave; reducing bushfire risks to its central assets and infrastructure; and highlighting the benefits of joining the CFS and SES as a volunteer. A challenge we face across the nation is the rising cost of natural disasters. Deloitte Access Economics estimates the annual economic cost of natural disasters will rise from \$6 billion in 2012 to \$12 billion by 2030. This is simply not sustainable in the long term.

A Productivity Commission inquiry is currently underway to consider options for an effective and sustainable balance of expenditure between disaster mitigation and disaster recovery. The South Australian government has welcomed the inquiry, and responded to the discussion paper in May 2014. The Productivity Commission is due to release its final report in December 2014.

Last week, the minister released the discussion paper titled *A Safer Community* that focuses on improving the support arrangements for front-line services across the MFS, CFS and SES. There is no intention to diminish front-line services, and this is not a cost-saving exercise. Rather, it is about ensuring our structures can deliver proper coordination, collaboration, governance and value for money within the sector. The engagement process has been rigorous, including face-to-face contact with over 1,500 volunteers and staff. Subject to feedback from the discussion paper a comprehensive business case will be developed and provided to government before the end of 2014.

Mr VAN HOLST PELLEKAAN (Stuart) (12:08): I thank government members for their support of this motion. I am very generally pleased that all of us in this house take this issue so seriously and recognise that more does need to be done.

I would also like to thank the member for Chaffey for putting droughts into the debate. That was very sensible and something that I omitted to do. I think that is very important, because drought in itself can be a natural disaster, but drought can also make other natural disasters more likely to happen. If you are in a phase of severe drought it is more likely that bushfires can eventuate. If you are in a phase of severe drought it is also, strangely enough, more likely that you can have severe flooding because you can have rainfall that comes from nowhere, and, if all your native natural vegetation and other vegetation are not there in the way that they normally would be, flooding can be much worse. So that is a very important issue that the member for Chaffey has brought up.

In my electorate of Stuart, we have had four serious bushfires in the last five years, and two of them—the Woolundunga and Bangor fires—were exceptionally serious. The Bangor fire was burning at the same time as many other fires around the state in the Riverland, Eyre Peninsula and Eden Hills in the upper Adelaide Hills. It was a dreadful time last January. I think we all, country and city members, should come together to focus on this issue.

I thank the member for Ashford and the Natural Resources Committee, which over the last several years has taken a keen interest in this area and has invited people to come and give evidence—private people, government and departmental people—and has recognised that the Natural Resources Committee, a standing committee of parliament, can contribute to a debate with regard to trying to mitigate natural disasters. It is very important.

I guess the most poignant thing for me, as a former member of the Natural Resources Committee which came out of the committee's work, was the focus on the Adelaide Hills. I have to say that many members here are already familiar with that work and the Adelaide Hills but, please, anybody who is not, go for a drive, have a look and talk to some CFS people. There are very serious risks in place in the Adelaide Hills in regard to potential bushfires and the dreadful circumstances which could eventuate, so let's use this as an opportunity to do everything we possibly can to get on the front foot. If there is a serious bushfire in the Adelaide Hills in the coming years, it is sadly probably going to be the case that lives will be lost, and none of us wants to look back and wish we had done more. Please, let's all join together to do as much as we possibly can with regard to mitigation.

I would also like to put on record my thanks to all emergency services workers—professionals and volunteers. Of course, volunteers include private people who are not directly involved with CFS or SES or any of the other services. There are volunteers who contribute their own time, effort and skill—typically these people are farmers—but it might also be a passer-by, a doctor or a nurse or somebody who has some skills.

A wide range of volunteers contribute when there is a natural disaster or some emergency. They support the volunteer structured services as they do the genuine professionals. Thank you to all of them and thank you to this house for supporting this motion, because all of those professionals and volunteers deserve as much support as can possibly be given to them by the government and this parliament, whether a Liberal or Labor government. We really need to do everything we possibly can to support those people. Of course, their work is most notable in fighting emergencies and natural disasters and then in the recovery effort afterwards.

A very important thrust of my motion is that we need to be putting more work into the mitigation and prevention. The figures that the member for Elder read out were that it is estimated to be a \$12 billion per year cost in 2030. We just will not be able to meet that; it will not be possible. Let's heed the advice of the Productivity Commission and the Council of Australian Governments and put money into the prevention and mitigation up-front because it will save problems and avoid disasters. It will be cheaper, too, and put our emergency services workers under less stress.

Motion carried.

NATIONAL POLICE REMEMBRANCE DAY

Mr VAN HOLST PELLEKAAN (Stuart) (12:13): I move:

That this house—

- (a) recognises National Police Remembrance Day;
- (b) values the work that South Australia Police do on behalf of our community; and
- (c) expresses its sadness for and deep gratitude to those officers who have lost their lives while doing their duty and to their families.

I have never been a serving police officer. I do not have the hands-on experience that the member for Little Para does, which I respect enormously. My closest connection with police has been as the former shadow minister for police for the Liberal opposition and also as a community member living in country and outback towns where, regardless of what your job, profession or role is that you technically play in the community, we are pretty much all there together to help each other whenever necessary.

I am very familiar with some of the stresses and strains that both our country and our city police officers face in doing their duty, and also some of the stresses and strains they face when they are away from work, because they are very significant for police officers. While those stresses and strains come from many different directions, while they do their very best to do their work, one of the strongest impacts is the risk that they might lose their life at work, and that is something that can never be underestimated.

All of us in this house come from a wide range of backgrounds and we have done an enormous range of different work among the things all of us have done before we came to parliament, but very few of us would ever have had the alarm go off, get in the shower, get dressed, and turn up to work thinking that it is possible that our life might be put in danger at work today. That is not normal, and all responsible employers, all responsible workplaces, do everything they possibly can do to minimise and, ideally, remove all those risks for their employees, customers and other people associated with the workplace.

Of course, it is not possible to completely remove that risk for police officers. It is possible to reduce the risks, and I very genuinely applaud successive police commissioners and successive governments for doing everything they can to reduce those risks, but we acknowledge that it is not possible to remove the risk, to make the risk zero per cent that a police officer's life might be put in danger any day that he or she turns up to work. It is probably not possible for us, other than the

member for Little Para, to fully comprehend. We can try to put ourselves in people's shoes, but until we are in that situation the best we can do is try to understand what it might be like.

Very unfortunately, over the last 176-odd years that we have had South Australia Police, 61 officers have died. Last year, I talked to a very similar motion when I was the shadow minister for police. In all the facts and details (and I ask people who might be interested to go back to that speech this time last year because it had some stark and useful information in it), for me the most critical statistic I found was that, on average, a police officer has died every 2.9 years. Every 2.9 years since we started South Australia Police, an officer has died.

If you put that into context, in any other work place with which we are familiar in Australia, that is an exceptionally stark number. Less than every three years, on average, a police officer has died. That really puts things into perspective, when you are trying to imagine being the police officer going to work, trained well, equipped well and doing everything possible, but thinking, 'I have to not be complacent, I have to recognise that today might be the day.' It happens once every 2.9 years on average, and that really puts things into perspective.

Of course, things are improving, and it is a very positive fact that it has been just over 12 years since the last officer died on duty: back on 26 May 2002, Bogdan Sobczak died in a motor vehicle accident at work. It is a reality. This is not about risks that are unlikely to eventuate. Let us just hope that improvements in the way the police are able to go about their work over the last several decades mean that that once every 2.9 year statistic can be left way behind. We are now up to just over 12 years, let us make it 22 or 32. Let us do everything we possibly can.

Of course, another critical component of this whole topic is that it is not just the police officers who have to take responsibility for this. It is not just the government that needs to offer the best training possible, offer the best equipment possible, and offer the appropriate number of police officers. It is not just the commissioner and all of the senior ranks of South Australian police who have to do everything they can to make sure that their colleagues and their officers are as safe as possible. The community has to take a huge part of the responsibility for keeping our police officers safe. While I know, unfortunately, there is a very small percentage of our community who would not focus on that as a high priority, I do know that the vast majority of South Australians value their police.

We consistently have our police ranked more highly than other states with regard to community satisfaction and community trust, and it is incumbent upon the government to keep resourcing the police so that they can do the job that they are required to do. The vast majority of our South Australian community really value police, and I have no doubt that the vast majority of South Australians, if they saw a police officer in harms way, would do what he or she responsibly could to support that police officer, and that happens a lot in country towns.

That happens a lot in country towns where you have a single-officer station. It might be a radius of a couple of hundred kilometres in an outback setting and it might be 30, 40 or 50 kilometres to the closest police station. Country people do rally to support their police officers and the police officers do know that if they are facing what might be a particularly risky situation that they can actually ask a couple of people to be available if necessary, and I think that is a very positive, very healthy fact that exists.

It is not to say it would not be the same in the city but, of course, police officers have their colleagues far more closely at hand in the city, and there is not quite the same community relationship in a suburban setting that there is in a country setting where everybody knows each other and everybody is prepared to help each other. Community has to take a significant role in trying to support our police officers in being safe at work.

The last part of my motion concerns expressing sadness and gratitude to the officers and their families, because it goes without saying that the stresses and strains that go with being a police officer are not confined to that officer. That person's family and friends are tied up and connected in that stress and strain. They are also tied up and connected in the successes and the events that can be celebrated as well, which is great, but if you are the husband or wife or mother or father or son or daughter of a police officer, you also know that each time that officer goes to work they may well be put in harms way.

I am not talking about STAR officers who have a particular role. Of course, I admire the work that they do. That is at one end of the spectrum. They have actually voluntarily signed up and been trained for the most risky events, but every officer potentially could be called up or could find themselves in a situation that puts their life at risk, so it is a stress and a strain on families too.

I would like to not only thank the officers who do this work for us but also thank their families who give them that support because, as we are often reminded in our own work, we cannot be good members of parliament, we cannot represent our communities nearly as well without our families and without our friends supporting us as we can if they do, and it is even more true for police officers. They could not do their work well if they did not have a strong network of supporting people around them.

I will just finish by making a brief comment on the two Victorian AFP officers who were stabbed two days ago.

Mr Gardner: One was AFP, one Victorian police.

Mr VAN HOLST PELLEKAAN: Thank you very much—one Australian Federal Police officer and one Victorian police officer who were stabbed recently unexpectedly. Thankfully, I suppose, it is not a South Australian example, but it is a really good reminder. Those officers had no idea, and probably no reason to expect, that the interview that they were about to conduct with a member of the public who had come to their station voluntarily to participate was going to become a violent incident.

It is exceptionally sad that the member of the public died through that altercation, but the reality is that it is a stark example of those two officers ending up in a situation that they could not predict. They have both been harmed. Thankfully, they are going to get better and thankfully everything will turn out well for them, but it is an incredibly poignant, recent, real reminder of the sort of risks that police officers face when they are doing their work.

Members, please keep in mind that average: over the last 176 years, an officer has died every 2.9 years. But please also keep in mind that it has been over 12 years since the last one has died. In our work with regard to engaging with the community and contributing legislation and, from the government's side, at least, making decisions about resourcing of police officers, let us do everything that we possibly can to turn that three-year average into a 23-year average or a 33-year average.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (12:26): I would like to thank the member for Stuart for his motion and indicate that I will be speaking in support of the motion he has brought forward. Today, we all wear this ribbon as we remember that Monday next week marks the 25th National Police Remembrance Day and we pay tribute to the 61 members of the South Australian police force who have paid the ultimate sacrifice while performing their duties as police officers.

As the member for Stuart has already mentioned, on average, a South Australian police officer has died while on duty almost every three years. Other than the military defence forces, what other public workplace is there where a worker faces such risks? National Police Remembrance Day is a significant day of commemoration where people can reflect on each individual police officer and remember those officers who have died whilst on duty.

It provides an opportunity to honour all police officers who have given their life while serving not only Australia but also South-West Pacific communities, with ceremonies being held right across the state. On Monday, I will be attending a Remembrance Day memorial service at the Police Academy parade grounds, together with representatives of law enforcement agencies, the armed forces, support organisations within the police and community and families of fallen members.

My colleague the member for Little Para, a prior serving police officer, knows firsthand of the dangers faced by police officers on a daily basis and will stand today to pay tribute to our fallen police officers. As the member for Stuart has mentioned, it is very difficult to actually put yourself in those shoes, because it is a very different experience. Unless you are an officer in that circumstance at

that time, you do not really appreciate how difficult and dangerous it can be. With those few comments, I commend the member for his motion and indicate my support for it.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:28): I rise to support the member for Stuart's motion, and I thank him for bringing it to the chamber. It recognises National Police Remembrance Day and the value of the work of our South Australian policemen and policewomen, and expresses gratitude for those who have given the ultimate sacrifice in the course of their duties. May I particularly acknowledge today one who has a continuing memorial in my own electorate in Leabrook, South Australia.

Constable William Hyde, in 1909, died from wounds as a result of being, as they describe, shot by a highwayman. There were many burglaries in the area and, sadly, he did pay the ultimate price. Many members would not know that there was a memorial on the western side of Tusmore Avenue for many years, and in the 1980s was relocated into a site of an old primary school on the eastern side. The reason I particularly mention that is because it was with horror that I read around a year ago that it was the intention of the Department for Education to sell off the land which retained the memorial plaque and memorial gardens for private development.

It is a highly sought after residential property area, I might say—with a great local member. of course—but, nevertheless, with the help of the member for Hartley and his predecessor, much concern was raised in the local community and approaches were made. Sadly, I received correspondence from the Minister for Education simply saying, 'Look, it is surplus to requirements and is going to be sent off to Renewal SA to dispose of,' and that was the end of it. I again want to acknowledge mayor David Parkin and the Burnside council for sitting down and working with Renewal SA, ultimately, to try and work out how there could be an exchange of land surplus to requirements for the council so that there could be a retention of this important memorial.

In speaking to this motion today and in supporting the member for Stuart in recognising this as we approach the National Police Remembrance Day, I just urge members to be alert to circumstances where we have placed a memorial. Constable Hyde is just one who has fallen. There has been considerable money and time invested by the Police Association in South Australia to upgrade his gravesite at West Terrace, and I applaud them for that as well. But, be alert and ensure that we do maintain a permanent recognition and memorial site for those who have fallen, and that we are not just speaking of that on an annual basis on this important day.

Mr ODENWALDER (Little Para) (12:31): I am of course more than happy to support this important motion brought by the member for Stuart, and I am glad the minister has expressed the government's support and the support of everyone on this side of the house for this motion. The police, as has been said several times already, do a pretty unique job in our community. We are all beneficiaries of the work they do and the risks that they take in order to keep the rest of us safe, and it is often while we are work or while we are sleeping. We are largely unaware that this work goes on, but it goes on every day, day in, day out, night and day.

Members will be aware, of course, that I was in a previous life, for a short time at least, a patrol officer based at Elizabeth and Salisbury, which as you would appreciate are fairly busy patrol bases, so I do know something of the risks that serving police officers face. I am going to talk mostly about patrol officers since is this my direct experiences, but obviously, as the member for Stuart has been through, all police officers face varying levels and various types of risks and they are all called upon to act as patrol officers at certain times depending on numbers and so on.

I am grateful, and lucky I guess, that I managed to never get seriously injured while at work, but of course some of my colleagues and friends were not so lucky. The fact is, as has been alluded to by the member for Stuart, in many cases, patrol officers and others just have no idea what to expect when they get tasked to a disturbance, a breach of peace, a fight, or a report of disorderly behaviour. They just have no idea what to expect.

The police communications do a really good job, and an ever-improving job, I have to say, in trying to provide as much information as they possibly can, in trying to get as much information from the members of the public and passing that on to the sergeants and the patrol officers. But, when push comes to shove, you really do not know what you are getting in to. It could be, as it thankfully almost always is, just a simple case of talking to people, talking to a few people, and

perhaps metaphorically knocking a few heads together, and easily resolving and diffusing potentially messy situations. But, as we all know, sometimes things can go horribly wrong.

Pride and trust in our police is, of course, a bipartisan issue, and I hope it always will be. I know the member for Stuart did a great job as shadow minister. I respect the work that the member for Morialta is doing at the moment, and I see him from time to time at the Police Academy. I do just want to put on the record how proud I am that this Labor government over the past 12 years has been committed to providing our serving police with all the protection it can (largely with the support of the opposition, I have to say) whether it is by providing new technologies to help keep them safe and give officers more options to protect themselves and the public, or by increasing the penalties for assaulting a police officer and making it a much more serious offence.

But, realistically, it is a job which can still at times be very dangerous. People go into the job knowing that and accepting that, and those police who make the ultimate sacrifice in protecting our community should be remembered. As we know, 29 September this year is the 25th National Police Remembrance Day and it will be celebrated on Monday with ceremonies all over the state and all over the country. Those ceremonies, as the minister has said, will remember and honour those South Australian officers who have died on duty.

As the mover of the motion said, we have had a functioning police force in South Australia for over 175 years now and, sadly over that time, we have lost 61 officers while on duty. The first of these was Mounted Constable John Carter aged 22, and Lance Corporal William Wickam aged 24, both died on 7 May 1847 by drowning. The most recent, as the member for Stuart said, was Senior Constable Bob Sobczak, aged 52, who on 26 May 2002, died in a motorcycle accident.

Police officers have died in the line of duty from drownings, from accidental shootings, from car, bicycle and horse accidents, one stabbing, one gassing and, overall, eight murders. Four have been taken by bushfire, including what must have been an incredibly sad situation where we lost three officers, special constables Mervyn Casey and Colin Kroemer, and Sergeant Cecil William Sparkes, all on the same day, 19 January 1951, when they were trapped and died together in a bushfire in the Adelaide Hills.

But perhaps not surprisingly, the majority of loss of life, followed by murder, has been from motor vehicle accidents. Of course, none of these facts and figures include the countless injuries, from minor to serious, incurred by police officers every day in the course of their duty.

National Police Remembrance Day is traditionally held on 29 September, as I said, that day being the Feast Day of St Michael, the Archangel, the patron saint of police men and women. It goes without saying that the 61 SAPOL officers killed in the course of their service will be deeply missed, and their work and the work of their surviving colleagues is very much appreciated by South Australians right across the community, and I urge members to support this motion.

Mr GARDNER (Morialta) (12:36): It is an honour to be the shadow police minister; it is a privilege and a role that I take very seriously, and I am very pleased to speak on this motion that the member for Stuart has brought. Members have spoken about the unique role the police play in our community and the unique sort of job that being a police officer is. I thank the member for Little Para for the reflections that he has made on his time in the service.

As the member for Stuart said, I have not spent any time as a police officer. My connection is through my grandfather who, before he came to Australia after the Second World War, served in England as a police officer. Obviously all members would have police officers in their communities, friends, families, and I do as well, so we pay a tribute to both those who we know and those who we do not, but who continue to serve a role in our communities, and to those in particular who have paid the ultimate sacrifice.

Through a motion such as this we have the opportunity to reflect on their service and their sacrifice, and their memory deserves nothing less. By doing so we also honour those who continue to put themselves in harm's way every day.

Others have mentioned the two police officers who suffered stabbings earlier this week in the line of their duty, and thankfully are still with us, and we wish them a full and speedy recovery. But it is a poignant moment that reminds us of the risks that every police officer faces in the course

of their duty. Those police officers did not have any reason to expect to be in harm's way on that day over and above the fact that every day when a police officer goes to work they are doing a job where they are at potential risk, because they are the thin blue line between the community and chaos.

The member for Little Para identified that it is the 25th National Police Remembrance Day and, in Canberra on 29 September 2006—so eight years ago—the National Police Memorial was completed and dedicated. As I have done before, I encourage any member when they are in Canberra to visit the National Police Memorial next to the Carillon. It is a modest monument, it is a thoroughly dignified and appropriate monument and, on the monument, all of the names of those who have fallen in all jurisdictions are remembered together with some extremely heartfelt remembrances by family members, friends and colleagues in the way that the monument is presented.

I commend the officers, the former federal government and state governments, the Police Federation of Australia and all the state bodies which contributed to the dedication of that memorial. Whenever I am in Canberra, if I have the opportunity I take the time to visit it and pay that remembrance.

I think that it does actually bear four minutes of the house's time to read the names of the 61 officers who have fallen in the line of duty in South Australia, serving our community. I do so not just to again immortalise their service, but to bring home to us all the danger in which all officers place themselves:

- in 1847, as the member for Little Para said, the first were Mounted Constable John Dunning Carter and Lance Corporal William Wickam;
- in 1850, Mounted Constable William Freebody, Mounted Constable Robert Hill and Sergeant Richard Ward;
- in 1852, Mounted Constable John Forsayth;
- in 1855, Trooper James Higgins;
- in 1861, Inspector William Reid and Corporal Henry Kemp Brown Nixon;
- in 1862, Inspector Richard Palmer Pettinger;
- in 1880, Mounted Constable John Barwick Porter;
- in 1881, Mounted Constable Harry Edmonds Pearce;
- in 1883, Mounted Constable John Charles Shirley;
- in 1884, Mounted Constable James Newsome Nalty, Mounted Constable Richard William Spicer and Foot Constable Thomas Charlesworth;
- in 1885, Mounted Constable Charles Ballantyne McCullagh;
- in 1886, Foot Constable James Murray;
- in 1907, Mounted Constable Charles Patrick Johnston;
- in 1908, Foot Constable Albert Edward Ring;
- in 1909, Foot Constable William Hyde (the great-great uncle of the member for Finniss);
- in 1911, Mounted Constable Harry Chance;
- in 1919, Foot Constable Walter John Wissell;
- in 1925, Foot Constable Albert Leslie Bowley;
- in 1926, Foot Constable Thomas Alfred John Tregoweth;
- in 1928, Foot Constable Cyril Fletcher Clayton and Mounted Constable George Thomas Smith;
- in 1929, Foot Constable John McLennan Holman;

- in 1930, Motor Traffic Constable Andrew MacBorough Copley;
- in 1934, Mounted Constable Clifford Laurence Evans;
- in 1946, Foot Constable James Webber;
- in 1949, Mounted Constable Eric Walter Jones;
- in 1950, Motor Traffic Constable Laurence Trevor Arney;
- in 1951, Special Constable Mervyn George Casey, Special Constable Colin Roy Kroemer and Sergeant Cecil William Sparkes (whose tragic story the member for Little Para identified earlier);
- in 1955, Motor Traffic Constable Ronald John Grosvenor;
- in 1956, Motor Traffic Constable John Westley Raggatt, Motor Traffic Constable Theodore Arthur Nixon, Motor Traffic Constable Brian Humphrey Harvey and Foot Constable William Laurence McInerney;
- in 1957, Motor Traffic Constable Clive Richard Taylor and Senior Constable Harold Rae Pannell;
- in 1960, Constable 1st Class John Maxwell Philp;
- in 1962, Senior Constable Ronald Cyril Huddy;
- in 1963, Motor Traffic Constable Ronald Graham Grindlay;
- in 1969, Sergeant Llewelyn John Thomas;
- in 1970, Motor Traffic Constable Brian Joseph Kain;
- in 1976, Senior Constable John Adams;
- in 1979, Sergeant Claude Allen Munson;
- in 1980, Motor Traffic Constable Jerry George Preston, Constable 1st Class James Webb and Constable 1st Class Dennis Ronald Pugsley;
- in 1981, Constable Kym Andrew Godfrey;
- in 1982, Constable Warren John Matheson and Constable Mathew John Payne;
- in 1985, Constable 1st Class Lyncon Robert Dix Williams and Sergeant Martin Henry Harnath;
- in 1990, Senior Constable David Thomas Hill Barr;
- in 1991, Senior Constable Gordon James Loft; and
- as others have identified, our most recent loss was in May 2002, Senior Constable Bogdan Josef Sobczak.

I know that all members will support the motion. I look forward on Monday to, along with the minister, attending the SA Police Academy at Taperoo to lay a wreath on behalf of the opposition at the National Police Remembrance Day memorial service here in Adelaide. I look forward to the contributions from the members for Hartley and Bright to come, and others who may speak, and thank the member for Stuart for bringing it to the house. I acknowledge the contributions from the minister, the member for Bragg and the member for Little Para, and I support the motion.

The Hon. T.R. KENYON (Newland) (12:44): I rise to support this motion for many of the same reasons that members have already identified. I thank the member for Morialta for reading into *Hansard* the list of officers; I think it was very worthwhile. Most of what I want to say has already been said about the risks officers take in the protection of our society. I want to place on the record my thanks and appreciation of the fact that they do that, that they take those risks on our behalf.

Our society is good only because it is largely law abiding and kept in a peaceful situation by the rule of law. Having said that, there are people who step outside those boundaries, who choose not to obey laws, who make decisions or find themselves in situations that cause trouble, pain, suffering and even death for other people. Police are necessary in the prevention or the minimisation of that crime and damage to society. If they were not there, the society we currently enjoy, with peace, order and laws, would not exist. It would degenerate and fall into chaos, and we would all be worse off for it.

We have been able to become a peaceful and prosperous society in part because of the work that police do. A number of those police have made the ultimate sacrifice in dying in the service of others. That is something that is very noble and something that we should all appreciate, and it is certainly something that I appreciate. I now record my thanks on behalf of my electorate and also on my own behalf for their service.

Mr TARZIA (Hartley) (12:46): I rise to speak in favour of the motion and commend the member for Stuart for initiating it. I have an enormous amount of respect for the police not only on the front line but also in the important other roles they play—in Neighbourhood Watch, for example, in keeping our community areas safe and informed. As we have heard, National Police Remembrance Day on 29 September will see the day on which South Australia Police stop to honour its officers who have lost their lives in the line of duty. This is one of the most significant days on the policing calendar.

It is a time for members of the service and the community to remember, honour and express their gratitude to the dedicated men and women who have died whilst serving. Obviously, this service is held at the Fort Largs Police Academy each year. Police officers, staff and members of the public are called by the police to pay tribute to this cause, something I can see many of the members are doing at the moment by wearing the appropriate ribbon. National Police Remembrance Day was first commemorated in 1989, and it is held each year on 29 September, or the nearest working day, in memory of police officers killed in the performance of their duty.

As we heard this morning, a total of 61 local police officers have lost their lives in the performance of their duty since 1838, when South Australia Police was formed. The day is remembered on 29 September, as it marks the feast, as the member for Little Para pointed out, of the archangel St Michael, who was, amongst other things, the patron of police men and women. On behalf of my constituents and also those across the state, I thank all the police who serve not only in our local areas but across the state and nation. I also thank the families behind the badge for their support, love and care of their family members who have been officers, especially the ones who have died while serving. It is extremely important that we continue to acknowledge and protect the people who serve and protect our community. I commend the motion to the house.

Mr SPEIRS (Bright) (12:48): I too rise today to support the member for Stuart's motion regarding National Police Remembrance Day. I think this is an incredibly important motion. It is great to be able to stand in a bipartisan way in this house to speak with members from all sides of politics on the great importance of the role played by police officers.

We have heard a lot of statistics this morning around the numbers of police officers who have lost their lives in the line of duty. I think it is important to pay attention to those numbers but also to remember, and take time to remember, that behind those numbers there are real people, real names, and real families who have been affected by the loss of their loved ones, who have been doing nothing more than trying to do their job properly and for that have paid the ultimate price. In the last 10 years, going back to those numbers, we have had 22 police officers in Australia lose their lives between 2004 and 2014. We are very fortunate, as the member for Stuart mentioned, that it is more than 12 years now since a South Australian police officer lost their life in the line of duty.

I have a personal connection to the police force. One of my best mates is a serving police officer. He was one of the groomsmen at my wedding. I hear his real joy for the job, the diversity of the job and his real feeling of being able to get out there and serve his community. However, there is no doubt that he knows in the back of his mind that in that diversity is also the great unexpectedness of the job and the possibility that, as the member for Stuart mentioned, he could get up in the morning and go out to serve in his position as a police officer and lose his life—that is much more likely than people serving in other professions.

The role that police officers play was really brought home to me about three months ago when I noticed that my next-door neighbour had not been out and about for a few days. Subsequently, it was discovered that he had met a very tragic, untimely death in his home. I had to call the police out to the house before I entered the house and it was the police officers who went in through the window that they were able to break to enter the property.

It really struck me that the situation facing them when they entered that property was something completely unpredictable. It was something incredibly unpleasant. It was unpleasant for me as a bystander but I was not the one who had to go through that window, pull back the curtains and face something quite stark and quite dreadful in the bedroom on the other side. I really do want to just take time to name Sergeant Richmond, Constable Kolundzic and Constable Vicary, who were the ones who went through that window down in Kingston Park three months ago, and met something very unpleasant, something very grisly. To me it really spoke of the unexpectedness of what police officers face in the line of duty, and the great service that they give us as civilians in the community. They do that as part of their day-to-day work and it is something that I want to spend a moment reflecting on and giving thanks for as we mark National Police Remembrance Day.

I commend the member for Stuart for bringing this motion to our attention, and I thank other members for their statements on this motion.

Mr PICTON (Kaurana) (12:52): I rise to support this motion from the member for Stuart. This is a very important motion. I fundamentally support the comments he has made, as well as the member for Little Para and the minister, amongst others. We have a fantastic police force in South Australia. In fact, it is the oldest organised police force in the Australasia region and, I understand, the third-oldest in the world. I believe it has a high level of trust in the community. I think that is something that we should be particularly proud of as a parliament. We pass laws in this place and we rely on the police force to do the hard yards of upholding those laws and upholding order and community safety in our state—and they do a fantastic job.

I think one of the reasons why there is tremendous trust in police in this state is that they are willing to communicate with the public about what they are doing. I note in my community in particular there is always a strong presence from the police at local Neighbourhood Watch meetings, but a recent innovation of the police in my local service area which has started—and I would like to commend it publicly—is to undertake community consultations with people in the community. They undertook one recently at Woodcroft and, next Wednesday, they are undertaking one at Seaford in my electorate, which I believe will be very well attended because more and more people are keen to have input into policing in our community and to hear from police about issues of community safety. I commend the motion to the house.

Mr VAN HOLST PELLEKAAN (Stuart) (12:54): Thank you very much to all members who have contributed, especially the minister and the shadow minister. I appreciate everybody's contributions. When I was a boy I thought it would be great to be a police officer, or a train driver, or an astronaut, or a racing car driver—they were all the ones that were right up.

The Hon. A. Piccolo: And you ended up here.

Mr VAN HOLST PELLEKAAN: Yes. As the minister says, as proud as I am to represent my community here in parliament, there are days when any one of those occupations still seems a lot more appealing.

I grew up with a very healthy, very positive regard for police officers. I grew up in the days when my mother and my father said, 'If you ever, ever need anything—if you are lost or unsure, anything—find a police officer.' I think that is a wonderful way to grow up. It is wonderful advice and it is a wonderful reflection upon the police.

This motion is not to glorify police, but it is important to recognise that police are people too. We know that in our own work we all have better days than others, and it is the same for police as it is the same for absolutely every other community member. I have an exceptionally high regard for the police as a whole, and I know that our South Australian community also has an exceptionally high regard for police as a whole. This motion is certainly not to glorify them, it is to thank them. It is to thank them for the work they do and it is also to make very, very clear that all police officers

deserve to be as safe as it is absolutely possible for our government, for the police organisation and for our community to make them at their work. That is absolutely vital.

I urge all members of this house to attend a Police Remembrance Day ceremony in their electorate or in another part of South Australia on Monday. It is a very positive, visible and genuine way to show your support for our police. I thank members for supporting this motion and I thank the government for supporting this motion. Like the shadow minister, the member for Morialta, and quite possibly the minister as well, I have been to Canberra and to the National Police Memorial. It is an absolutely outstanding place to visit, and is one of those very special memorial grounds where you do get the sense of the importance of the work the police do; you do get the sense of the respect with which that memorial was created, to pay tribute and show respect to officers who have, unfortunately, died. So to all members of both houses, please attend a memorial service on Monday and please continue to do everything that we can, as members of parliament, to keep our police officers safe at work.

The DEPUTY SPEAKER (12:57): Before I put the motion I would like to record my gratitude, on behalf of the electors of Florey, to all police, past and present, and acknowledge their service—even more particularly, the service of those who have died or been injured whilst on duty in pursuit of enforcement of the rule of law.

Motion carried.

Sitting suspended from 12:58 to 14:00.

Parliamentary Procedure

ANSWERS TABLED

The SPEAKER: I direct that the written answer to a question be distributed and printed in *Hansard*.

Ministerial Statement

FIREFIGHTERS COMPENSATION REVIEW

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) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.R. RAU: The house will recall that on 19 June 2013 I introduced the Workers Rehabilitation and Compensation (SAMFS Firefighters) Amendment Bill 2013. This bill was passed by both houses late last year. The bill, one of the most progressive in the country on the issue of presumptive legislation, removed the onus of proof on paid firefighters, as well as a cohort of CFS volunteer firefighters who attended a comparable number of fires as their Metropolitan Fire Service counterparts. To be more specific, the bill removed the onus of proof regarding claims for cancer compensation for CFS volunteers who attended, on average, 175 fire incidents over any five-year period. However, let me be very clear, no firefighter, whether volunteer or paid, is precluded from lodging a workers compensation claim under the current arrangements for cancer compensation.

Before the elections, the government committed to the review of the legislation. In the month after the state election, the Minister for Emergency Services (Hon. Tony Piccolo), the member for Frome (Hon. Geoff Brock) and I discussed the legislation and the requests of CFS volunteers, and subsequently collectively met with interested parties from the Country Fire Service, the CFS Volunteers Association, the Metropolitan Fire Service, United Firefighters Union and SAFECOM.

It was agreed by all parties that the data and assumptions made in the original actuarial report commissioned by the government would be reviewed and costings for various presumptive legislation options would be again developed by an independent actuarial specialist, whose appointment was subsequently agreed by all parties. By reviewing the data and the assumptions, and ultimately working from agreed figures and costs, the government and the CFS Volunteers Association will be able to confidently undertake further discussions on the legislation.

While the relevant ministers and I have been kept up to date on the progress of the review, particularly the member for Frome, who has noted the requirement for an expeditious and effective outcome, it has been undertaken free of any political involvement. It has been coordinated by SAFECOM, with the support of the CFS and CFS Volunteers Association, all of whom have worked tirelessly to collect and analyse data for use by the independent actuary.

The independent actuary, Finity, has now finalised their work and provided the government with information we require to continue our discussions with the CFS Volunteers Association in the coming weeks. Due to these ongoing discussions, we are not in a position to table a report today. I look forward to updating the house after discussions with the CFS Volunteers Association have concluded.

The Minister for Emergency Services, the member for Frome and I would like to thank the CFS and CFS Volunteers Association for their engagement and patience with the government on this issue. I would also like to thank SAFECOM for their coordination role, and the actuaries, Taylor Fry and, more recently, Finity, for their excellent reports.

Mr Goldsworthy: God!

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

Mr Goldsworthy: What? I was just talking to the member for Bright.

The SPEAKER: You were taking the name of the Lord thy God in vain. The Minister for Health.

MENINGOCOCCAL DISEASE

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:04): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: A case of invasive meningococcal disease has been notified in a 19-year-old woman from regional South Australia. She has been admitted to hospital and is in a stable condition. The woman is a student at the University of Adelaide and a boarder at St Ann's College. SA Health is working with both organisations to identify any possible contacts and provide information about symptoms.

This is the 22nd case of invasive meningococcal disease reported in South Australia during 2014, and the 10th case this month. A total of 20 cases were reported in 2013. While there have been no links identified between this case and previous cases, I urge South Australians to remain vigilant. With a higher than usual number of meningococcal disease cases in the past few weeks, it is important people are aware of the symptoms and seek medical advice if they have concerns.

Meningococcal bacteria live in the back of the throat of about 10 per cent of the population but are difficult to spread and are only passed from person to person by regular, close, prolonged contact. Symptoms of meningococcal infection may include fever, headache, vomiting, stiff neck and sore muscles, followed in some cases by a rash of red and purple spots.

While fairly rare, meningococcal infection numbers tend to be higher when there are more respiratory infections around, such as influenza. Unfortunately, South Australia is experiencing its worst flu season since 2009—the year of the swine flu pandemic. The latest figures show more than 8,000 influenza cases year to date, compared with just over 2,700 for the same period last year.

In the case of the 19-year-old student, SA Health is currently identifying people who may have had close contact with the patient so they can receive preventative antibiotics. There will also be people who, while not at risk, have had some contact with the patient. These people will be provided with meningococcal health information in accordance with the Guidelines for the Early Clinical and Public Health Management for Meningococcal Disease in Australia. A public health alert reminding doctors to be alert to the symptoms of meningococcal disease was distributed earlier this month.

SMALL BUSINESS COMMISSIONER

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: The search for a new Small Business Commissioner has concluded. I am pleased to inform the house that the state's new Small Business Commissioner is Mr John Chapman.

Mr John Chapman, until recently, was the chief of staff to the Minister for Investment and Trade and was previously employed as the chief executive officer of the Motor Trade Association of South Australia. Mr Chapman has also held other senior roles with Business SA, the Insurance Australia Group and the Department of the Premier and Cabinet. Mr Chapman holds a Master of Business Administration, a Company Directors Course Diploma, and he is a Fellow of the Australian Institute of Company Directors.

Mr Chapman has a long and successful history of interaction with small business, particularly in his role with the Motor Trade Association, and, as a result, has an excellent understanding of the challenges facing small businesses in our state. He has a clear understanding of government and its policy framework, and the government is confident that he will be able to utilise his demonstrated leadership skills to establish an effective future reform agenda.

The selection process for this role was a rigorous one, and the government was pleased with the high calibre of the applications received. The office has made great headway since opening in 2012, with over 10,000 businesses having contacted the office seeking assistance with a range of issues. I congratulate Mr Chapman on his appointment, and I trust that he will do an exemplary job in this very important role for both small business and the people of this state.

Question Time

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:09): My question is to the Minister for Health. Now that the Australasian College for Emergency Medicine has today called on the state government to 'act immediately in order to address unacceptable levels of strain being experienced in emergency departments throughout South Australia', what action will the minister now take?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:10): There are a number of actions which we are taking, one of which, of course, is the extra beds that we have made open. Also, we are taking action with regard to mental health patients who present at emergency departments, streamlining those mental health patients so that they can go straight to a dedicated mental health ward, rather than having to first go through the emergency department. We have created short-stay beds for mental health patients at the Flinders Medical Centre. All of these things will help to alleviate the current pressure on our emergency departments.

But let's remember that an emergency department is a defined space. The only way you can increase the size of it is by building a new one and that, of course, is exactly what the government is doing. The biggest ever infrastructure spend that a South Australian government has ever undertaken is happening half a mile down the road in the new Royal Adelaide Hospital which will, of course, have a massively increased emergency department.

What have members of the opposition been saying about the new Royal Adelaide Hospital? Stephen Wade, the opposition spokesman—

The SPEAKER: There is a point of order.

Mr GARDNER: The question being about the minister's response to the Australasian College for Emergency Medicine's statement, clearly the opposition spokesman's response cannot possibly be relevant to answering this question.

The SPEAKER: I will hear the Minister for Health, and I hope he will join up Mr Wade's remarks to the question.

The Hon. J.J. SNELLING: I quote Stephen Wade:

We have argued that the new hospital is expensive and unnecessary—

Ms Redmond interjecting:

The Hon. J.J. SNELLING: The member for Heysen, I'm glad she still keeps the faith. She hasn't changed her line. There are many things you might say about the member for Heysen, but she is consistent. I quote from Stephen Wade—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The Treasurer is called to order.

The Hon. J.J. SNELLING: —the opposition health spokesman:

We have argued that the new hospital is expensive and unnecessary and that the South Australian people would be better served by the renewal of the Royal Adelaide Hospital on its current site.

Ms Sanderson: Hear, hear!

The Hon. J.J. SNELLING: I'm glad to hear the member for Adelaide call out, 'Hear, hear!' because the member for Adelaide—

Ms Sanderson interjecting:

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

The Hon. J.J. SNELLING: I continue:

The decision to relocate to new facilities remains nonsensical.

The opposition can't have it both ways. They can't come in here complaining that the current emergency department is overcrowded and at the same time—

The SPEAKER: A point of order from the deputy leader.

Ms CHAPMAN: Now the minister is clearly debating. I might add that the words 'the opposition coming in here', etc., is clearly debating this issue.

The SPEAKER: I think that wording is debate, but it is not debate to compare and contrast the existing and the projected emergency departments. Minister.

The Hon. J.J. SNELLING: We have a bigger emergency department opening in 2016, a bigger emergency department which those opposite have consistently opposed and still oppose. They can't have it both ways.

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:14): Supplementary, sir: does the minister agree with the Australasian College for Emergency Medicine's statement regarding the emergency department overcrowding that 'the major underlying issues are not seasonal'?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:14): Certainly they are not exclusively seasonal, but I don't think anyone could deny, and I don't think the college would deny, the fact that we have had a surge, with an enormous number of presentations over the last six weeks. You can't stick your head in the sand and deny that. The simple fact is that in the last six weeks there has been a surge in presentations, largely driven by the record number of flu cases which we are experiencing at the moment, as I just said—close to 8,000—which is a significant increase on where we were at this time last year.

Of course, it is not just seasonal. We need a new emergency department; that is why we are building a new emergency department. I don't know what Basil Fawly over here would have us do. Turn people away from the ED?

The SPEAKER: The Minister for Health will withdraw and apologise for referring to the member for Norwood as Mr Basil Fawly.

The Hon. J.J. SNELLING: Must I? Well, sir, certainly if the Leader of the Opposition takes offence at Basil Fawly I certainly withdraw, but I must say the Liberal Party in this state does resemble Fawly Towers.

Mr PISONI: Point of order, sir, under 137. Clearly, the minister is refusing to accept the authority of the Chair. You have asked him to apologise and withdraw and he has refused to do that, sir. You have given him the opportunity to do it—

The SPEAKER: He just did it.

Mr PISONI: —and he has refused.

The SPEAKER: As far as I can see, he has just done it—and neither will you refer to him as a 'brilliantined stick insect'.

Mr GARDNER: Point of order, sir, on 137 again. Can I confirm that when you ask members of the opposition to withdraw and apologise, members of the opposition will not be censured for doing so in the same way the minister just did?

The SPEAKER: Has the minister withdrawn?

The Hon. J.J. SNELLING: I have, sir.

The SPEAKER: Good. Does anyone have a question?

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:16): Yes, I have plenty of questions, sir. I wonder whether the government has any answers. Will the minister immediately convene crisis talks with health management, medical specialists, unions and medical associations to prevent further escalation of the overcrowding crisis in our emergency departments here in South Australia?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:17): I met with emergency department doctors several weeks ago, long before the opposition woke up to the fact that our emergency departments were busy. Several weeks ago I had—

Members interjecting:

The SPEAKER: Look, if the minister will provoke the opposition by making them the centrepiece of his reply, he shouldn't expect me to silence them.

The Hon. J.J. SNELLING: Several weeks ago I had meetings with emergency department doctors. We talked about strategies to take the pressure off our emergency departments. I constantly meet both with our people who run our hospitals and with emergency department doctors; that is part of normal business for a health minister.

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:17): The Australasian College for Emergency Medicine has written this media release today. After all of these measures have been put in place, are you telling the parliament now that the only relief in sight for the crisis enveloping our emergency departments is two years down the track when the new Royal Adelaide Hospital opens?

Mr Pisoni: If it's on time.

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

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:18): I don't think there can be any doubt that, as the flu season de-escalates, the pressure will come off our emergency

departments, and I expect that to happen over the coming weeks. In fact, we have already seen a decrease in the presentations to our EDs.

Mr Marshall interjecting:

The SPEAKER: The leader is called to order.

The Hon. J.J. SNELLING: I am confident that the worst is behind us, but an emergency department has a certain space, a certain physical size. To change that physical size, you do have to rebuild the emergency department, and that is what we are doing.

Members interjecting:

The SPEAKER: The members for Hartley and Morphett are called to order.

The Hon. J.J. SNELLING: Waldorf and Statler over there! But an emergency department has a certain physical size. Yes, at the end of the day, the only solution is to rebuild the emergency department. The only solution is a new Royal Adelaide Hospital. The opposition have been in denial about this for the last eight years.

Members interjecting:

The Hon. J.J. SNELLING: Here they go! A chorus of gibbons opposite.

Mr GARDNER: Point of order, sir.

The SPEAKER: I think I can anticipate the point of order. Could the leader be seated? The Minister for Health will withdraw and apologise for his reference to the opposition as—a what of gibbons?

Mr GARDNER: A chorus.

The SPEAKER: A chorus of gibbons.

The Hon. J.J. SNELLING: Sir, I apologise and withdraw for referring to the opposition as—

The SPEAKER: No, you do not need to repeat it, thank you.

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20): Given that the minister has made it clear now to the Parliament of South Australia that the only relief to the current crisis of overcrowding in our emergency departments is the development of new emergency department infrastructure, does the government now regret cancelling redevelopment of both the Flinders Medical Centre emergency department and the emergency department at Modbury?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:20): The Leader of the Opposition is wrong on both counts: we have redeveloped the Flinders Medical Centre emergency department and we have redeveloped the Modbury department.

Members interjecting:

The Hon. J.J. SNELLING: The Modbury emergency department has been redeveloped; I was there earlier in the year opening the thing. If you paid attention, you goose, you would know that!

Members interjecting:

The SPEAKER: The Minister for Health is called to order and will withdraw and apologise for the reference to the Leader of the Opposition as a goose.

The Hon. J.J. SNELLING: I duly withdraw and apologise, sir.

Mr Marshall: He called you a goose, not me.

Members interjecting:

The SPEAKER: No, I think he meant the leader. Leader, a question?

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:21): My question is to the Minister for Health. How can the quick look emergency department triage model proposed for the new Royal Adelaide Hospital work in practice when it assumes a halving of triage times to below two minutes, even through basic patient registration and blood pressure tests often cannot be done within this time frame?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:22): Sir, this is something that is being looked at by senior clinicians—not by me; by actual experts in emergency medicine—who are looking at how we can get better flow of patients through the emergency department. I understand that the model is based upon—

Dr McFetridge interjecting:

The Hon. J.J. SNELLING: The vet here thinks he knows everything about emergency medicine.

The SPEAKER: The member for Morphett—

The Hon. J.J. SNELLING: The simple fact is—

The SPEAKER: The member for Morphett is warned.

The Hon. J.J. SNELLING: The simple fact is it is predicated upon patients being seen quickly and being given an initial assessment so that they can be sent to the appropriate area of the hospital for whatever they are presenting with, but it is something that it is being worked at and being extensively consulted on with clinicians who work in the area and experts who work in the area. It is a basis upon which consultation is happening.

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23): Supplementary, sir: would the minister seriously support a triage model that would halve patient triage to less than two minutes per patient?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:23): Whatever the clinicians and experts in emergency medicine tell me is going to result in a better result for patients, of course I will support.

The SPEAKER: Further supplementary.

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23): The opposition is being contacted by an emergency physician, in fact, several emergency physicians, who regard the new triage model as dangerous. Can the minister guarantee that the new quick look triage model planned for the new Royal Adelaide Hospital will not compromise patient safety?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:23): I can guarantee that any change we make at the Royal Adelaide Hospital will not compromise patient safety. We never do anything—

Members interjecting:

The Hon. J.J. SNELLING: The doctors there—

Mr Marshall: Put that in writing!

The Hon. J.J. SNELLING: I have said it in the parliament; I will happily put it in writing. The simple fact is we will never make any change that would compromise patient safety. At the end of the day—

Mr Marshall interjecting:

The Hon. J.J. SNELLING: —I take—

Mr Marshall interjecting:

The SPEAKER: The leader—

The Hon. J.J. SNELLING: You do look like Basil Fawlty, don't you, when you carry on like that.

Members interjecting:

The SPEAKER: The leader is warned, and the Minister for Health is warned, and clearly there was no contrition in his withdrawal of the reference to the leader as Basil Fawlty.

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:24): My question is to the Minister for Health. Hopefully he takes this question seriously. What action is the government taking to improve the clearance of mental health patients from the Royal Adelaide Hospital emergency department, given that the SASMOA work health and safety audit revealed that 73 incident reports were lodged in relation to mental health patients waiting excessive periods of time in the Royal Adelaide Hospital emergency department, including 18 patients waiting for five days?

The SPEAKER: Minister.

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:25): Don't mention the war! Don't mention the war, Basil!

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned a first and a second time.

The Hon. J.J. SNELLING: Certainly I am not satisfied—

Ms REDMOND: Point of order. The Minister for Health again made a reference to the Leader of the Opposition as 'Basil'. I respectfully request that you draw his attention to the fact that he is ignoring your ruling consistently and you have already warned him.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The Treasurer is warned a first time.

The Hon. T.R. Kenyon: Sir, in any other court, truth is a defence.

The SPEAKER: The member for Newland is called to order. Did the Minister for Health refer to anyone on the other side as 'Basil'?

The Hon. J.J. SNELLING: My remarks simply were: 'Don't mention the war.'

The SPEAKER: I warn the Minister for Health for introducing irrelevant material. The leader.

Mr MARSHALL: I didn't get an answer to the question I asked before.

The SPEAKER: Do tell.

The Hon. J.J. SNELLING: Of course, I am not satisfied about the lengthy stays mental health patients have in emergency departments waiting for an acute bed. That is why we are taking a number of actions to try to reduce that, the first one of which is to create the direct entry facility for mental health patients presenting at the Royal Adelaide Hospital so that they can go straight to a dedicated mental health ward rather than have to wait sometimes significant periods in the Royal Adelaide Hospital emergency department before an acute bed can be found for them.

Of course, it is unacceptable that mental health patients have to wait significantly longer than other patients waiting for admission into an acute ward. I must say, if there is one thing that I would like to see improved in my tenure in this portfolio, it would be to have that gap between other patients and mental health patients in the time they wait in emergency departments for admission into an acute ward eliminated.

Ms Redmond: Imagine if we had Glenside.

The Hon. J.J. SNELLING: I have been through that if you were paying attention. We're creating a direct—

Mr Marshall interjecting:

The Hon. J.J. SNELLING: The Leader of the Opposition, sir. We are creating a direct entry facility for mental health patients so that they do not have to spend any time in the emergency department at the Royal Adelaide Hospital, instead, they will be admitted directly into a dedicated mental health ward. It is why we are creating a short-stay facility for mental health presentations at the Flinders Medical Centre. I could go on and on about the things we are doing to try to eliminate this. I certainly acknowledge that it is—

Mr Tarzia interjecting:

The SPEAKER: The member for Hartley is warned.

The Hon. J.J. SNELLING: —unacceptable that mental health patients have to wait considerably longer periods than other patients for admission into an acute bed.

Ms Redmond interjecting:

The SPEAKER: The member for Heysen is called to order. Leader.

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:29): My question is to the Minister for Health. Does the minister consider that medical officers can meet their ethical obligations to mental health patients within the Royal Adelaide Hospital emergency department, given that one medical officer is reported as stating, 'There is no dignity, this is institutionalised discrimination and torture and we are being asked to do this by management. I did not sign up for this'?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:29): I cannot add anything to what I previously said, that is, it is unacceptable for mental health patients to have to wait significantly longer than other patients for admission into an acute bed. I will do everything in my power to close that gap to make sure that doesn't happen. I do believe that the creation of a direct entry facility for mental health patients at the Royal Adelaide will significantly alleviate this; in fact, it will eliminate the problem because there simply won't be mental health patients in the ED at the Royal Adelaide Hospital.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to the parliament today students of Mary MacKillop College, who have seen their member, the member for Norwood, at his best, and also students of Christies Beach Primary School, who are guests of the member for Reynell. Leader.

Question Time

EMERGENCY DEPARTMENTS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:30): Will the adoption of the quick look triage model improve waiting times for mental health patients who can currently spend days waiting in emergency departments?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:30): Given that it is just a model which is under consideration and consultation, it's difficult for me to answer specific questions about what the expectations of it will be, but I certainly would expect that the quick look model, or any other model, will probably not come into it because mental health patients will simply go straight to the direct entry facility at the Royal Adelaide Hospital. They will not have to be triaged through the emergency department at all.

EMERGENCY SERVICES LEVY

Ms WORTLEY (Torrens) (14:31): My question is to the Treasurer. Can the Treasurer inform the house of the funding allocations for the emergency services levy?

The Hon. I.F. EVANS: Point of order, Mr Speaker. That was set out in the budget. The funding allocations for the emergency services levy are (a) set out in the budget and (b) set out in the Economics and Finance Committee report that already comes before the parliament and has been debated by the parliament. The matter is before the house; it has been dealt with by the house.

The SPEAKER: I hope the Treasurer will add something new to what's available.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:32): Yes, sir; there has been a new development, Mr Speaker. I think it is fair to say that the government's response to the commonwealth budget to remove remissions from the emergency services levy has been controversial, to say the least. What we have done in our budget reply is take \$322 million that we used to offer people as remissions for their emergency services levy, and we have placed that money into health to try to combat the cuts made by the commonwealth to our health budget of \$655 million.

The Leader of the Opposition, earlier in the week when asked if he would reinstate these remissions, said, and I quote, 'We aren't announcing our tax policy for 2018 today in September 2014,' because he can stand up to pressure.

An honourable member: We're in opposition.

The Hon. A. KOUTSANTONIS: Well, it's an interesting point that you say that, because on radio today, when he had a little bit of pressure on him, he said they would be reinstating the remissions. So, the Liberal Party, within 12 hours, have taken \$120 million out of the budget and just spent \$322 million.

Ms CHAPMAN: Point of order: this is clearly a debate about what, apparently, the Leader of the Opposition is making statements on and not in response to the question.

The SPEAKER: I uphold the point of order.

The Hon. A. KOUTSANTONIS: If we are to reinstate the remissions, that leaves a hole in the budget of \$322 million. Given the opposition has committed today to reinstating those remissions, what we see is an MO from the Leader of the Opposition and what kind of premier he would be. When under a little bit of pressure, he tells everyone to go out and vote Labor.

Ms CHAPMAN: Point of order: the question was for him to provide an update of the government's funding towards this piece of expenditure, not to have a debate about what the Leader of the Opposition has allegedly said.

The SPEAKER: The Treasurer will not make the opposition the topic of his reply. He will provide the house with information pertinent to the question.

Mr Gardner: He's got no real capacity, sir.

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

The Hon. A. KOUTSANTONIS: Mr Speaker, five weeks out from the state budget, the Prime Minister took \$5½ billion from the people of this state over the next 10 years and \$898 million of it over the forward estimates. To lessen these cuts obviously what we have done to try to protect people in the areas of health and education is to remove the remissions. To be clear, every cent raised by the emergency services levy goes directly to emergency services—every single cent.

Mr Bell interjecting:

The Hon. A. KOUTSANTONIS: I will tell you how much more it was this year. I am glad of the member for Mount Gambier—he is becoming my favourite member of the opposition because he is the gift that keeps on giving. He is a little bit of a gift voucher; keeps on making mistakes. I have to say at least he won't die on principle. The government is spending extra this year on emergency

services, as the members for Unley and Davenport would know because I know that you have read this from front to back, haven't you?

The SPEAKER: The Treasurer is warned for using the second person.

The Hon. A. KOUTSANTONIS: I apologise, sir.

The Hon. I.F. EVANS: A point of order, sir. The Treasurer is now quoting from the document presented to the Economics and Finance Committee or for the Economics and Finance Committee, reinforcing the point I made earlier: all this information is before the house.

The SPEAKER: I uphold the point of order.

The Hon. A. KOUTSANTONIS: See how impressed they are, sir, when they see leadership, and they are losing it. See how impressed they are when they see someone who can think more than one step ahead.

The SPEAKER: The Treasurer will resume his seat. Does someone have a question?

Mr GARDNER: Yes, point of order: standing order 137 describes that if somebody persistently and wilfully refuses to accept the authority of the Chair and, in fact, conform to the standing orders then there are certain actions that the Speaker is requested to take.

The SPEAKER: The Treasurer has incurred two warnings, and a further offence will see him leave the chamber under the sessional order.

The Hon. A. KOUTSANTONIS: Thank you, sir. Funding will be directed to the South Australian Country Fire Service which will receive \$67.8 million.

An honourable member: Oh, come on!

The Hon. A. KOUTSANTONIS: Well, this is the question; I'm returning to the substance of the question. The MFS will receive \$123.9 million; SA Police will receive \$20.7 million; the State Emergency Service will receive \$14.9 million; SA Lifesaving will receive \$2.9 million; SA Ambulance will receive \$1.7 million; the Volunteer Marine Rescue organisation will receive \$900,000; the State Rescue Helicopter will receive \$600,000; and the Shark Patrol will receive \$400,000. There are real risks that the revenues that underpin this can and may be cut. Given the nature of the remarks made on radio this morning, I have grave concerns at the ability—

Ms CHAPMAN: Point of order, Mr Speaker, again: the question is for the Treasurer to provide an update of his government's contribution to the—

The SPEAKER: Yes, the Treasurer; I uphold the point of order.

Ms CHAPMAN: This is just a complete repeat.

The SPEAKER: The Treasurer is straying. The member for Newland.

HEALTH FUNDING

The Hon. T.R. KENYON (Newland) (14:38): My question is to the Minister for Health. What new information does the minister have about the federal budget cuts to the South Australian health system?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:38): In May I updated the house about the savage cuts to health announced in the federal budget. There was an urgent need for the state government to respond to the cuts as the federal government will take \$655 million from our hospitals over the next four years, the equivalent of removing 600 beds, closing an entire hospital or 3,000 nurses.

Mr Knoll interjecting:

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

The Hon. J.J. SNELLING: By 2024-25 the loss of payments will be \$969 million per annum. That is not the total over the next 10 years; that is the loss for that particular year, 2024-25. By then

the federal contribution to our hospitals will have dropped to below 25 per cent. Under the National Health Reform Agreement—

Mr Tarzia interjecting:

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

The Hon. J.J. SNELLING: —federal funding to our hospitals was to grow 40 per cent. Unfortunately, I have received new information that suggests that the size of these cuts may have been underestimated by the commonwealth and, as a result, they may be even more damaging to our ability to run a first-class health system.

Indexation estimates used by the commonwealth Treasury have been provided to the states and territories since the release of the federal budget. This information shows us that the commonwealth has based its funding calculations on an extremely low estimate of population growth. I understand that the states and territories—

Members interjecting:

The SPEAKER: The leader is warned for the second and final time and the member for MacKillop is called to order. Minister.

The Hon. J.J. SNELLING: I understand that the states and territories have not been able to verify these estimates with the level of information provided by the commonwealth, so we remain concerned that the inevitable result will be that the amount of future commonwealth funding will be even lower than what we were led to believe when the federal budget was handed down. Population estimates are one of the most important factors when making calculations for the future. While there is no doubt that it can be extremely difficult to get them right, with the commonwealth using these extremely low growth estimates, the risk that future funding cuts will be even harsher than those that were announced is particularly high.

Through SA Health I will continue to work with the commonwealth to seek greater clarity about these calculations and the information that they are based on. I am also continuing to engage with doctors, nurses, paramedics and other health professionals, people who have helped create our world-class health system, to help me respond to these savage cuts. Nevertheless, it is now even more important that we continue our campaign to tell Tony Abbott and Joe Hockey that their federal cuts hurt.

WORK HEALTH AND SAFETY AUDITS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:41): My question is to the Minister for Health. Now that the minister has had 24 hours to check, can he advise whether he has received the work health and safety audits from SASMOA that he said would usually be provided to his department?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:41): I have nothing to add to what I said yesterday, and that is that those reports would normally go straight to the department.

WORK HEALTH AND SAFETY AUDITS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:41): If the audit reports were not discussed at the minister's meeting with SASMOA last Friday, can the minister perhaps update the house as to exactly what was discussed at this meeting?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:41): Nothing that would surprise the Leader of the Opposition. Dr Pope and I talked about things that we can do in order to help deal with the present surge in presentations in our emergency departments, what we can do to rectify that. I must say, as Dr Pope said immediately after that meeting, that those discussions were very productive.

WORK HEALTH AND SAFETY AUDITS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:42): Is the minister aware of correspondence from SASMOA directly to the minister himself on 15 September in closing the information for the audit reports?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:42): It has not come to my desk as yet but, as I say, I met with—

Ms Chapman interjecting:

The SPEAKER: The deputy leader is called to order.

The Hon. J.J. SNELLING: —Dr Pope and he had an opportunity there to raise in detail issues that he wanted to raise.

WORK HEALTH AND SAFETY AUDITS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:42): Is the minister suggesting to the house that information, letters, correspondence provided to the minister are going to be ignored by him and not referred to whatsoever?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:43): No, I am not.

CYCLING INFRASTRUCTURE

Ms DIGANCE (Elder) (14:43): My question is to the Minister for Transport and Infrastructure. Minister, can you update the house on the government's investment in cycling infrastructure?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:43): I thank the member for Elder for her question. This is a government that takes the responsibility of improving our transport network very seriously. Whether it be investments in our public transport system, upgrading our road network, such as the Torrens to Torrens upgrade, or significant upgrades to our cycling infrastructure, the benefits to the wider community in reducing congestion are significant.

That is why today I am very pleased to announce that works will begin this Monday to improve the Mike Turtur Bikeway at the Brighton Road/Jetty Road/Maxwell Terrace intersection at Glenelg. This \$260,000 investment will improve what is our busiest cycling commuter route here in Adelaide. On average, over 1,000 cyclists enter the city from the bikeway each working day.

Mr Tarzia interjecting:

The SPEAKER: The member for Hartley can leave the chamber for half an hour.

The Hon. S.C. MULLIGHAN: Happy birthday, Vincent.

The honourable member for Hartley having withdrawn from the chamber:

The Hon. S.C. MULLIGHAN: This \$260,000 investment will improve our busiest cycling route and this bikeway, named after one of the great South Australian Olympians, extends from Glenelg right into the central business district following the city to Glenelg tramline.

This bikeway services many suburbs along this route, including those in the member for Ashford's electorate, such as Forestville and Black Forest. I know that the member for Ashford has been a strong supporter of the development of the bikeway, given that many of her constituents use this route to commute to work every day. I also know that the member for Morphett and the member for Bright will appreciate the benefit for cycling commuters living in their electorates from these works.

The improvements will improve a continuous shared-use path along Brighton Road and into Jetty Road. Works will include kerb widening, a new indented bike lane on the northern side of Jetty

Road and kerb ramps at the intersection of Jetty Road and Brighton Road. The clock seems to be moving incredibly slowly, Mr Speaker.

Members interjecting:

The Hon. S.C. MULLIGHAN: I'm sorry, Mr Speaker, I think somebody mentioned they missed part of it; I will start again! The investment continues the government's commitment to improving our greenways. These dedicated cycling and walking routes along our public transport corridors provide a safe and easy route for commuters to the city, as well as for recreational riders.

The government recently began works on the \$2 million construction of a shared-use path underneath the Anzac Highway and Greenhill Road intersection, linking the Marino Rocks Greenway with the West Terrace path into the city. Final works are also being undertaken on the near 20-kilometre Outer Harbor line greenway, which I know has been strongly supported and advocated for by the member for Port Adelaide. The majority of work has already been completed, and the remaining work is anticipated to be completed in stages by the middle of next year.

This government went to the last election with a number of policies to promote cycling because we know the benefits that cycling has on reducing congestion into and around the city and, of course, the related health benefits. The state government is investing \$1.6 million into bicycle boulevards at Beulah Road in Norwood and Braund Road in Prospect. These boulevards follow quieter, lower-traffic streets where cyclists of all abilities—

Mr Marshall interjecting:

The Hon. S.C. MULLIGHAN: I seem to have heard a faint whisper that the member for Dunstan might have had a transport policy.

An honourable member: No!

The Hon. S.C. MULLIGHAN: No, that can't be right! The government is also providing additional funding over the next four years to double the number of primary school-age children who participate in the highly regarded bicycle education program Way2Go. This will increase the number of students from 4,000 to 8,000 children who undertake this program annually by 2018.

We will also provide \$100,000 to the new children's Road Safety Centre that was opened last year here in Adelaide, for the purchase of new bicycles and helmets, as well as initiatives that promote bicycle safety. Cycling policy is incredibly important to this government, and we look forward to continuing our investments over the next term.

LAND 400 PROJECT

Mrs VLAHOS (Taylor) (14:48): My question is to the Minister for Defence Industries. Can the minister inform the house about the government's effort to attract land vehicle projects, such as the Land 400, to South Australia?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs) (14:48): I thank the member for her question, which I will attempt to answer in my best Barry White interpretation. It is anticipated that the federal government will announce first pass for the Land 400 project in November 2014. The project will be the Army's largest ever acquisition of up to 800 armoured fighting vehicles, at a cost of \$10 billion. It is anticipated that at least twice this much will be spent sustaining these vehicles over 30 years.

This is an outstanding opportunity for South Australia's defence industry to grow its existing land vehicle manufacturing and through-life support capability and to capture a significant share of this massive defence spend. A project of this magnitude would provide skilled manufacturing and trade jobs for many years to come and economic growth for South Australians into the future.

The government is actively promoting South Australia as the preferred location for Land 400 and other special land vehicles manufacturing for the Army. A number of activities have taken place to support the state's strategy for attracting potential bidders for these projects. Last month, the CEO of Defence SA and I travelled to Germany and Canada to meet with two of the international primes to discuss their interest in Land 400. We toured their vehicle manufacture and assembly sites.

Last week, the Premier wrote to the Prime Minister, highlighting South Australia's intention to attract this project and to advocate that Army receives its full quota of vehicles for Land 400.

This week, I attended the Land Forces 2014 Conference, where I met with other bidders for this project. It is an expo in Brisbane where a concept for a land combat systems precinct, including a vehicle test range, was launched by the South Australian government to attract potential bidders to South Australia, subject to the progress of the Land 400 program. This is an area where the opposition could help by encouraging the federal government to bid all 800 vehicles rather than a packet of 200.

The likely shape, size and location of such a precinct would probably be Edinburgh or near Techport so that an advanced manufacturing precinct could interact with suppliers, training facilities, skilled workers and the ADF based in Adelaide. None of the bidders would have any interest in building such a facility in a remote location like Woomera, and none of them has indicated an intention or an interest in doing so. It would not make business sense—just ask them.

During the conference, I met with the Chief of Army and other senior Army officials and key DMO decision-makers to discuss the project, and I also spent time meeting and talking with Australian and international representatives of the various primes, as I have mentioned. We already have a strong history in the land vehicle sector with the completion of the M113 and ASLAV projects in 2012.

The government will continue to communicate with the federal government to advocate for a whole of program, whole of life approach to the project which will drive a best-value outcome for workers and enterprises in the state. Essentially, we will support the solution which maximises jobs and prosperity for South Australians and which sees vehicles built and assembled in Australia and not overseas, if possible.

EMPLOYEE OMBUDSMAN

Mr PISONI (Unley) (14:52): My question is to the Premier. Can the Premier advise the house how much Employee Ombudsman Stephen Brennan has been paid by the government during the time that he has been stood down pending charges of defrauding union funds?

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) (14:52): I understand the question the honourable member is asking relates to a period of time between certain events last year and the present time. I don't have an exact number, but I will find out the number, and I will get back to the honourable member with that number.

The SPEAKER: Supplementary.

EMPLOYEE OMBUDSMAN

Mr PISONI (Unley) (14:53): Is he still on the government payroll?

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) (14:53): I am happy to answer that question. The answer to that question is absolutely yes. Just so people understand the situation in relation to this matter, the situation is this: the individual concerned holds an office pursuant to statute. That office is an appointed office. It is not in the nature of a contracted position in the normal way that one might have an employee in the private sector. There are no private sector rules; it is a term appointment pursuant to statute. My recollection of the exact mechanism by which an appointment can be brought to an end—

Ms Chapman interjecting:

The Hon. J.R. RAU: Yes. I thank the honourable member for Bragg. She confirms my suspicion; she must have had a look at it. My recollection of the matter is, as is the member for Bragg's, that it requires a resolution of both houses of parliament to bring an end to that statutory office. So, there being presently no matter before either house of parliament in relation to that office, nor, might I say, presently would there appear to be what on the face of it would be reasonable grounds for such a thing to be done, we are in a situation where the person concerned continues to hold office and, by reason of continuing to hold office, continues to be paid.

I can, by way of information, advise the member for Unley—and other members, if they are interested in the matter—that, as I understand it, there has been some agreement between the individual and the Attorney-General's Department that, having regard to other matters that are going on around the place, it would not be appropriate for that person to attend work or exercise the functions of their job.

The fact is, again, given the nature of the job, an option that might perhaps exist in the private sector for a person to be stood down without pay does not exist so, in terms of the ongoing payment to the individual, there is either an awaiting of a resolution of other matters, over which I and the parliament have no control, or one of the fairly dramatic steps that the member for Bragg referred to. Presently, I do not believe there is any known ground for taking such a step.

EMPLOYEE OMBUDSMAN

Mr PISONI (Unley) (14:56): Supplementary, sir: can the Deputy Premier then advise the house why there is no reference to Mr Brennan as an employee of the Employee Ombudsman in the annual report, and did he sign off on the annual report before it was tabled?

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) (14:56): I will do my best to answer that, and this is subject to my taking advice on it. My belief is the accurate answer to your question is as follows. First, he is not an employee of the office. He is the office.

Mr Pisoni: He is in last year's annual report and the one before that.

The Hon. J.R. RAU: In that case I will have to find out why there is a different treatment. I am happy to try to do that. But I make the point he is not an employee in the ordinary sense. That is not the case.

The second point is, as I understand it, again, there has been an arrangement whereby an individual (I am not sure exactly who) has been functioning in an acting position since the determination was made that he would not be exercising his normal functions.

Mr PISONI: Supplementary, sir.

The SPEAKER: Final supplementary.

EMPLOYEE OMBUDSMAN

Mr PISONI (Unley) (14:57): Has the government referred the evidence that led to the arrest of the Employee Ombudsman, Stephen Brennan, to the federal royal commission into union corruption?

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) (14:57): No. I am being a bit cautious about exactly how I treat these answers because there are matters afoot in the courts and I do not think it is going to be very helpful for me, or other people, to start commenting on matters particular to this individual and I do not think it is either appropriate or helpful for a conversation which is suggestive of a predetermination of what might happen in the courts to occur in this place or anywhere else in public.

INDIGENOUS COMMUNITIES FUNDING

Dr McFETRIDGE (Morphett) (14:58): My question is to the Premier. Why has the government refused to negotiate an agreement with the commonwealth to accept responsibility for municipal and essential service delivery in remote Indigenous communities when all other states have agreed to accept responsibility for Aboriginal communities?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:58): I thank the honourable member for his question. I am a little surprised. I would have thought he would be on our side of the argument in relation to this question. The commonwealth government has given notice, I suppose, of its decision to withdraw from what has been an historic funding responsibility to remote Aboriginal communities. This seems to be part of what the Prime Minister calls being 'sovereign in your own

sphere' which, roughly translated, is a big handball to somebody else and you do not get any of the gravy to be able to carry out the function. That seems to be what is going on there. We don't want to be low-balled is the short answer to the question. We have been negotiating, it is just that we have not accepted the terms of the offer.

If the other states have been able to accept a sum of money that satisfies their needs, then so be it, but what is on offer at the moment I think barely goes to one year's funding of the responsibilities in remote Aboriginal communities. As I understand it they touch on things like water, electricity, rubbish collection and other basic services which are essential to the running of those communities. We will keep negotiating until we get the sort of deal that we need.

I must say that it is disturbing. I have offered the Prime Minister the hand of bipartisan friendship on the question of remote Aboriginal communities because I frankly accept that the outcomes in those communities have been sub-par and that we need to do new things in new ways. I have indicated my strong support for the essential elements of the Forrest review. I note now the commonwealth are backing away from that, even though they commissioned that report.

We are out there trying to reach agreement on difficult issues, but it is a bit rich when we are stumping up our commitments, which are substantial under the Forrest review, but at the same time we are seeing the commonwealth withdraw from its responsibilities whether it be the municipal MUNS funding—

Members interjecting:

The Hon. J.W. WEATHERILL: I really don't think those opposite could be heard to speak about the neglect of the APY lands. When last in government, there was not one sworn officer on the lands. TAFE was completely removed from the APY lands.

INDIGENOUS COMMUNITIES FUNDING

Dr McFETRIDGE (Morphett) (15:01): A supplementary to the Premier. Did the Premier agree to South Australia accepting responsibility for municipal service delivery when he was the minister for Aboriginal affairs?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:01): As far as I can remember, no. I think we have been resisting this every time. I do not know what officers might have said, but my position has always been that we have resisted this matter. I do not think we have ever accepted the cuts in MUNS funding. It is something we have put on the agenda every single time that it has been raised with us. I think it was first mooted, frankly, under the Howard government and then if I recall it just kept getting rolled over under the Rudd-Gillard government and now it is being revisited by the Abbott government, seeking to remove that municipal services funding. I think we have resisted it and I think all evidence to the contrary because we continue to be in this phase of negotiation which rather suggests that we have not accepted the reduction in MUNS funding.

INDIGENOUS COMMUNITIES FUNDING

Dr McFETRIDGE (Morphett) (15:02): Again, a supplementary to the Premier. Does the Premier acknowledge that the provision of municipal services is a state and local government responsibility?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (15:02): One of the difficulties with that idea is that there is no recognisable local government—

The Hon. J.M. Rankine interjecting:

The SPEAKER: The Minister for Education is warned.

The Hon. J.W. WEATHERILL: —institution in the APY lands. It is a unique construct. In fact, it has one of the most unique systems of land ownership in the nation. It gives complete title to the traditional owners of the lands of the APY lands and it has historically been the case that the commonwealth has accepted these responsibilities. Clearly nobody believes that the need is not there.

Everybody accepts that there remains a need to be met. The question really is who pays for that, and the commonwealth is simply proposing unilaterally to withdraw from their responsibilities.

This is a pretty unhelpful debate about commonwealth-state relations if it is simply going to become, 'We withdraw and you have to pick up the pieces.' I know it is controversial but I think there is a lot of merit in the Forrest review. For me, it is the first time I have seen a vision for remote Aboriginal communities which is a compelling one.

Mr Marshall interjecting:

The Hon. J.W. WEATHERILL: I freely admit there have been failures on—and I think there is plenty of blame to share around in remote Aboriginal communities, so I wouldn't hear too much chirping from the other side of the house.

Can I say this: in relation to those communities, I think there is something powerful about a vision where young people can leave those lands and go and seek employment elsewhere in the state. I think that, to me, subjecting those communities to the misery of not seeing a future for themselves is at the heart of the social collapse around which a whole range of norms around personal behaviour and the care and protection of children all begins to become very degraded.

I think the starting point must be a sense of purpose, and the sense of purpose must come from being able to not only walk in an Aboriginal world, which is obviously an important part of the identity and culture of many of these young people, but also the opportunity to walk in the broader mainstream community. I think that is what the Forrest reforms provide an opportunity to consider. I am prepared to partner with the commonwealth, but it is difficult when we see the commonwealth withdrawing from essential features of the supports which underpin those communities. So, we will continue negotiating with the commonwealth on this important matter.

SOUTH-EASTERN LINK ROAD

Mr KNOLL (Schubert) (15:05): Can the Minister for Road Safety update the house as to the steps he has taken to ensure that the South-Eastern link road, as he calls it, is built in this term of government, as outlined in his Address in Reply speech on 21 May when he said, 'I will continue to lobby to have the South-Eastern link road built—a key element of the Gawler East development'?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (15:06): Thank you, Mr Speaker. I assume that question is in my capacity as a local member, because it would be a matter for the Minister for Infrastructure.

Members interjecting:

The SPEAKER: The member for Newland is warned.

The Hon. A. PICCOLO: Having said that, Mr Speaker, I am happy to advise that I have had a number of discussions with both developers for that Gawler East development and the relevant ministers to progress the matter.

An honourable member: How's it going?

The Hon. A. PICCOLO: It is progressing.

NEW HORIZONS

Mr PEDERICK (Hammond) (15:06): My question is to the Minister for Agriculture. In regard to the New Horizons initiative that was announced in the lead-up to the election, is the minister aware of the work Mr Clem Obst of Mundulla, who has been advocating the claying of sandy soils for the past 45 years and who was awarded an Order of Australia 10 years ago for developing and promoting clay spreading techniques to increase water efficiency and retention in sandy soils?

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) (15:07): I thank the member for Hammond for the question, and I am sure the people who are running the New Horizons project in Primary Industries and SARDI are well aware of all that has happened in the past.

Mr Pederick: They're 45 years behind.

The SPEAKER: The member for Hammond is warned.

The Hon. L.W.K. BIGNELL: The New Horizons project is very exciting for the future of agriculture in South Australia. There are three trials going on around this state: one over in Lower Eyre Peninsula, one in the Mallee and one down in the South-East, where they are looking at not just using the top five or 10 centimetres of soil, but going down 50 centimetres and using all the soil. The results that we are seeing in improvements in yields are producing increases in yields of between 70 and 200 per cent.

We know how important the agricultural industry is to the South Australian economy, and if we can increase those yields then it is good not just for farmers but for all South Australians. As a government, we are working with the agricultural community to make sure that we can help them in any way we can to improve their yields. As I said, the results that we have had so far have been terrific.

I was over at the Cleve Field Day, as I know a lot of members opposite were as well, and the people who were running the trials had some examples there. They had some core samples that had been grown in traditional soil, then they had the ones that had been given some more organic matter, and then the New Horizons technique as well. I have to say that the roots below throughout the soil were very healthy, and when you looked at the crop they were much further advanced—they were around three or four weeks advanced to what some of the other examples were.

I think it is a terrific example, and I commend everyone who is working on the current project and those who have done work in the past in looking at putting more clay into soils and making our state more productive. We do have some parts of the state that are traditionally less productive than others because of the chance of where these places lie and the soils that are there, but I have to say, this government is working day in, day out, to try and—

The SPEAKER: I don't think the minister needs to say. The member for Little Para.

Members interjecting:

AUTOMOTIVE INDUSTRY

Mr ODENWALDER (Little Para) (15:09): Thank you very much, sir, and thank you, the member for Morialta. My question is to the Minister for Automotive Transformation. Can the minister inform the house about the progress of the Automotive Transformation Taskforce?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for the Public Sector) (15:10): I thank the honourable member for his question. I know how concerned he is about the fate of the thousands of South Australians who are caught up in the loss of Holden and its supply chain. This government is committed to supporting automotive workers and their families who will inevitably face the question, 'What do I do now?' The transition the manufacturing sector now faces will be painful, it will mean the loss of thousands of highly skilled jobs and it will hurt South Australian families. The reality is that a significant number of local and international businesses are going to close their doors when the last Commodore rolls off the iconic Elizabeth assembly line, and those jobs the plant supported will be lost to us forever.

Unlike the federal government, this government is doing all it can to cushion the blow of this painful transition. That's why we've established the Automotive Transformation Taskforce, which is being led by former industry minister Greg Combet. Guided by a board of experts and supported by dedicated public servants, the task force has begun the task of responding to the loss of the three major automakers and to the effect that that will have on suppliers.

I can announce today that the task force has developed a \$7.3 million Automotive Workers in Transition program to assist employees threatened by job losses in the supply chain. Personalised support packages which begin with career development and skills recognition and progress to training and upskilling will be available for every worker not employed by GM but directly affected by the closure of Holden. Much of this work will need to take place while the workers are still employed, and the task force is working closely with employees and supply chain companies to coordinate this effort.

We will also look to directly engage with workers through local NGOs and community organisations to ensure that not one family misses out on the support they will need. The Automotive Workers in Transition program complements the \$15 million in support that Holden workers will receive, contributed by Holden to the commonwealth growth fund. The workers in transition program will be open in November for eligible applicants, and I encourage workers in the Holden supply chain to contact the Beyond Auto hotline or to visit Beyond Auto at sa.gov.au for further information. I urge members who are aware of any workers who are caught up in that situation to be directed to that hotline to seek further assistance.

Grievance Debate

PASTORAL BOARD

Mr VAN HOLST PELLEKAAN (Stuart) (15:12): I take this opportunity to make some brief comments with regard to the government's proposed axing of the Pastoral Board. On Monday this week, the government advised that it intends to remove from operation 105 boards that currently serve our state in a wide range of various capacities. I agree that there is certainly room for improved efficiency. I agree that there are certainly some boards that should go, that have outlived their use-by date and that contribute no value.

I am also on the record as having said very clearly a few months ago, when this proposal was first made public, that the government's heavy-handed approach to considering axing all boards across the state would do our state no good and in fact would be particularly disadvantageous to country people, rural and remote South Australians for whom the only opportunity to contribute to government decisions may well be through one of these boards.

On Monday this week, the government announced that it intends to remove the Pastoral Board. The Pastoral Board has been serving South Australia for 119 years. It oversees, on behalf of the government and the taxpayers who actually own the land, 741,000 square kilometres of rangelands in the low rainfall parts of South Australia. The area that is overseen comprises 218 stations, some as small as 20 square kilometres and the largest being 14,000 square kilometres.

Those properties, as I hope all members here would know, run cattle and sheep primarily, so they are very important food and fibre businesses for our state. The Premier recently said that the clean, green food production in our state was the second of his 10 highest priorities for our state. Our pastoral areas contribute enormously in that regard.

What is most important here is that the government must say, before they announce that they want to axe the Pastoral Board, what they would replace the Pastoral Board with. If the answer is nothing, then I am completely opposed to the proposal, but to say that the Pastoral Board is going to go without any indication of what might replace it is completely irresponsible. I also add that these sheep and cattle stations, these pastoral businesses, are overwhelmingly small businesses, and I think that is something the government often forgets. It thinks that small businesses are just in the Adelaide metropolitan area.

Most farming and agricultural operations are small businesses, and they deserve input into government decision-making and access to resources just as much as any other small businesses anywhere else. These small businesses operating in our pastoral regions also contribute to exports. Of course, a lot of the meat and some of the wool that is produced there is consumed within Australia, but importantly they contribute to our state's exports as well.

This issue is integrally linked to the government taking over the natural resource management boards over the last few years. NRM boards used to be comprised of local people representing their communities, giving advice to government with their own independent staff. Independent NRM staff certainly worked closely in consultation with the government and the various environmental departments that existed over time—DEWNR, DENR, DEH, etc.—but now all that NRM work has been taken in under the Department of Environment, Water and Natural Resources.

They do not have the independent staff they used to have; in fact, they have none. They certainly have some external community board members, but to just say that all the functions of the Pastoral Board that exist at the moment will be taken over by the government's own department, the Department of Environment, Water and Natural Resources, would be completely inappropriate.

We actually have excellent pastoral land in South Australia compared with other states. It has been very well managed, in general. I have had concerns about the Pastoral Board with regard to them not being tough enough on occasions, not using the authority they have available to them, but I call on the government to explain what they would replace the Pastoral Board with.

GYM ASSEMBLY

Ms DIGANCE (Elder) (15:17): Last Friday, I was extremely pleased to attend this year's gym assembly at the home of Gymnastics SA, hosted at the Marion Leisure and Fitness Centre, located in my electorate of Elder. The event celebrated Ascot Park Primary School's work in gymnastics and the exceptional talents of the Gym-JETS (Junior Elite Talent Squad). The Gym-JETS attend a gymnastic focus class at Ascot Park Primary School Reception to Year 7 Gymnastics Focus School. This program is designed to provide an environment where athletes can succeed in their chosen sport of gymnastics while pursuing their academic development.

The display celebrated the ongoing success of this program, which began in 1989 with Ascot Park Primary School as its home. It is a unique collaborative venture between the Department for Education and Child Development, Gymnastics SA and the South Australian Sports Institute. The assembly provided a showcase of the many talents and achievements of gymnasts who train as part of the Gymnastics SA High Performance Program.

An enthusiastic crowd of parents, family, friends, fellow schoolchildren and community leaders gathered to watch the amazing performance, as gymnasts ranging in age from reception through to university students flipped, tumbled and pirouetted. We saw spectacular displays on the floor, the balance beam, the rings and uneven parallel bars.

Ascot Park Primary School is situated on spacious landscaped grounds and shares the site with the SA School for Vision Impaired and Kilparrin School. The school day is based around the training schedule of the gymnasts. The students travel by bus to and from their training. All students in the Gym-JETS program attend a joint class with two teachers, being years 2 to 4 and years 5 to 7. The great success of the Gymnastic Focus School and the Gym SA partnership is evident in the success of the students, many of whom have represented not only South Australia but Australia at major international events.

In 2010, Sam Offord competed in the Delhi Commonwealth Games and achieved a gold medal. Nick Matthews, who I saw perform, is a current Gym-JET in the program and has achieved selection in the current Australian Gold Medal Team National Championships. I also witnessed the skills of Clay Stephens, who is a 2014 Youth Olympic Games finalist. The program also claims names such as Rebecca Stoyel, who won a gold medal on bars, a bronze medal on vault and was placed second all round in the 1994 Commonwealth Games. Another name of note is Jacqui Dunn, who won gold and bronze medals at the Manchester Commonwealth Games and has a movement, I am told, named after her—that is, 'mount the beam'.

To speak with parents of these young gymnasts was indeed inspiring as they told stories of their children's commitment and the hours spent perfecting their moves. The theme of these stories is the unconditional support by parents and families and the commitment of their children as they pursue their dreams. The model that Ascot Park Primary School offers these children is second to none, as it facilitates their pursuit of gymnastics while participating in mainstream schooling.

Some parents I spoke with had specifically moved their children from their previous school to Ascot Park to facilitate the seamlessness of education with gymnastics. As one mother said, 'Gone are the days of eating dinner in the car between school and gym practice.' I am hopeful that last night many of you would have seen on the Channel 9 news the showcasing of the Ascot Park Primary School facility with the gymnastics program.

I thank year 7s Grace, Nick and Gabby who, with the guidance of their teacher, Sam Kennedy, extended to me the invitation to attend. It was a great privilege and it was with admiration that I joined the crowd gathered in support of the gymnasts. Additionally, I thank Mr Greg Cox, principal of Ascot Park Primary School; Mr Brendyn Semmens, education director of DECD; and I acknowledge the educators, the students and the parents who all work with and encourage these young athletes in the demanding sport of gymnastics.

FLINDERS ELECTORATE

Mr TRELOAR (Flinders) (15:22): I rise today to talk about what is going on in the electorate of Flinders now that spring has sprung. Unfortunately, it has been quite a dry spring for our agricultural producers across Eyre Peninsula, but the season certainly began with good opening rains and a solid winter, but a dry spring, along with a bit of frost, has taken the shine off the season somewhat.

Of course, the football season, the netball season and the hockey season have drawn to a close and we are about to embark on cricket, but in the meantime it is also show time. We have had the Port Lincoln Show; the Wudinna Show was last weekend; the Kimba Show, which is slightly out of my area but in the member for Giles' area, is this weekend; the Yallunda Flat Show and Cummins Show are coming up; and of course, Lipson, which has been reinstated after a short recess. The Cleve Show was moved to the autumn period, so it is no longer a spring show, but they saw an opportunity there, and of course Cleve this year also hosted the Eyre Peninsula Field Days and began a novel event, known as the GrainsFest, which was to celebrate the grain industry on Eyre Peninsula.

The spring season also is the time for the long weekend and the Oysterfest at Ceduna in the far west of the state. It is a wonderful event and celebrates the oyster industry on the Far West Coast, but I suspect also right around Eyre Peninsula. It began way back in 1991 to showcase the best of Ceduna's oysters, and it is now in its 23rd year. In that time, the Oysterfest has grown into an innovative and outstanding grassroots festival that attracts between 6,000 and 8,000 visitors each year over a two-day event. It begins with a dinner on the Friday night, hosted in the Foreshore Hotel in Ceduna, and runs through Saturday and Sunday.

There are many attractions for the people who visit, not just the locals but people right around Eyre Peninsula, right around the state and, indeed, right around the country. They come to try the famous local oysters. These oysters are local to Ceduna. Pacific oysters are an introduced and farmed variety. They are grown at Denial Bay and Smoky Bay, adjacent to Ceduna, down at Haslam, Streaky Bay, Coffin Bay and around Cowell, which is on the Spencer Gulf. It provides an equally good oyster to the domestic market.

I understand that some water was tried in the Louth Bay area without as much success, but here we are, celebrating that aquaculture sector that has really gone from strength to strength. Most of them are small farming businesses, small family businesses, and they do an extraordinary amount of hard work and contribute to the local economy.

There will be lots of attractions in Ceduna over this coming long weekend. Chris Sperou, a 13 time national aerobatics champion, is coming to Ceduna yet again—he must be getting on a bit now because he has been around for a long time—and we look forward to his aerial display. There are all sorts of local productions from the local school and groups and, of course, there will be oyster tasting. There will be stein holding for the adults and ice-coffee holding for the kids and you can try your hand at oyster shucking.

I do not have this on my list in front of me, but I know that there is also a bag-sewing competition, which is a resurrected art, I guess, from days gone by, when wheat was bagged off from the harvester and carted to the port, Thevenard in this case. One of the tasks for the farmer and his men was to sew the bags and get them to a point where they were suitable to be shipped.

I guess it will be an exciting weekend, but there will be a couple of topics of conversation that will dominate. One will be the huge increase in the cost of the emergency services levy for all those landowners, business owners and homeowners on Eyre Peninsula, but also, just as important, the introduction of the sanctuary zones, which will be in place by then. They will come into place on 1 October. People will be considering how they will react, how their businesses will react. There will no doubt be a loss of jobs, there will be a financial cost to the regions and I fear that there may also be a significant personal cost as a result of this government's actions.

RENEWABLE ENERGY PROJECTS

Mr HUGHES (Giles) (15:27): I want to talk today about the importance of renewable energy projects, both current and anticipated, for regional South Australia. I do so in the context of, I

suppose, three things that have happened very recently. One is at a very high level: the United Nations Climate Summit and the gathering of world leaders at that summit. The strong words by the President of the United States indicated that action is urgently needed. The Chinese leader was not there, but a high-powered Chinese delegation did attend and, for the first time, flagged that a timetable will be developed indicating when China will reach a peak for greenhouse gas emissions and that a strategy will be put in place building on what they have already done to reduce greenhouse gas emissions. That has significant implications for Australia and we need to be very mindful of it.

Here, at the state level, the announcement by the Premier of the 50 per cent renewable energy target by 2025 is a fantastic initiative. Also a good initiative here in this state is the Pastoral Land Management and Conservation (Renewable Energy) Amendment Bill. I am not going to reflect on that bill, given that it is currently before the house, but I want to acknowledge the input from the members for Stuart, Flinders and Hartley during discussion on that bill. I will let some of the political points made by the member for Hartley go through to the keeper, but I will acknowledge something incredibly positive: his indication of strong support for the need to do more in the renewable energy field. I am sure he will join me in being a strong supporter of the 50 per cent target by 2025.

This new target builds on the 33 per cent target that the government set, and it looks like we are going to meet that target this month when the latest figures come out. Of that 33 per cent, and the \$5.5 billion worth of investment in renewables in this state that went with it, \$2 billion was directed towards regional communities. The large utility scale (mainly wind farms) has happened out in regional South Australia, to the enormous benefit of many communities in regional South Australia.

Not only are we doing the right thing by the environment but we have been supporting jobs in regional South Australia and supporting those farms that have the benefit of their land being used for wind turbines. I would imagine, if you were a farmer, getting some wind turbines on your property would be a little bit like being 'kissed on the arse by a rainbow'—I hope that is not unparliamentary: 'kissed on the rear end by a rainbow'. It is something very positive for those people in a number of farming communities.

Wind has made an enormous contribution and, if the mandatory renewable energy target is retained in its current form, will continue to do so. However, we as a state need to focus more attention on solar, and especially concentrating solar thermal so that we get in at the early stages in this country. I could go on at length about photovoltaics and the 500 megawatts; a lot of that is on rooftops in regional South Australia. In my community of Whyalla, 37 per cent of households now have photovoltaics. As a state, we need to work together in a bipartisan fashion to support renewables in this state.

EAST MARDEN PRIMARY SCHOOL

Mr TARZIA (Hartley) (15:32): We saw yesterday how the government abandoned the people of Hartley, breaking their pre-election promise to upgrade the Paradise Interchange and build a park-and-ride facility. Today I draw the house's attention to another abandonment in the area of Hartley in regard to East Marden Primary School. This is a school in my electorate which has over 650 students.

East Marden Primary School is an important school in Hartley and services many of my constituents not only in areas like Campbelltown, Paradise, Felixstow and Glynde but also surrounding suburbs. East Marden has an exceptional standard of education and reputation in the public education system, with quite a close-knit parent-student community. You only have to look at East Marden's 2013 NAPLAN results to see that they were well above the state and federal averages. The results are a testament to the excellent approach to teaching of the principal and the teachers. I would also like to acknowledge the support of the hardworking governing council, which I recently had the opportunity to meet with. I also met with them before the election.

Recently, I am told that the school requested that two new transportable classrooms from the Department for Education and Child Development be built to consider catering for an increase in enrolments that it is expected will begin in 2015. However, it is my sad duty to inform the house that this reasonable request was rejected by the department.

I would also like to draw the house's attention to the concerns raised by the parents and the governing council about the number of outdoor toilet facilities available to students at this school.

Would you believe, Deputy Speaker, that there is only one set of toilets available for over 650 students at recess and lunchtime? This is an unacceptable state of affairs; it is a disgrace. Shame on this government for allowing this to happen under their watch.

When I met with the Chair of the governing council recently, she raised a number of queries on behalf of parents. These are serious concerns about the dire state of their facilities, and I draw these to the attention of the house and the minister once again. I have a petition in my hand, which I may table down the track, which has already been signed by about 500 people from various parts of the community who are concerned about the lack of these facilities. The petition also raises legitimate concerns about how the school will cope with the influx of new enrolments without the additional facilities they are asking for.

If the education minister is serious about providing safe teaching, adequate classrooms, and sanitary and toilet facilities for our children, then she would reverse her department's decision to ignore the needs of East Marden Primary. The government should stop hiding behind this shabby blame game with the federal government about education funding. The minister, along with other members of the government, should take responsibility for their financial mismanagement of the state over 12½ years, because it has gone too far. Now, our children are actually wearing the cost of this government's abandonment of the South Australian economy.

I will be raising this with the federal education minister and colleague, Christopher Pyne, because I know that the federal government takes education in this state seriously, unlike members opposite. I will fight for the students and the parents of East Marden Primary who, once again, have been let down by this do-nothing, blame-shifting government. Unlike this government, while I am the member for Hartley, I will work with whoever is in power—the government of the day—to get the best results and best facilities for my community. I will not descend to blame-game, blame-shifting efforts. We are all here to do a job; that is, to get the best results for our community, and that is what I will be doing for the people of Hartley.

HABITAT FOR HUMANITY

Mr GEE (Napier) (15:36): I rise today to speak about some exciting developments in my electorate that show the state government is committed to delivering for the local community. I will also talk about a community organisation that is doing some fantastic work in my electorate to get people into homes and others into the workforce.

The first development I will speak about is the new park-and-ride car park at the Smithfield interchange, unlike the member for Hartley who only sees the negative things in his area. This car park, which I opened last week, sees the delivery of an extra 190 car parking spaces in a modern car park with quality lighting and CCTV next to the platform.

This car park was one of my election commitments and is part of the state government's program to deliver more car parks at transport interchanges to encourage the use of public transport. The state government has delivered more than 5,000 car parks at suburban interchanges over the past 12 years and increased the number of park-and-ride facilities to 72. Smithfield is the most popular station in my electorate. Residents use the station not only to commute to work, school, uni or TAFE, but to watch the footy and cricket at Adelaide Oval or head to the beach at Glenelg or Semaphore.

Mr Pengilly: Don't you live in Springfield with O'Brien?

The DEPUTY SPEAKER: Order!

Mr GEE: I don't think anybody in my electorate, Deputy Speaker, would know anybody who lives in Springfield.

The DEPUTY SPEAKER: No interjections and no responding.

Mr GEE: The second development I will talk about is the commitment by the Premier and road safety minister two weeks ago to upgrade the One Tree Hill-Kersbrook Road, Gawler-One Tree Hill Road, Humbug Scrub Road and One Tree Hill Road intersection. For those people who know that stretch of road, it is a very serious and dangerous blackspot. I have to say this is one of those things that the local council, people in that area and previous members have been trying to get

something done about for the last 12 years. This was another one of my election commitments. Recently, \$3.5 million was committed to putting a roundabout there, which will be in place pretty soon.

I will now speak about Habitat for Humanity, starting with the Edgcombe Neighbourhood Rejuvenation Precinct Project. This project sees Habitat for Humanity, in partnership with a number of agencies and businesses, deliver homes to individuals who deserve their own home and who have put in hard work to achieve it. The state government is assisting with this development through stamp duty concessions and other measures.

Habitat for Humanity recently handed over a house to a mum in Davoren Park who had been through the rigours of the rental market and had spent 12 years renting. Tracey dreamed of her own house and, in partnership with Habitat, she has seen that dream become a reality. Like all new Habitat homeowners, she did not just sit and wait for it to be built. Tracey contributed sweat equity that saw her assist in the building of her own home. Under the Habitat model, the homeowner has real ownership of the house by participating in the building or design of the house and assisting others with their homes. Tracey now has a job at a local small business and a bright future.

I acknowledge the great work that Habitat for Humanity is doing in the local community throughout the Peachey Belt in my electorate. Habitat is on track towards its 30th home in northern Adelaide, a real commitment to the local community, ensuring that local people have the opportunity to call a property home rather than just a house.

Recently, I was at a mortgage burning ceremony for one of the first couples to receive a Habitat home in northern Adelaide. The couple had strived to pay their mortgage over the last 12 years and paid it off this year. The joy and relief shown by the couple as they burned their mortgage papers showed what home ownership means to a family. It is more than an end to the rent cycle: it is having something they can be proud of.

I also congratulate Habitat for the work they do through their Habitat shed at Para West Adult Campus. They have assisted well over 30 local young people recently to receive their certificate I and II in construction and have assisted more than 15 unemployed people to gain work whilst supporting over 20 volunteers. Habitat is training people for the jobs of today and the future, jobs that will help build the expansion of Blakeview and the new developments at Munno Para, Evanston South and throughout the Peachey Belt in my electorate. This is where the new homes will come.

Habitat's workers and volunteers build everything from bird and bat boxes for the City of Playford to letterboxes, fencing, site toilets and house frames for the Habitat homes in the local area. The shed will be on the move next year but the good work will continue.

Lastly, I must mention a sod turning ceremony I attended, along with a church service, at the site of the new Playford Uniting Church. The service was joyous, and I look forward to the church contributing a great deal to my community in the coming years. Congratulations to minister Peter Riggs and his team. The northern suburbs are a great place to live, work and play.

Time expired.

Bills

BUDGET MEASURES BILL 2014

Final Stages

The Legislative Council agreed to the bill with the suggested amendments indicated by the following schedule, to which suggested amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Long title—

Delete 'enact legislation in relation to the 2014 State Budget so as to impose a levy on parking spaces within the central business district of the City of Adelaide in order to raise revenue to be used to provide or support programs designed to improve transport services and transport safety within the State and to provide for related matters; and to'

- No. 2. Heading, page 4, line 1—Delete the heading
- No. 3. Page 4, line 7—Delete 'Schedule 3' and substitute: 'Schedule 1
- No. 4. Page 4, line 8—Delete 'Schedule 3' and substitute: 'Schedule 1
- No. 5. Page 4, line 10—Delete 'Schedule 3' and substitute: 'Schedule 1
- No. 6. Page 4, line 11—Delete subclause (5)
- No. 7. Clauses 4 to 23 (inclusive)—Delete these clauses
- No. 8. Schedule 1—Delete Schedule 1
- No. 9. Schedule 2—Delete Schedule 2
- No. 10. Heading, page 16, line 28—Delete the heading and substitute:
Schedule 1—Budget Measures
- No. 11. Schedule 4—Delete Schedule 4

Consideration in committee.

The Hon. A. KOUTSANTONIS: I move:

That the Legislative Council's suggested amendments be agreed to.

I ask that they be dealt with en bloc, and I wish to say a few words, if I may. What an act of political short-sightedness! The government of the day, regardless of what the Leader of the Opposition says publicly, is duly elected. The results are in, the election is over, we have formed a majority in the House of Assembly and we are the government.

The precedent that the Leader of the Opposition is making by not allowing the executive to form its own budget is one that the Liberal Party will rue. They will rue it because, while the members may be celebrating today, what they do not realise is what this will do to them when they sit on the treasury bench and wish to form their own budgets. Small states like South Australia cannot have that kind of partisanship.

It has been a long tradition. Indeed, measures that were moved by the previous Brown-Olsen government were, by and large, revenue measures that were supported by the then Labor opposition. Why? Because Labor always strives to be in government. We believe we are a natural party of government and we believe that government should be allowed to institute their budgets unfettered.

Mr Marshall: Except federal.

The CHAIR: Order!

The Hon. A. KOUTSANTONIS: The Leader of the Opposition makes an interjection, and I take his point that the Senate is highly politicised, highly partisan, and over the last 20 or 30 years by and large there has been partisanship at play, other than one brief moment between 1983 and 1996 when the then Liberal opposition made a point through their elder statesman former prime minister John Howard that we should always support government reforms because one day we hope to be in government. Read his biography.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: Then you would know what I am talking about and you would not have voted against the transport development levy. The reality is that, by and large, governments in this country of both political persuasions have governed well, and that is why Australia is the prosperous country that it is. By and large we govern at the centre and, by and large, we let governments govern. There are snapshots between policy, between individual politicians, when partisanship sneaks in and we have this gridlock, but by and large that is the exception rather than the rule.

What is sneaking into the South Australian parliament is partisanship in the upper house. For instant gratification in the upper house and a celebratory drink last night, what the opposition has consigned to the government is a further \$120 million deterioration of our state's finances—the party

that says we spend too much or we have created too much debt or we have cut too much. So, I have to say, the Leader of the Opposition took a policy to the election of 'scrapping the tax', to use his words. He did, but he lost.

I say to members opposite the political short-sightedness that members have is twofold. First, they have lost an issue to campaign on. Second, they have deteriorated our budget and their claims of fiscal management are out the window. Every time an article is written about congestion in the city or public transport failures or otherwise, there will be one person to blame, and that is the Leader of the Opposition. He is the one who will wear this measure like a crown of thorns.

If members opposite ever form government and the younger members are ever sitting on the treasury bench and they want to bring in a revenue measure or an asset sale that they have taken to the election, or some other measure they claim to have a mandate for, remember this day. Remember following the desperate man off the cliff. Remember following the guy who will never be premier off the cliff. Remember this, because I will make you remember it every single day.

With those brief remarks, I accept the amendments of the upper house and ask the house to ponder the precedent that the Leader of the Opposition has set. I will leave with one point: Colonel William Light gave us a wonderful gift—a beautiful city, exceptionally well planned. But we cannot make West Terrace wider. We cannot make North Terrace wider.

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: It was excellent; it tests very well, by the way. We cannot make Currie Street any wider. As people are stuck in their cars, in congestion, I hope they remember the name Steven Marshall.

Mr MARSHALL: I rise to support the government's amendments to their own Budget Measures Bill proposed by the Treasurer, which have the removal of the transport development levy contained within them. I have listened to the Treasurer, and he is clearly upset. He is clearly very upset, and so he should be. He was essentially given a hospital pass by the Premier when he was asked to become the Treasurer. We have had 12 years of financial ineptitude and it is probably not his fault we find ourselves in exactly the situation that we do, but he was the one who had to bring down the budget this year, and it will go down in history, I think, as one of the most disappointing budgets in our state's history.

First of all, it is highlighted as a budget which delivered for us a predicted result for the last financial year of a \$1.2 billion deficit—the largest deficit in the state's history. It will also go down as a budget of significant broken promises. I note that the Treasurer made it very clear in his speech today that we should be supporting governments who want to sell assets. Let me tell you that before the election the government said there would be no significant privatisation or sale of assets, yet, in the budget handed down only a matter of weeks after the election was held, they were in here talking about the closure, sale, privatisation or whatever you want to call it, of the Motor Accident Commission.

Of course, the big daddy of them all was the removal of the remission on the emergency services levy in South Australia. This is a massive betrayal of ordinary South Australians who are already doing it tough. We live in a state which has the highest taxes in the nation; that is evidenced on page 54 of Budget Paper 3, where the Commonwealth Grants Commission basically gives a table each year of the tax effort in each state, and we are the highest.

We have been the highest for every year recorded in the budget presented by the Treasurer earlier this year. It is an unenviable position, yet in this budget the government sought to increase state-based taxation revenue by a further 10 per cent in one year. I do not think he should be surprised at all that the Legislative Council has rejected this push because, quite frankly, enough is enough.

The Treasurer has gone to lengths today in his contribution to suggest to this house that we should unequivocally support the government's agenda because they were elected as the government. It is a difficult situation, this one. Sure, the Labor Party has again formed a majority of the members of the House of Assembly, and they quite rightly formed government here in South Australia, but I think it is a long shot to suggest that they have a mandate to introduce a car park tax

or a transport development levy. The truth of the matter is that they received less than 36 per cent of the primary vote in South Australia. So, one in three people in this state supported them; two out of three people did not, and that is the simple fact of the matter.

When you are in minority government, there is an extra special duty of respect owed to the Legislative Council in passing your legislation. That is why this current budget the government is presiding over will go down in history as the largest deficit, the broken promise on privatisation, the complete betrayal of people regarding the emergency services levy, and the first substantial budget measure ever defeated in this parliament. It must be humiliating for the Treasurer to have to preside over this.

He comes into this house and he makes all sorts of threats, and they are recorded permanently on the record. Coming in here, trying to bully the parliament, pointing the finger, raising his voice, raising his blood pressure, he says that we will rue the day that we set this precedent. He then went on to say that those of us on this side of the parliament are somehow celebrating the removal of a tax.

We wish we were not in this situation. We wish we were not in a situation where we had to act in this way to protect the people of South Australia, but we do it because, as I have already pointed out, we are the highest taxed state in Australia, and the Treasurer knows this. The Treasurer knows that our state-based economy has ground to a halt, absolutely and unequivocally ground to a halt. The problem with that, and the reason for that, is the economic settings this government has had in place for an extended period of time: high taxing, high regulating, a hopeless WorkCover system, the highest electricity prices, the highest water prices. They have created this very unattractive environment for business to operate in.

By contrast, we on this side of the chamber believe that we need to do everything we can in this place to create the most attractive conditions to allow businesses to start up, grow, thrive, prosper and employ South Australians. Every day we are in here that is what we are trying to do. When the government introduces sensible legislation, like its WorkCover reforms, the Return to Work Bill, they have been supported. They have been supported by the opposition in almost record time for a bill of that level of complexity. Last year, the government introduced legislation to set the umbrella for the South Australian civil and administrative tribunal. Both these reformist pieces of legislation have been supported with alacrity by this side of the house. We do that because we want to do everything we can—every single, solitary thing that we can—to advance our state.

I would just add, of course, that those two reforms could have come a decade ago; there was no need to wait until now to push through the WorkCover reforms. In fact, we have been critical of the Deputy Premier for the tardiness with which he has brought these WorkCover reforms to the house. Nevertheless, they are here. We have been castigating the government for the tardiness of bringing the SACAT reforms to the parliament. Nevertheless, they are not only here, they have been passed, and now we need to put them into place.

We do not celebrate having to block anything that the government does, but we have to perform our obligation on this side of the house. We are Her Majesty's Loyal Opposition. We are not rebellious, but we have a constitutional responsibility to hold the government to account and to vote according to what is in the best interests of all South Australians.

The Treasurer, of course, talks in emotive terms about this \$120 million black hole which has been blown into the budget. I wish he had paid this much attention to the more than \$300 million black hole that was blown in his own performance last year in unbudgeted expenditure. This is the real issue in South Australia. It puts every other issue in terms of the budget into almost insignificance. We have had billions and billions of dollars' worth of unbudgeted expenditure by this profligate government over an extended period of time. These are the things that need to be addressed by the Treasurer.

My father always used an expression, 'majoring in the minors'. A lot of people like to 'major in the minors'. This is a government that likes to 'major in the minors'. Rather than look at the substantive things that the government should be doing to improve the lot of business here in South Australia and improve the lot of jobseekers in South Australia, they want to focus on having a political argument about this or that.

We are in a perilous state in South Australia. The Premier and I agree on this one thing. We might not agree on the best way to get us out of this situation, but even the Premier now, when he is talking to the business community, says there are significant challenges facing our state. I think what the Treasurer needs to do more than ever is to take a look at the Liberal reformist governments around Australia and what they have been able to deliver for the people in their state. They are focused on a sensible reformist agenda, and that agenda starts with lowering taxes, removing regulation, making sure that you have a reasonable workers compensation scheme.

It is interesting: I have taken a very good look in recent times at what Campbell Newman has been able to do in Queensland. He inherited state finances much like our Treasurer inherited from the previous treasurer. They were massively in deficit; a very difficult situation, granted. He has done everything he can to trim his government expenditure and, simultaneous with that, grow the state. That is where the increase in revenue in Queensland is coming from, by growing the state overall. There has been 4 per cent economic growth predicted this year, 6 per cent economic growth next year. I just make this point—

The Hon. A. Koutsantonis: It's from coal seam gas.

The CHAIR: Order!

The Hon. A. Koutsantonis: You know, the gas you hate so much.

The CHAIR: Order!

The Hon. T.R. Kenyon: The stuff they're going to frack.

The CHAIR: Order!

The Hon. A. Koutsantonis: It's called fracking.

The CHAIR: Order!

Mr MARSHALL: Well, as per usual, you try to make a contribution that, if those opposite would listen to, they might learn something from.

The Hon. A. Koutsantonis interjecting:

The CHAIR: Order! In order for me not to stand in this position, I will not have interjections across the room, and I will not have you responding to them. You have, unfortunately, a limited amount of time left, so let's wrap it up.

Mr MARSHALL: How much time have I got?

The CHAIR: 15 minutes, according to rule 364.

Mr MARSHALL: Well, that's plenty of time. I will tell you what Campbell Newman has been able to achieve, and that is 65,000 new jobs in that economy last financial year. That is an inordinate number of new jobs, and that really has got to be the focus for us in South Australia. We need to put party politics, partisan politics, behind us and do everything we can to advance the state. That is why we will not support the increases in taxation and we have not supported the transport development levy.

For some reason, the Treasurer raises a number of spurious arguments in the media and in the house regarding city congestion, and saying that somehow—and this has been in *Hansard* again this afternoon—every time somebody gets caught in traffic they can think of Steven Marshall. What a load of rubbish! Let me tell you, successive governments over the past 100 years—

The Hon. A. Koutsantonis: On radio and TV.

The CHAIR: Order!

Mr MARSHALL: —have spent money on roads, public transport in this state; they have done all of that. They have made all of that expenditure without resorting to increasing or imposing a transport development levy on the people of South Australia. It is completely unacceptable to just continuously put an increasing burden on businesses and households in South Australia because the government cannot get their own act together regarding the budget. I remind the house that there

was \$311 million worth of unbudgeted expenditure by this government last financial year. There is the problem—that is the problem: unbudgeted expenditure by this government. They set the budget each year; it is not imposed upon them. They get the opportunity to set the budget, yet each and every year they blow it.

It will be interesting to see what happens when we get the Mid Year Budget Review. That will be a further deterioration in the situation that we were given. Every time we get an update from the government, 'Oh, things have got a little bit worse,' but do not worry because in two years' time they are going to magically return to surplus. That magical return to surplus has been a long time coming, and every time we get an update from this government, certainly in recent years, it just gets further and further away. I will not delay the house any further. I am going to support the Treasurer's amendments to in part remove his own proposed transport development levy.

The CHAIR: You are supporting the Treasurer's motion.

Mr MARSHALL: Correct; thank you very much.

Motion carried.

CHILD DEVELOPMENT AND WELLBEING BILL

Committee Stage

In committee.

(Continued from 16 September 2014.)

Clause 6.

Ms SANDERSON: I move:

Amendment No 2 [Sanderson–1]—

Page 5, lines 2 to 4—Delete clause 6 and substitute:

6—Declaration

The Parliament of South Australia—

- (a) recognises the competencies and rights of children and young people in our community;
and
- (b) commits to protecting, respecting and promoting the rights of children and young people.

This clause strengthens the declaration of the legislation by not only recognising the rights of children and young people but commits to protecting and promoting their rights. It explicitly states that parliament 'commits to protecting, respecting and promoting the rights of children and young people' and I am very pleased that the minister has agreed to amend that between the houses, I believe, from our discussions.

The Hon. J.M. RANKINE: The government is rejecting this clause, particularly subclause (a) as it is identical to the government's bill. However, we will look at introducing a government amendment in the upper house, similar to wording in subclause (b), to help strengthen the wording of the declaration in the government bill.

Amendment negated; clause passed.

Clause 7.

Ms SANDERSON: My next amendment is to clause 13.

The CHAIR: You have an amendment No. 3.

Ms SANDERSON: I am dropping it.

The CHAIR: Not proceeding.

Clause passed.

Clauses 8 to 12 passed.

Clause 13.

Ms SANDERSON: I move:

Amendment No 4 [Sanderson-1]—

Page 9 line 4 to page 12 line 20—Delete Part 4 and substitute:

Part 4—Commissioner for Children and Young People

Division 1—Commissioner for Children and Young People

13—Establishment of Commissioner for Children and Young People

- (1) There will be a Commissioner for Children and Young People.
- (2) The Commissioner is not a Public Service employee.
- (3) If the Commissioner was, immediately before his or her appointment, employed in the Public Service, the Commissioner retains existing and accruing rights in respect of leave.
- (4) The Commissioner is a senior official for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

14—Independence of Commissioner

The Commissioner is independent of direction or control by the Crown or any Minister or officer of the Crown.

15—Appointment of Commissioner

- (1) The Commissioner will be appointed by the Governor on the recommendation of the selection panel for a term not exceeding 5 years and on conditions determined by the Governor.
- (2) The Commissioner is, at the end of a term of appointment, eligible for reappointment but cannot hold office for terms (including any term as acting Commissioner) that exceed 7 years in total.
- (3) The Minister must, in respect of each appointment of the Commissioner (other than a reappointment), establish a panel (the *selection panel*) consisting of such number of persons as the Minister thinks fit and who, in the Minister's opinion, collectively have sufficient qualifications or experience to enable the panel to choose an suitable person to be appointed as the Commissioner.
- (4) The selection panel established in respect of a particular appointment is responsible for—
 - (a) advertising the position of Commissioner; and
 - (b) assessing the applications received for the position; and
 - (c) recommending to the Governor 1 or more of the applicants for appointment to the position.
- (5) Subject to this Act, the selection panel may determine its own procedures.
- (6) The regulations may make further provisions in relation to the selection panel.

16—Removal etc of Commissioner

- (1) The Governor may, on the address of both Houses of Parliament, remove the Commissioner from office.
- (2) The Governor may suspend the Commissioner from office for—
 - (a) contravention of a condition of appointment; or
 - (b) misconduct; or
 - (c) failure or incapacity to carry out official duties satisfactorily.
- (3) If the Governor suspends the Commissioner from office, a full statement of the reason for the suspension must be laid before both Houses of Parliament within 7 days after the suspension if Parliament is then in session or, if not, within 7 days after the commencement of the next session of Parliament.

- (4) If, at the end of 20 sitting days after the statement is laid before Parliament, neither House of Parliament has presented an address to the Governor requiring the Commissioner to be restored to office, the Commissioner is removed from office.
- (5) If within 20 sitting days after the statement is laid before Parliament either House of Parliament presents an address to the Governor requiring the Commissioner to be restored to office, the Commissioner is restored to office.
- (6) The office of Commissioner becomes vacant if the holder—
 - (a) dies; or
 - (b) completes a term of office and is not reappointed; or
 - (c) resigns by written notice to the Governor; or
 - (d) becomes an insolvent under administration within the meaning of the *Corporations Act 2001* of the Commonwealth; or
 - (e) is convicted of—
 - (i) an indictable offence against the law of this State; or
 - (ii) an offence against the law of this State that is punishable by imprisonment for a term of at least 12 months; or
 - (iii) an offence against the law of another jurisdiction that, if committed in this State, would be an offence of a kind referred to in a preceding paragraph; or
 - (f) is sentenced to imprisonment for an offence (whether against a law of this State or another jurisdiction); or
 - (g) is removed from office by the Governor under this section.
- (7) Except as is provided by this section, the Commissioner may not be removed or suspended from office, nor will the office of the Commissioner become vacant.

17—Appointment of acting Commissioner

- (1) The Minister may appoint a person (who may be a Public Service employee) to act as the Commissioner during any period for which—
 - (a) no person is for the time being appointed as the Commissioner; or
 - (b) the Commissioner is absent from, or unable to discharge, official duties.
- (2) The terms and conditions of appointment of the person appointed to act as the Commissioner will be determined by the Minister.
- (3) A person acting as the Commissioner is a senior official for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

18—Assistant Commissioners

- (1) The Commissioner may appoint as many Assistant Commissioners as the Commissioner thinks necessary.
- (2) The terms and conditions of appointment of an Assistant Commissioner will be determined by the Minister after consultation with the Commissioner.
- (3) An Assistant Commissioner is a senior official for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

19—Functions of Commissioner

- (1) It is a function of the Commissioner to inquire into, report on and keep under review matters related to the rights, development and wellbeing of children and young people at a systemic level.
- (2) It is a function of the Commissioner to investigate matters under Part 4B.
- (3) The Commissioner also has the following functions:
 - (a) to promote and advocate for the rights and interests of children and young people in South Australia;

- (b) to promote the participation of children and young people in the making of decisions that affect their lives;
 - (c) to advise, and make recommendations to, Ministers, State authorities and other bodies on matters related to the rights, development and wellbeing of children and young people;
 - (d) to assist in ensuring that the State, as part of the Commonwealth, satisfies its international obligations in respect of children and young people;
 - (e) to develop and publish a community engagement plan in accordance with the regulations;
 - (f) such other functions as may be conferred on the Commissioner by or under this or any other Act or by the Minister.
- (4) Without limiting any other provision of this Act, the Commissioner must, as far as is reasonably practicable, engage with (in this order of priority)—
- (a) children and young people; and
 - (b) the parents, families and carers of children and young people; and
 - (c) any relevant peak bodies and non-government organisations,
- in the performance of his or her functions under this Act (other than in relation to an investigation under Part 4B).

20—Delegation

- (1) Subject to this section, the Commissioner may delegate a function or power under this Act (other than a prescribed function or power) to an Assistant Commissioner, or any other person or body of persons that is, in the Commissioner's opinion, competent to perform or exercise the relevant function or power.
- (2) A delegation under this section—
- (a) must be in writing; and
 - (b) may be conditional or unconditional; and
 - (c) is revocable at will; and
 - (d) does not prevent the delegator from acting in any matter.
- (3) A function or power delegated under this section may, if the instrument of delegation so provides, be further delegated.

21—Annual report

- (1) The Commissioner must, on or before 30 September in each year, prepare and deliver to the Minister a report on the operations of the Commissioner during the previous financial year.
- (2) The report must contain the following information:
- (a) the number and general nature of complaints received by the Commissioner;
 - (b) the number and general nature of matters investigated by the Commissioner;
 - (c) the number and general nature of matters referred to South Australia Police, a State authority or an inquiry agency under this Act;
 - (d) the extent to which investigations have resulted in prosecutions or disciplinary action;
 - (e) the number and general nature of occasions on which public statements have been made by the Commissioner;
 - (f) the number and general nature of recommendations made by the Commissioner;
 - (g) any information required by the regulations in respect of the community engagement plan referred to in section 19(3)(e);

(h) any other information required by the regulations.

- (3) The Minister must, within 12 sitting days after receiving a report under this section, cause a copy of the report to be laid before both Houses of Parliament.

Division 2—Other staff

21A—Employees

- (1) The Commissioner may engage employees on terms and conditions determined by the Commissioner.
- (2) The employees are not Public Service employees but are to be taken to be public sector employees, employed by the Commissioner, for the purposes of the *Public Sector (Honesty and Accountability) Act 1995*.

21B—Use of staff etc of Public Service

The Commissioner may, by agreement with the Minister responsible for an administrative unit of the Public Service, make use of the services of the staff, equipment or facilities of that administrative unit.

Part 4A—Commissioner may inquire into matters at systemic level

21C—Commissioner may inquire into matters affecting children and young people at systemic level

- (1) The Commissioner may conduct an inquiry under this Part into—
- (a) the policies, practices and procedures of a State authority as they relate to the rights, development and wellbeing of children and young people generally, or a particular group of children and young people; and
- (b) any other matter declared by the regulations to fall within the ambit of this subsection.
- (2) The Commissioner may only conduct an inquiry under this Part if he or she is of the opinion that—
- (a) the matter raises an issue of particular significance to children and young people; and
- (b) it is in the public interest to conduct the inquiry.
- (3) The Commissioner must not conduct an inquiry into a matter if to do so would be likely to impede an investigation or proposed investigation relating to the matter that is being, or is to be, conducted by South Australia Police or an inquiry agency.
- (4) Subject to this Act, the Commissioner may conduct an inquiry under this Part in such manner as he or she thinks fit.
- (5) The Commissioner must inform the relevant State authority as to the nature and timing of an inquiry under this Part.
- (6) A State authority must assist the Commissioner in the conduct of an inquiry as requested by the Commissioner.

21D—Recommendations

- (1) The Commissioner may, on completing an inquiry under this Part, or in response to issues observed by the Commissioner in the course of an inquiry under this Part, recommend to a State authority that the State authority—
- (a) change practices, policies or procedures in a specified way or review practices, policies or procedures to achieve specified outcomes; or
- (b) conduct, or participate in, specified educational programs or educational programs designed to achieve specified outcomes; or
- (c) take such other specified action as may be specified by the Commissioner.
- (2) If the Commissioner is not satisfied that a State authority has complied with the recommendations of the Commissioner, the Commissioner must inform the State authority of the grounds of the Commissioner's dissatisfaction and give the State authority an opportunity to comment within a specified time.

- (3) If, after considering any comments received from the State authority within the specified time, the Commissioner is still not satisfied, the Commissioner may submit a report to the Minister setting out the grounds of dissatisfaction, together with any comments from the State authority.
- (4) The Minister must, on receiving a report under subsection (3), prepare a report to Parliament setting out—
 - (a) the Minister's response to the Commissioner's report; and
 - (b) if any action has been taken, or is proposed to be taken, (whether by the Minister, a State authority or any other person or body) in relation to a recommendation to which the Commissioner's report relates—details of that action or proposed action; and
 - (c) if no action is to be taken (whether by the Minister, a State authority or any other person or body) in relation to a recommendation to which the Commissioner's report relates—the reasons for not taking action; and
 - (d) any other information required by the regulations.
- (5) The Minister must, within 12 sitting days after receiving a report under this section, cause a copy of both the report and the Minister's report under subsection (4) to be laid before both Houses of Parliament.

21E—Report of inquiry

- (1) The Commissioner must, on completing an inquiry under this Part, prepare and deliver to the Minister a report on the inquiry (including, if appropriate, details of any recommendations made under section 21D in respect of the inquiry).
- (2) The Minister must, on receiving a report under subsection (1), prepare a report to Parliament setting out—
 - (a) the Minister's response to the Commissioner's report; and
 - (b) if any action has been taken, or is proposed to be taken, (whether by the Minister, a State authority or any other person or body) in relation to the Commissioner's report—details of that action or proposed action; and
 - (c) if no action is to be taken (whether by the Minister, a State authority or any other person or body) in relation to the Commissioner's report—the reasons for not taking action; and
 - (d) any other information required by the regulations.
- (3) The Minister must, within 12 sitting days after receiving a report under this section, cause a copy of both the report and the Minister's report under subsection (2) to be laid before both Houses of Parliament.

Part 4B—Investigation of complaints

Division 1—Preliminary

21F—Matters that may be investigated under Part

- (1) Subject to this Act, the Commissioner may (on receipt of a complaint under this Part or on his or her own initiative) investigate matters of the following kinds under this Part:
 - (a) a matter affecting, or related to, the rights, development and wellbeing of a child or young person or more than 1 child or young person;
 - (b) a matter involving an interaction between a State authority and a child or young person, or class of children and young people, or the family of a child or young person;
 - (c) a matter referred to the Commissioner by the Minister, a House of Parliament, a committee of a House of Parliament or a joint committee of both Houses of Parliament,

however, the Commissioner must not investigate a matter unless he or she is satisfied that—

- (d) any procedures for resolving matters of the relevant kind under a specific Act have been used appropriately but without resolution of the matter; and
 - (e) the matter raises an issue of particular significance to children and young people; and
 - (f) it is in the public interest to conduct the investigation.
- (2) The Commissioner must not investigate—
- (a) an allegation that a specified person has, or may have, committed a criminal offence; or
 - (b) a matter that could be, but has not yet been, the subject of an inquest under the *Coroners Act 2003* (unless the State Coroner has determined not to hold an inquest into the matter); or
 - (c) any other matter, or class of matters, declared by the regulations to fall within the ambit of this subsection.
- (3) Without limiting subsection (2), the Commissioner must not investigate a matter if to do so would be likely to impede an investigation or proposed investigation relating to the matter that is being, or is to be, conducted by South Australia Police or an inquiry agency.

21G—Investigations where proceedings before judicial body or inquiry agency

The Commissioner or an investigator may perform functions or exercise powers in respect of a particular investigation despite proceedings that may be before a court or inquiry agency but, in that case, the Commissioner or investigator must endeavour to avoid, as far as practicable, prejudice to any person affected by the proceedings.

21H—Commissioner may require Commissioner of Police etc to provide report

- (1) The Commissioner of Police must, so far as it is practicable to do so, comply with a written request from the Commissioner to provide a report on the investigation of a matter that is related to a complaint under this Part.
- (2) An inquiry agency must, so far as it is practicable to do so, comply with a written request from the Commissioner to provide a report on the investigation of a matter by the inquiry agency that is related to a complaint under this Part.

Division 2—Complaints

21I—Complaints

- (1) A complaint for the purposes of this Part—
 - (a) must relate to a matter that can be investigated by the Commissioner under this Part; and
 - (b) must be made in a manner and form determined by the Commissioner; and
 - (c) must be accompanied by such information as may be required by the Commissioner.
- (2) The Commissioner may refuse to accept or investigate a complaint if the Commissioner is of the opinion that the complaint is frivolous, vexatious, misconceived or lacking in substance or involves a trivial matter.
- (3) The Commissioner must take reasonable steps to ensure that a complainant receives an acknowledgement of the complaint and is informed as to the action, if any, taken in respect of the complaint.

21J—Other action that may be taken on receipt of complaint

- (1) On receiving a complaint under this Part, the Commissioner may do 1 or more of the following:
 - (a) if the Commissioner is of the opinion that the matter could be the subject of a prosecution—refer the matter to South Australia Police for further investigation;
 - (b) if the Commissioner is of the opinion that the matter could result in disciplinary action against a public officer for whom a State authority is

responsible—refer the matter to the State authority for further investigation and potential disciplinary action (and, if the Commissioner considers it appropriate, the Commissioner may give directions or guidance to the State authority in respect of the matter);

- (c) refer the matter to an inquiry agency for further investigation.
- (2) The Commissioner may refer a matter whether or not he or she has commenced or completed an investigation under this Part.
- (3) The Commissioner must, before referring a matter to a State authority or inquiry agency, take reasonable steps to obtain the views of the agency or authority as to the referral.
- (4) The Commissioner may disclose to the South Australia Police, a State authority or an inquiry agency (as the case requires) any information that the Commissioner has in respect of a matter referred under this section.
- (5) Subject to this Act, the referral of a matter under this section does not, of itself, prevent the Commissioner from performing his or her functions in relation to a child to whom the matter relates.
- (6) Nothing in this section prevents a matter from being referred to South Australia Police, an inquiry agency or any other person or body at any time (whether by the Commissioner or any other person).
- (7) In this section—*public officer* means—
 - (a) a person appointed to an office by the Governor; or
 - (b) a person who constitutes a statutory authority or who is a statutory office holder; or
 - (c) a person who is a member of the governing body of a statutory authority; or
 - (d) an officer or employee of a statutory authority or statutory office holder or a Public Service employee assigned to assist the statutory authority or statutory office holder; or
 - (e) the chief executive of an administrative unit of the Public Service; or
 - (f) a Public Service employee (other than a chief executive); or
 - (g) a police officer; or
 - (h) an officer or employee appointed by the employing authority under the *Education Act 1972*; or
 - (i) an officer or employee of a local government body; or
 - (j) any other public sector employee; or
 - (k) a person performing contract work for a State authority or the Crown; or
 - (l) any other person declared by regulation to be a public officer for the purposes of this Act;

Division 3—Investigations

21K—Principles and procedures

- (1) Subject to this Act, in conducting an investigation under this Part—
 - (a) the Commissioner is not bound by the rules of evidence and may inform himself or herself as he or she thinks fit; and
 - (b) the Commissioner must act according to equity, good conscience and the substantial merits of the case and without regard to legal technicalities and forms.
- (2) The regulations may make further provision in respect of an investigation under this Part (including, to avoid doubt, by limiting the powers of the Commissioner or an investigator).
- (3) Subject to this Act, the Commissioner may conduct an investigation under this Part in such manner as he or she thinks fit.

21L—Powers of Commissioner for purposes of investigations

- (1) The Commissioner may, for the purposes of an investigation under this Part, by notice in writing, require a specified person to appear before the Commissioner to give evidence relating to the investigation.
- (2) The Commissioner may, for the purposes of an investigation under this Part, by notice in writing, require a specified person—
 - (a) to produce a specified document or other thing that is relevant to an investigation for examination; or
 - (b) to give the Commissioner such information in his or her possession as the Commissioner may reasonably require.
- (3) The Commissioner may enter any land or building and carry out any inspection that the Commissioner considers relevant to an investigation under this Part.
- (4) The Commissioner may, for the purposes of an investigation under this Part, take evidence on oath or affirmation and for that purpose require a person to make an oath or affirmation (which may be administered by the Commissioner or a person authorised by the Commissioner for the purpose) to answer truthfully any questions put by the Commissioner.
- (5) The Commissioner may retain any document or thing produced for such reasonable period as he or she thinks fit, and may make copies of any document.
- (6) The Commissioner may require a person to produce a document or other thing for the purpose of determining whether or not it is a document or thing that the Commissioner has power to compel the person to produce.
- (7) A notice under this section must comply with any requirements set out in the regulations in respect of a notice of the relevant kind.
- (8) Without limiting this section, the Commissioner has such other powers as may be necessary, expedient or incidental to performing the functions of the Commissioner under this Part.

21M—Limiting action by certain State authorities

- (1) The Commissioner may, by written notice, require a State authority (other than a prescribed State authority) to refrain from taking specified action for a specified period in respect of a particular matter being investigated by the Commissioner under this Part or to conduct a joint investigation with the Commissioner in respect of a particular matter (and the State authority must comply with the requirement even if the State authority is otherwise required or authorised to take action under another Act).
- (2) The Commissioner must consider any comments of the State authority with respect to the terms of the notice.
- (3) In this section—*prescribed State authority* means—
 - (a) South Australia Police; and
 - (b) a State authority that is an inquiry agency; and
 - (c) any other State authority prescribed by the regulations for the purposes of this paragraph.

21N—Injunction to refrain from conduct pending investigation

- (1) The Supreme Court may, on application made by the Commissioner, grant an injunction restraining a person from engaging in conduct that is the subject of, or affects the subject matter of, an investigation or proposed investigation by the Commissioner under this Part.
- (2) The Supreme Court must not grant an injunction under this section unless it is satisfied—
 - (a) that the conduct sought to be restrained is likely to impede the investigation or proposed investigation; or
 - (b) that it is necessary in the public interest to do so.

21O—Recommendations—State authorities

- (1) The Commissioner may, on completing an investigation under this Part, recommend to a State authority that the State authority—
 - (a) change practices, policies or procedures in a specified way or review practices, policies or procedures to achieve specified outcomes; or
 - (b) conduct, or participate in, specified educational programs or educational programs designed to achieve specified outcomes; or
 - (c) take such other specified action as may be specified by the Commissioner.
- (2) A recommendation under subsection (1) may relate to the subject matter of the investigation or any other matter related to children and young people arising out of the investigation.
- (3) If the Commissioner is not satisfied that a State authority has complied with the recommendations of the Commissioner, the Commissioner must inform the State authority of the grounds of the Commissioner's dissatisfaction and give the State authority an opportunity to comment within a specified time.
- (4) If, after considering any comments received from the State authority within the specified time, the Commissioner is still not satisfied, the Commissioner may submit a report to the Minister setting out the grounds of dissatisfaction, together with any comments from the State authority.
- (5) The Minister must, on receiving a report under subsection (4), prepare a report to Parliament setting out—
 - (a) the Minister's response to the Commissioner's report; and
 - (b) if any action has been taken, or is proposed to be taken, (whether by the Minister, a State authority or any other person or body) in relation to a recommendation to which the Commissioner's report relates—details of that action or proposed action; and
 - (c) if no action is to be taken (whether by the Minister, a State authority or any other person or body) in relation to a recommendation to which the Commissioner's report relates—the reasons for taking no action; and
 - (d) any other information required by the regulations.
- (6) The Minister must, within 12 sitting days after receiving a report under this section, cause a copy of both the report and the Minister's report under subsection (5) to be laid before both Houses of Parliament.

21P—Recommendations—other persons or bodies

- (1) The Commissioner may, on completing an investigation under this Part, recommend to a person or body that the person or body change practices, policies or procedures in a specified way or review practices, policies or procedures to achieve specified outcomes.
- (2) A recommendation under subsection (1) may relate to the subject matter of the investigation or any other matter related to children and young people arising out of the investigation.

21Q—Report of investigation

- (1) The Commissioner may, on completing an investigation under this Part, if he or she considers it appropriate, prepare and deliver to the Minister a report on the investigation (including, if appropriate, details of any recommendations made under section 21O or 21P in respect of the investigation).
- (2) The Minister must, on receiving a report under subsection (1), prepare a report to Parliament setting out—
 - (a) the Minister's response to the Commissioner's report; and
 - (b) if any action has been taken, or is proposed to be taken, (whether by the Minister, a State authority or any other person or body) in relation to the Commissioner's report—details of that action or proposed action; and

- (c) if no action is to be taken (whether by the Minister, a State authority or any other person or body) in relation to the Commissioner's report—the reasons for taking no action; and
 - (d) any other information required by the regulations.
- (3) The Minister must, within 12 sitting days after receiving a report under this section, cause a copy of both the report and the Minister's report under subsection (2) to be laid before both Houses of Parliament.

Part 4C—Offences

21R—Offence to refuse etc to comply with requirement

A person who is required under this Act to give evidence before, or to produce a document or other thing to, the Commissioner or an investigator and—

- (a) refuses or fails without reasonable excuse to do so; or
- (b) refuses or fails to make an oath or affirmation when required to do so under this section; or
- (c) refuses or fails without reasonable excuse to answer any question put to the person by the Commissioner or an investigator, or as may otherwise be required under this Act; or
- (d) gives false or misleading evidence to the Commissioner or an investigator; or
- (e) misbehaves before, or wilfully insults, the Commissioner or an investigator in the exercise of official duties, is guilty of an offence.

Maximum penalty: \$25 000 or imprisonment for 1 year.

21S—Obstruction

A person who—

- (a) alters, destroys, conceals or fabricates a document or other thing knowing that it is or is likely to be required by the Commissioner or an investigator for the purposes of this Act; or
- (b) otherwise hinders or obstructs the Commissioner, an investigator or a person assisting the Commissioner or an investigator in the performance of a function or exercise of a power under this Act,

is guilty of an offence.

Maximum penalty: \$25,000 or imprisonment for 1 year.

21T—False or misleading statements in complaint or report etc

A person must not—

- (a) make a statement for the purposes of this Act knowing that it is false or misleading in a material particular (whether by reason of the inclusion or omission of a particular); or
- (b) make a complaint under this Act knowing that there are no grounds for the making of the complaint.

Maximum penalty: \$25,000 or imprisonment for 1 year.

Part 4D—Investigators

21U—Investigators

- (1) The Commissioner may appoint suitable persons to be investigators for the purposes of this Act.
- (2) An appointment may be made subject to conditions specified in the instrument of appointment.
- (3) The Commissioner may, at any time, revoke an appointment of a person or vary or revoke a condition of appointment or impose a further condition of appointment.
- (4) An investigator must be issued with an identity card—

- (a) containing the person's name and a photograph of the person; and
 - (b) stating that the person is an investigator under this Act.
- (5) If the powers of an investigator have been limited by conditions, the identity card issued to the investigator must indicate those limitations.
- (6) An investigator must, at the request of a person in relation to whom the investigator intends to exercise powers under this Act, produce his or her identity card for the inspection of the person.

21V—Powers of investigators

- (1) Subject to this Act, an investigator may, in connection with the administration, operation or enforcement of this Act and at any reasonable time, do 1 or more of the following:
- (a) enter and remain in and search any premises or place owned or occupied by a State authority;
 - (b) seize any item that the investigator believes on reasonable grounds may afford evidence relevant to the investigation;
 - (c) take photographs or videos;
 - (d) require a State authority—
 - (i) to produce a specified document or other thing that is relevant to an investigation for examination; or
 - (ii) to give the investigator such information in his or her possession as the investigator may reasonably require;
 - (e) require a person who may be in a position to furnish information relevant to the investigation to answer any question put by the investigator to the best of that person's knowledge, information or belief.
- (2) An investigator may be accompanied by such police officers or other persons while exercising powers under this section as may be necessary or desirable in the circumstances.

21W—Guidelines for investigators

- (1) The Commissioner must prepare guidelines governing the exercise of powers by investigators for the purposes of this Act.
- (2) The Commissioner may vary or substitute the guidelines from time to time.
- (3) The guidelines must—
- (a) include provisions designed to ensure that persons in relation to whom powers are to be exercised under this Act are provided with appropriate information about their rights, obligations and liabilities under this Act; and
 - (b) be made available free of charge on the Internet, and at premises established for the receipt of complaints by the Commissioner, for inspection by members of the public.
- (4) Contravention of the guidelines constitutes a ground for suspending, dismissing or taking other disciplinary action against the investigator (but the validity of the exercise of a power cannot be questioned on the ground of contravention of the guidelines).

This amendment deals with many clauses. The amendment to clause 13 is really establishing the independence of the commissioner. Clause 14 expressly states the independence of the commissioner from the direction and control of the Crown, the minister or an officer of the Crown. The public want an independent commissioner. It also removes the notion that the commissioner will take directions from the minister. The minister has indicated that they will look at some similar wording regarding strengthening the independence of the commissioner.

Clause 15 concerns the appointment of the commissioner, and our amendments are again to strengthen the independence of the commissioner from the minister even at the appointment

stage. Again, the minister has indicated that she will consider perhaps making that consistent with the appointment requirements of the commissioner for children and young people or the Ombudsman regarding that.

Clause 16 removes the responsibility of the removal of the commissioner from the government and places it on both houses of parliament. It makes it absolutely clear that the parliament is responsible for the commissioner's removal and it sets out clearly the steps and reasons for removal and requires a report to parliament to be submitted.

I will not explain clause 17. Going to clause 19, this concerns the investigative powers of the commissioner and also increasing the transparency. The minister has stated previously that none of the other states' commissioners have any investigative powers. The table prepared by the parliamentary library and updated in August 2014 this year (the table that I have) says that the ACT can investigate and decide on individual complaints, that New South Wales has no specific complaints-monitoring function, and that the Northern Territory can investigate individual complaints relating to vulnerable children regarding the provision of services by service providers and also has own-initiative complaints investigative powers.

The minister was right in saying that Queensland now no longer has investigative powers and Tasmania can only investigate individual complaints when requested by the minister, so they can investigate. Western Australia cannot act on individual complaints but is not prevented from investigating or dealing with a matter affecting the wellbeing of children and young people generally which arises through matters relating to an individual, and it monitors trends and complaints.

Certainly the Liberal amendments are designed to look at systemic issues and not in an individual case such as an ombudsman's office would deal with. But, if there is a pattern of issues that arise, the commissioner would have the ability to investigate those fully.

Also in clause 19 there is one issue that I think should definitely be changed. The wording currently says that the commissioner should consult children and young people. That is in paragraph (4) (ii) of the government bill. I believe that should be must consult children and young people.

The amendment to clause 21 clearly sets out the requirement of the annual reporting from the commissioner, what the annual report must include and when it is to be ready by. Stakeholders have requested that an annual report be made expressly clear in the act rather than relying on the Public Service Act at section 12. So whilst the minister has indicated that it is inherent that there be an annual report, I think just for clarity and for anybody reading the bill who does not have a copy of the Public Service Act, it just makes it clearer and it is in keeping with the government's intentions anyway.

Clause 21A entitles the commissioner to engage employees on terms and conditions determined by the commissioner. Again, the minister has indicated that she would consider that perhaps between the houses. Regarding part 4A, 21C expands on clause 16 of the government's bill, which relates to the functions of the commissioner, making it expressly clear what the commissioner can inquire into. In 21D, it allows the commissioner to make recommendations to the state authority. It further allows the commissioner, if they are not happy with the action (or lack of) of the state authority after providing the recommendations, they may submit a report to the minister regarding this.

Proposed new clause 21E then sets out that the commissioner must prepare and deliver to the minister a report on the inquiry. Again, the minister indicated that perhaps regarding 21D(5), she would consider looking at amending that in the upper house, again to align the reporting requirements of the commissioner to those of the Ombudsman and the Guardian for Children and Young People.

Part 4B relates to the commissioner's investigative powers; they are not like the powers given to the ombudsman to investigate all complaints. This really expands on the government's clause 19 to require a person to appear before the commissioner, and the commissioner is not just a state authority. It also removes the worrying clause that the minister may exempt a specified person from appearing before the commissioner.

Part 4C essentially enforces all of the powers the given to the commissioner by our amendments, including giving them the capability to assess systemic matters, providing investigative powers and giving them the provision to punish people if they do not do their job appropriately; for example, refusing to give evidence. That is all on amendment No. 4.

The Hon. J.M. RANKINE: The government is rejecting in its entirety amendment No. 4; however, I have had discussions with the member for Adelaide and have indicated to her that there are some areas that we will look at introducing some amendments to strengthen the bill that we have before us today. Essentially, amendment 4 really does change the very nature of the government's bill, and we reject that.

We are happy (and this bill provides) for the commissioner to undertake investigations that are at a systemic level. The whole focus of this bill is about the wellbeing of all children in South Australia and about the development of all children in South Australia. It is not a substitute for the Child Protection Act and it is not a substitute for the powers that the police or other agencies have in South Australia. I have to say that we have done more in strengthening child protection in South Australia than any other government has done.

We have introduced many agencies that protect children. The Guardian for Children and Young People, for example, was not in existence when we came into power. The Child Death and Serious Injury Review Committee was not in existence when we came into power. The Health and Community Services Complaints Commissioner was not in place when we came into power. Of course, we also have the powers of the South Australia Police. These are all bodies that have a role in investigating individual complaints, if you like.

Our commissioner, however, can investigate an individual issue if it is reflected at a systemic level. The member for Adelaide outlined very much the powers of Western Australia, for example, and this bill gives our commissioner very similar powers. To introduce those investigative powers means that we would end up with a massive bureaucracy, with massive resources required; it would completely change the focus from the wellbeing of all children to a child protection agency. I understand why the member for Adelaide may have concerns about that, but again I would highlight that other states have pulled back from that because it is a massive duplication of the resources that are already available.

The annual report provision is one that I have indicated we are happy to insert in the bill. It is required anyway under other pieces of legislation, so we are happy to do that. There is an exemption in here, and that is for very rare cases where something may be the subject of a police investigation, for example. I understand similar provisions exist in the child death and serious injury review legislation, that they cannot commence an investigation until such time as a criminal investigation is underway, so it would be inappropriate for that to occur.

I have indicated that we are happy to look at some items in this amendment, and I am happy to work with the member for Adelaide whilst this legislation is between the houses, but in essence we reject in its entirety this amendment at this time.

Amendment negatived; clause passed.

Clauses 14 to 34 passed.

New clauses 34A and 34B.

Ms SANDERSON: I move:

Amendment No 5 [Sanderson-1]—

Page 17, after line 9—Insert:

34A—Provision relating to mandatory notification under Children's Protection Act

- (1) For the purposes of section 11 of the *Children's Protection Act 1993*, a person will not be taken to have notified the Department (within the meaning of that section) merely because he or she gave evidence, documents or other things to the Commissioner or an investigator under this Act.
- (2) Section 13 of the *Children's Protection Act 1993* does not apply to the Commissioner or an investigator in the exercise of his or her powers and functions under this Act (however

the Commissioner or investigator must take reasonable steps to avoid disclosing the identity of a notifier (within the meaning of that section)).

34B—Protections, privileges and immunities

- (1) No liability attaches to the Commissioner, an investigator or any member of the Commissioner's staff for any act or omission in good faith in the exercise or purported exercise of powers or functions under this or any other Act.
- (2) Nothing in this Act affects the privileges, immunities or powers of the Legislative Council or House of Assembly or their committees or members.
- (3) Nothing in this Act affects any rule or principle of law relating to—
 - (a) legal professional privilege; or
 - (b) 'without prejudice' privilege; or
 - (c) public interest immunity.
- (4) A person is excused from answering a question or producing a document or other material in connection with an inquiry or investigation if the person could not be compelled to answer the question or produce the document or material in proceedings in the Supreme Court.
- (5) The Commissioner and an investigator have, in connection with an inquiry or investigation under this Act, and in respect of any report prepared as part of an inquiry or investigation under this Act, the same protection, privileges and immunities as a Judge of the Supreme Court.
- (6) A person who provides evidence to an inquiry or investigation under this Act has the same protection, privileges and immunities as a witness in proceedings before the Supreme Court.
- (7) A legal practitioner who represents a person in connection with an inquiry or investigation under this Act has the same protection, privileges, immunities and obligations as counsel involved in proceedings before the Supreme Court.
- (8) In this section—*member of the Commissioner's staff* includes any person to whom powers or functions have been delegated under this Act.

Proposed new clause 34A seeks to strengthen the notification roles. It means that it will still be mandatory to report and notify all matters, regardless of giving evidence to the commissioner. New clause 34B is to ensure the commissioner, an investigator or any member of the commissioner's staff is protected from being sued. This is very similar to what Mullighan requested in his report. The minister indicated that she might be able to agree to the mandatory reporting requirement, even though a person has given evidence to the commissioner, but I do not think she was happy with 34B.

The Hon. J.M. RANKINE: Yes, we do not accept amendment No. 5. However, I have indicated to the member for Adelaide that subclause (1) of 34A is something that the government would be prepared to have as an amendment because that emphasises and strengthens the mandatory reporting requirements of section 11 of the Children's Protection Act. As a result, a person is not taken to have notified the department merely because they have given evidence to the commissioner about a particular issue. In relation to 34B, we will assess that proposed new clause to see if there are any aspects that are not already captured elsewhere in our bill.

New clauses negated.

Clause 35 passed.

New clause 35A.

Ms SANDERSON: I move:

Amendment No 6 [Sanderson-1]—

Page 17, after line 30—Insert:

35A—Victimisation

- (1) A person who causes detriment to another on the ground, or substantially on the ground, that the other person or a third person has made or intends to make a complaint under this Act or has provided, or intends to provide, evidence or other assistance to the

Commissioner in connection with an inquiry or investigation under this Act commits an act of victimisation.

- (2) Causing detriment on the ground that a person—
- (a) has made a false allegation; or
 - (b) has not acted in good faith,
- does not constitute an act of victimisation.
- (3) An act of victimisation under this Act may be dealt with—
- (a) as a tort; or
 - (b) as if it were an act of victimisation under the *Equal Opportunity Act 1984*,
but, if the victim commences proceedings in a court seeking a remedy in tort, he or she cannot subsequently lodge a complaint under the *Equal Opportunity Act 1984* and, conversely, if the victim lodges a complaint under that Act, he or she cannot subsequently commence proceedings in a court seeking a remedy in tort.
- (4) If a complaint alleging an act of victimisation under this Act has been lodged with the Commissioner for Equal Opportunity and he or she is of the opinion that the subject matter of the complaint has already been adequately dealt with by a competent authority, he or she may decline to act on the complaint or to proceed further with action on the complaint.
- (5) In proceedings against a person seeking a remedy in tort for an act of victimisation committed by an employee or agent of the person, it is a defence to prove that the person exercised all reasonable diligence to ensure that the employee or agent would not commit an act of victimisation.
- (6) A person who personally commits an act of victimisation under this Act is guilty of an offence.
- Maximum penalty: \$10,000.
- (7) Proceedings for an offence against subsection (6) may only be commenced by a police officer or a person approved by either the Commissioner of Police or the Director of Public Prosecutions.
- (8) In this section—*detriment* includes—
- (a) injury, damage or loss; or
 - (b) intimidation or harassment; or
 - (c) discrimination, disadvantage or adverse treatment in relation to a person's employment; or
 - (d) threats of reprisal.

This new clause relates to victimisation. It deals with people making false allegations and, again, protects a person who wishes to give evidence. Essentially, it makes it an offence to bully a person, such as bullying them into not providing evidence to the commissioner, and it makes it an offence to victimise a person. It clearly sets out that intimidation will not be tolerated in any way.

The Hon. J.M. RANKINE: We do not accept that as it is not applicable in the case of a government bill that does not include investigative powers for the commissioner. The issue of victimisation is already covered in public sector employment legislation.

New clause negatived.

Clause 36 passed.

New clause 36A.

Ms SANDERSON: I move:

Amendment No 7 [Sanderson-1]—

Page 18, after line 11—Insert:

36A—Evidentiary provision

In any legal proceedings, a certificate apparently signed by the Commissioner certifying as to a matter relating to—

- (a) the appointment of an investigator; or
- (b) a delegation; or
- (c) a notice; or
- (d) the receipt or non-receipt of a document or other thing,

under this Act constitutes proof, in the absence of proof to the contrary, of the matters so certified.

This proposed new clause sets out that a person appointed by the commissioner as an investigator or a delegation, etc., does not have to prove that they have been appointed by the commissioner. They have a certificate that speaks for itself, unless it is proved otherwise, which will speed up the investigatory process.

The Hon. J.M. RANKINE: It is not accepted because it is not relevant, as the commissioner will not have investigative powers.

New clause negated.

Remaining clauses (37 and 38), schedule and title passed.

Bill reported with amendment.

Third Reading

The Hon. J.M. RANKINE (Wright—Minister for Education and Child Development) (16:26): I move:

That this bill be now read a third time.

I thank the member for Adelaide for working in such a cooperative manner in relation to progressing this bill. I know there are aspects of it that she wanted amended but understands the importance of this legislation and, hopefully, we can come to some accommodation over the amendments that we put in another place. I also thank my colleagues who spoke on this bill and the departmental staff who have worked very hard in getting this piece of legislation to the house. It has been a long period of time, and there has been a great deal of consultation with the community.

I think the piece of legislation that we are passing today very much reflects the wishes of the community in having a commissioner for children and young people who will be looking at all levels of government and the way they think and act in relation to children, no matter what aspect they are working in. It is a really important piece of legislation recognising the rights of young people in our community.

Bill read a third time and passed.

Motions

GRESTE, MR PETER

Adjourned debate on motion of Hon. J.W. Weatherill:

That this house—

- (a) condemns the conviction and sentence given to the Australian journalist Peter Greste and his colleagues from the Al-Jazeera network; and
- (b) supports the commonwealth government in its diplomatic efforts to bring about a positive outcome for Mr Greste and his family.

(Continued from 2 July 2014.)

Ms WORTLEY (Torrens) (16:29): I rise today to support the motion by the Premier in this place which condemns the conviction and sentence given to the Australian journalist Peter Greste and his colleagues from the Al-Jazeera network and supports the commonwealth government in its diplomatic efforts to bring about a positive outcome for Mr Greste and his family. Nairobi-based Australian reporter Peter Greste and his Al-Jazeera colleagues Canadian-Egyptian Cairo bureau

chief, Mohamed Fahmy, and Cairo producer, Baher Mohamed, have been in gaol since 29 December last year simply for doing their job.

For part of their detainment, they have been held in solitary confinement. Peter Greste and Mohamed Fahmy will face seven years in gaol, while Baher Mohamed faces a 10-year sentence. It is probably impossible to overstate the impact of their incarceration on the men and their families and loved ones. For the families concerned, this is a living nightmare. Still, despite the heartbreak scenario they face, Peter Greste's parents returned to Australia this week and spoke to the media with words of love for their son and expressions of hope for his release.

The interview with Lois and Juris Greste, which aired yesterday on ABC radio's *The World Today*, was totally devoid of bitterness, anger, blame or recriminations. The Grestes expressed great relief that their son is proving to be 'highly resilient, creative in one's use of time and opportunities and simply tough'. To Juris Greste, their fortnightly visits at the maximum security Tora Prison were 'stomach-churning'. However, the Grestes say that the outpouring of support for Peter is helping the family to carry on and that they draw most of their strength and energy from it.

During their visits, Peter presented his parents with a loaf of sourdough bread he had made and a birthday present of a frame containing a quote which proved an encouraging window into his state of mind. Juris Greste read the inspirational words in the frame: 'Like a diamond that can only be found when all that surrounds it is destroyed, by being threatened with annihilation we discover that which is indestructible within.' What courage and fortitude in the face of such a terrible situation.

Tellingly, the official Free Peter Greste website states, 'The Greste family bears no malice against the people of Egypt. May they have peace, security and prosperity.' Still, the arrest and gaoling of Mr Greste and his Al-Jazeera colleagues is a serious assault on the freedom of the press. According to the Committee to Protect Journalists (CPJ), an independent non-profit organisation that promotes press freedom worldwide, in 2013 there were 211 journalists in gaol around the globe.

It was the second worst outcome in the 14 years the Committee to Protect Journalists had compiled statistics. Only 2012, with 232 journalists incarcerated, had a higher tally. Turkey was the country with most media workers detained last year with 40, while 35 journalists were in gaol in Iran and 32 in China.

The International Federal of Journalists (IFJ)—with which Media Entertainment and Arts Alliance (MEAA), the journalists' union here in Australia, is affiliated—monitors press freedom violations and campaigns for safe working conditions for journalists and for a focus on those media workers at greatest risk. The IFJ is the world's largest organisation of journalists and represents about 600,000 members in more than 100 countries. It works for freedom of political and cultural expression and defends basic human rights.

The IFJ is the body which acts as the voice for journalists within the United Nations system and within the international trade union movement. It was a part of the campaign in June this year, during which senior Australian journalists labelled the Al-Jazeera trio's trial as 'farcical' and 'bizarre'. A media delegation presented a letter signed by 100 journalist unions and human rights advocacy groups to Egyptian diplomatic missions around the world, including the nation's consulate in Sydney. The letter was organised by the MEAA in partnership with the IFJ, the International Freedom of Expression Exchange, Arabic Network for Human Rights Information, Association for Freedom of Thought and Expression, and Canadian Journalists for Free Expression.

In Australia, it was presented to Vice-Consul Ahmed Farid, along with a petition of more than 150,000 signatures which calls for Peter and his colleagues to be freed. The letter, in part, stated, 'Contrary to the charges, the three journalists have behaved ethically and responsibly while reporting on a complex, rapidly changing political environment in Egypt.' As Nelson Mandela once stated, 'A critical, independent and investigative press is the lifeblood of any democracy.'

We need to guard and protect the freedom of our media. Journalists should not live in fear or being gaoled and they should not curtail telling the truth for fear of being gaoled. I believe the freedom of the fourth estate (that is, the profession of journalism) in this country is closely linked to our success as a democracy. Indeed, quality journalism in which journalists abide by the code of ethics is vital to preserve and enhance democratic values. I will now read the words of Peter Greste from the Tora Prison in Cairo on 26 January this year:

...as a journalist I am committed to defending a fundamental freedom of the press that no-one in my profession can credibly work without. One that is deemed vital to the proper functioning of any open democracy, including Egypt's...

I support the Premier in calling upon Egypt to find a way of remedying this patent injustice which has been perpetrated on Peter Greste. I commend the motion to the house.

Dr McFETRIDGE (Morphett) (16:35): Freedom of the press is something that we in Australia take for granted, but the moment you step outside of Australia the rules change, and as we are seeing with Peter Greste, the rules are certainly quite different. In Australia, the fourth estate and the political world often interact in friendly ways, useful ways and sometimes in antagonistic ways. The good thing about politics in Australia is that we can be quite open and honest with each other and we can talk about issues.

In November 2012, when the world championship surf lifesaving event was held in Glenelg, we had delegates from all over the world. There was an Egyptian delegation who came to the world championships in Glenelg, and I got to meet one of their officials, Dr Mohamed Saleh. Dr Saleh is an Egyptian member of parliament. In fact, I invited him to this place for lunch, and he came to watch question time and was acknowledged by the Speaker, which was good; he felt really good about that. We have kept in touch.

When the Greste decision was made, I contacted Dr Saleh and voiced my concerns and those of many of my constituents, and I think generally, the people of Australia. Dr Saleh did assure me in his reply that he would talk to the Egyptian President and let him know that we were concerned. In a follow-up contact with Dr Saleh, I was informed that the Egyptian President had in fact told Dr Saleh that they would not be doing anything that was extraordinary, but they would be making sure that there were no extra impediments in the way of the appeals process, so that this unfortunate man (Peter Greste) could hopefully be successful in his appeal and come home to his loved ones.

I heard Peter Greste's mother speaking on Radio National last night, after she had visited Peter in gaol. He is doing everything from cooking bread to undertaking yoga, learning Arabic and teaching English, so he is actually keeping up his mental health. He is also able to exercise in one of the corridors there to keep up his physical health. We hope that he does not endure the hardships and privations that I imagine would be part of an Egyptian corrections system, because I think that any fair person in Australia would say that he should not be there.

The Egyptian government is reluctant to interfere in an overt way, but I hope that through my approaches to Egyptian MP Dr Mohamed Saleh, a little bit of pressure has been put on the Egyptian government, however slight. I think it adds another brick in the wall of the pressure on the Egyptian government, and while I do not think I will be claiming credit for Mr Greste's release, if he is released shortly, I hope that my approaches are successful. I have contacted the foreign minister, Julie Bishop, to let her know that I have contacted Dr Saleh. I hope that we can see a reasonable outcome to this, and I think the reasonable outcome would be to see Peter Greste released and come back to his loved ones in Australia.

Mr WINGARD (Mitchell) (16:39): I rise today to speak in support of the motion that condemns the conviction and sentence given to Australian journalist Peter Greste and his colleagues from the Al-Jazeera network and supports the commonwealth government in its diplomatic efforts to bring about a positive outcome for Mr Greste and his family.

As someone who has spent more than 20 years in the media, can I say how important it is to have a strong, healthy and vibrant media. I think in this house we all understand how vital it is to have a media that is willing to tell both sides of every story and commend the professionalism of the journalists we deal with, whom we have in Adelaide and whom we deal with on a daily basis. No matter what their personal feelings are, they do give a balanced story from both sides of the event.

One of the things I have loved since coming into this place is the ability to freely stand here and speak my mind without fear or favour, to have the ability to disagree with those on the opposite side of the chamber and have great debate but then be able to leave this place and have cordial and congenial conversation for the betterment of the state. I think it is a truly wonderful thing that we have that democracy and that freedom both here in this house and also amongst the media. I think it is a

blessing of this country that we live in, but sadly that freedom and understanding is not seen across all corners of the globe.

Despite my years in the media, I have not personally met Mr Greste, but I have met hundreds of journalists just like him and I have great respect for them all. Mr Greste grew up in Sydney with his two brothers and lived with the freedom to roam the streets and play throughout his formative years. He also learnt very early that he lived in a society where you were encouraged to speak up when you found a situation you did not agree with.

Mr Greste has had the support of thousands of journalists and media people across Australia and overseas. Mr Greste has worked with some of the most highly regarded media networks in the world throughout his career: the ABC, Reuters, CNN, BBC and even Network Ten here in Adelaide. More than 1,000 journalists, as I said, have signed a petition that has been given to the Egyptian Embassy in Canberra.

There has been quite an amazing social media push as well from a lot of high profile journalists, names like Karl Stefanovic, Deb Knight, Ben Fordham, Lisa Wilkinson, Larry Emdur, George Negus, Sandra Sully and even Adelaide's very own Rebecca Morse have gone public and taped their mouths or held their mouths closed in a silent protest for what has happened to Peter Greste. It has been amazing to see the media world unite behind this cause.

As I mentioned, I did not work with Peter, but I have worked with many people in the media who have. I have worked with a large number of people who have carried out similar work, people I respect and I know could just as easily have been in Peter's situation right now. A number of people whom I respect in the media as well have worked closely with Peter or had direct involvement with this. A few of them make some very poignant points, which I think can be mentioned here today.

One of those is a former mentor of mine, Peter Meakin, who is now executive director of news and current affairs at Network Ten. He has worked as the head of news at Channel 7, and also at Channel 9, and back in the day was in charge of the *60 Minutes* program as well. He is a very well respected man in media circles and he calls this decision:

...a disgraceful decision. Reporting on any group's decision does not constitute endorsement. Our government should do everything it can to ensure the early release of Peter and his colleagues.

The network director of *Seven News*, Rob Raschke, says that the sentence '...shows just how dreadfully dangerous life must be for Egyptian journalists'. He also calls for an early release for Peter and his Al-Jazeera colleagues. The SBS director of news, current affairs and sport, Jim Carroll, another former colleague of mine, has come out publicly and said:

Freedom of the media to report on such critical events as those in Egypt is of paramount importance. As a network that focuses on coverage of international news SBS is obviously also concerned at the impact the court ruling could have on our own reporting efforts in the region.

I think that is a really valid point. I would also like to comment on what a colleague of Peter's, former ABC foreign correspondent Mark Colvin, said:

It is nothing short of ludicrous to me to suggest that he was doing anything in Cairo but report in the best traditions of honest journalism.

I hark back to our fortuitous situation in Australia for the fact that we do have journalists, and even though they may not agree with our side of politics, or even the opposition side of politics, when they report they do report wholeheartedly, covering both sides of the story. We can only encourage that fairness to continue for many years to come, or for eternity I might say, in Australia, to have that great understanding and the great ability to tell both sides of the story in the media

I would also like to acknowledge Peter's parents. As a parent myself, I hope my children grow up and move into the big, wide world one day and have exciting jobs. If they choose to work in the media, you would hope for them to be safe. I can only feel for his family, Juris and Lois, who are in their 70s. It must be incredibly draining on them. My heart goes out to them and also to Peter's brothers, Andrew and Mike. I know they have been spending a lot of time in Egypt. As the member for Torrens mentioned, they have been to visit Peter.

The member for Morphett also mentioned Peter's mental health. It would be very tough. He is stuck in a very small cell, only a few metres by a few metres, with a few other people. For a period

of time, he was spending 23 hours a day in his cell, with only one hour outside, which is very hard on your state of mind. I do admire Peter and I wish him all the best. I hope we can get him out of this situation. For sharing the story, for telling the story as you see fit and for telling both sides of the story in equal favour, prison is not somewhere you should be as a journalist.

Again, my heart goes out to his family. The two members who spoke before me pointed out some of the things Peter is doing to look after his mental health. It is quite amazing, I think, to hear that he is baking sourdough bread. I heard his mother relate the story in an interview the other day. He has had to culture all the ingredients, and whatever, to make the sourdough bread. He is keeping himself highly stimulated. He is also doing an international relations degree at Queensland University through Griffith University. I commend them for helping to keep him stimulated in that way as well. I mentioned earlier that his family is spending a lot of time with him, making sure that he is kept in a good state of mind. I wish them well with their endeavours as we seek to secure his early release.

I conclude by saying how lucky we are to have the freedom we have in South Australia and in our country. We should not take that for granted when we look at other countries around the world that do not offer the same freedom and the same rights that we exercise in this country. I support the motion, and I hope we can get an early release for Peter Greste. I hope freedom of the press remains in this country forever.

Motion carried.

Sitting extended beyond 17:00 on motion of Hon. S.C. Mullighan.

Bills

LOCAL GOVERNMENT (GOVERNANCE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 7 August 2014.)

Mr GRIFFITHS (Goyder) (16:48): Deputy Speaker, I have listened to your express instructions that people need to speak up and I will do so to give them the benefit of hearing about this matter. It is a pleasure to stand before you as the lead speaker for the opposition on the Local Government (Governance) Amendment Bill 2014 and to confirm, minister, that we will support it. There is no intention to go into committee, there are no amendments, and, given that it involves only two clauses, it would be rather unusual to do that. I am advised that, with the absence of the Minister for Local Government because of ill health, the Attorney will be handling the bill today.

The Hon. J.R. Rau interjecting:

Mr GRIFFITHS: And he nods in agreement, just for the benefit of *Hansard*. There are a couple of things I want to put on the record so that we have the opportunity in future to review this. There has been a lot of discussion about this. The Local Government Association approached me, as the shadow minister, and the minister some months ago seeking an opportunity for three amendments to be considered. Because of some concerns about the third amendment, which related to penalty provisions, we will not pursue it at this time, but it might be subject to a further review of the Local Government Act that the minister undertakes early next year. We are consolidating this into two areas.

To put it succinctly, it relates purely to the wording of the oath that is taken by those who are successful in the November local government elections. My understanding is that an improvement was sought and it is deemed best to do that via regulation. The regulations are not prepared at this stage, but the minister has confirmed via his staff members that consultation with myself and the local government industry will be undertaken on that.

The second area relates to the training components for those who are elected members and staff of council post election also. When you look at it in the reasonably objective way that I try to do on most things, I have been rather disappointed by the number of code of conduct complaints that I have seen in the last 18 months or so that local government in many councils has been dealing with and the costs in legal fees and reviews associated with that.

In some ways, I see this training component as being an important measure to prevent that from occurring, so those who are elected members and staff understand what are their requirements and the expectations of how they have to conduct themselves. It is not to restrict or hinder the inquisitive nature they may have, the need for good debate to occur within the chamber, and the need to ensure that the absolute best decision is made, but it is some education opportunities, and it is a good step forward.

In my earlier discussions with the Local Government Association, I came from the belief that a level of training is already there; some councils use it quite well, and others probably not quite so. It may be the attitude of individual members, particularly those who have been around for some time, who see it as not being necessary, and in some cases those elected as new members see it as not being necessarily, but those of us in this chamber probably recognise that learning is a lifelong experience so the opportunity should always be there for it to be undertaken.

I read in a press release put out by Mr O'Loughlin, mayor of prospect and President of the Local Government Association, that there had been 22 different courses that had evolved in the last 14 months and involved 2,000 elected members and employees who had undertaken training, so it is an effort that has been made for a long time.

The amendments to the Local Government Act 1999 were first recommended by the then ombudsman, Mr Richard Bingham, in the 2011 final report of the investigation into the City of Charles Sturt, an investigation which stemmed from council's involvement in the St Clair Reserve land swap and which reported on findings in relation to conflicts of interest, code of conduct, the council's consultation process, confidentiality issues and prudential requirements. Additionally, as a result of the ICAC Act of 2012, the Local Government Act was amended to include the requirement of a mandatory code of conduct for council members and employees. In light of this, it is important that elected members and staff are aware of the lawful responsibilities.

It was interesting to note the comments from the ICAC Commissioner, the Hon. Bruce Lander, on 3 September, that councils are overrepresented in corruption complaints, and I understand that the LGA refutes that claim, but it is a comment the commissioner made. Initiatives under this bill are expected to assist the 714 elected members in South Australia conduct themselves appropriately. Last year, via the Local Government Association, amendments were drafted to change sections 60 and 80A, which is what we are dealing with today. They were not introduced in time before parliament was prorogued. However, since the March election the Local Government Association has worked quite diligently to ensure that the promotion of these amendments took place with the minister and the shadow minister.

Following numerous discussions with the Local Government Association CEO, Wendy Campana, I received a letter on 4 July from the LGA president, Mr O'Loughlin, on the subject of urgent amendments to the Local Government Act. The letter urged the Liberal Party to support the amendments to ensure that the changes are in place immediately after the local government elections in November. By processing them now, there is a surety that, on the basis of support from the upper house (which is never a sure thing, given democracy), they will be approved and assented to before the election is held. Mr O'Loughlin stated:

The LGA is seeking to have the proposed change to section 60 and the proposed change to section 80A enacted without delay. These changes are, respectively, a change to enable a more meaningful and comprehensive undertaking to be prescribed for Council Members to make when they first take office and a change to enable the introduction of mandatory training for Council Members. Both these changes are fully supported by the Local Government sector and the LGA Board.

In the consultation that I undertook on this I chose to contact the regional local government bodies; not the individual councils but the bodies that they are regionally associated with. Overwhelmingly the support came through. There were some concerns raised about what the wording of the regulations would be and the need to have some further consultation about that but I believe that commitment has been given.

The minister, in his second reading speech, reiterated the purpose of the amendments, specifically that the changes will assist elected members to develop an enhanced understanding of their roles and responsibilities in representing their communities. I quote:

...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.

Currently the Local Government Association offer the training, as I have said before. Over the last 14 month period, 2,000 people were involved in that training. In relation to the bill where mandatory training is introduced, the LGA supports the inclusion of penalties for noncompliance. That is what I understood the position to be. I am aware that the LGA has submitted to the minister that the penalty provision should be similar to the process that currently exists for elected members who fail to lodge a primary or ordinary return of their interest. There will be some further discussion about that because that issue is not part of this bill. Mr O'Loughlin stated:

...the ultimate sanction should include the possibility of the office of the Council Member being declared vacant for deliberate non-compliance.

Again, that is subject to some further debate and a separate bill to deal with it. The LGA does recognise, however, that the penalty provisions may require further consultation and may not be appropriate for inclusion in this urgent bill so, therefore, it has not been proceeded with.

From my point of view as a person who worked in local government for 27 years, I think training is absolutely important and I fully support that. In my discussions with opposition members I have put to them the case that I feel that these amendments are not contentious and that there is an appropriate need for it to occur. It is not a matter of Big Brother demanding that, as the state government and local government exist by virtue of statute, it tells local government what to do. I think it is a reflection of the expectation of the community. I am pleased to see and to put on the record that local government has recognised that itself by promoting these amendments and that it is not something that has been forced upon it.

The local government sector is an exceptionally important sector. In round figures it has \$19 billion in assets and 10,000 employees with \$2 billion in revenue per year, I believe I heard the president mention last night, with a deficit situation in the last financial year of \$1 million in total for the 68 councils, reflecting 0.05 per cent of the value of the expenditure that has occurred. That shows to me that it is, as humanly possible, a responsible group. With those few words, I do hope that other members will support the swift passage of the bill and I look forward to support from the Legislative Council and it being assented to.

Mr TARZIA (Hartley) (16:57): I rise to also support the bill and the amendments in question. I would like to commence by firstly acknowledging, as the member for Goyder has done, the good work that local government and local councils especially do in the community. They do a fantastic job in my area. I have three councils in Hartley: the City of Norwood Payneham & St Peters (which is my old council), as well as the Burnside council and the Campbelltown council.

It is notable that many members in this place have learnt their craft in local government. I look to my right at the esteemed member for Bright, a former deputy mayor of a local council. We have the member for Light, the member for Frome, the member for Giles and the member for Goyder, who was obviously very heavily involved as well. It goes without saying that many in this place have acquired knowledge that is particular to their council, which I am sure has been taken into account when considering this bill.

As we have heard, it seeks to amend section 60 and section 80A of the Local Government Act. I am happy to support it. As far as I am concerned, I believe that where we can we need to take councils with us and listen to local government when instigating the changes they want. I am happy to support it, especially considering the comments of Wendy Campana, the LGA chief executive.

When I first looked at the amendments, I thought back to my time in local government. I note that here we are asking for mandatory codes of conduct to be inserted and certain aspects of mandatory training. I will support these amendments, but one thing I will say is that I would like to give credit to the councils and the good work that they do already. In my time as an elected member, the local council had optional training sessions and ran workshops during the week, and I am sure that that also happened across the board. First, I point out that an element of this training is occurring; however, I think that this will better crystallise what is happening out there.

Apart from that, there are also some exceptional law firms in South Australia that I, along with members of staff and councillors on the council I was part of, found whenever we needed some advice on a particular matter were also quite good and very professional and were happy to provide any advice, but any amendment which furthers that and which sets that in concrete, I will certainly support. If local government is asking for the support, then we should certainly give it that support.

Currently, as we have heard, the LGA offer training and education courses for elected members. I note that on one of their websites there were actually 22 courses on offer, ranging in cost, and it has been said that 2,000 elected members and local government employees have actually undertaken training with the LGA's Education and Training Service in the last 14 months. What does that tell us? It tells us that this is an important issue. It tells us that people are certainly looking at education and becoming more skilled and schooled in this area. Obviously the LGA has submitted that we consider this as a matter of urgency. I am happy to do that. I look forward to working with other aspects and elements of government down the track, and I commend the bill to the house.

Mr SPEIRS (Bright) (17:01): It gives me pleasure to be able to rise today and support the government's amendment to the Local Government Act 1999. I like to take any opportunity to speak about local government. It is an area in which I have a significant interest, having spent 3½ years on Marion council. As the member for Hartley mentioned, he was also a member of local government as were many members of this house, and it is a place in which many people who look at serving in other tiers of government do start off their careers.

The amendments before us today are quite straightforward and I do not think Her Majesty's Loyal Opposition has any particular concern about supporting them. They seek to make some fairly common-sense changes to the act, to introduce mandatory training and development for elected members, and to increase the significance of the oath of office that elected members have to give when they enter into public office.

Having been the deputy mayor of the City of Marion, I have a fair bit of experience with the training and development side of things in local government. Often there was a real reluctance on the part of council to encourage local councillors (who were my colleagues) to partake of training and development opportunities, and there are certainly plenty of opportunities provided either by the Local Government Association or other training providers along the way. It did seem there was a real reluctance among elected members, partly because of the time and effort that was required, to actually go down the path of doing voluntary training and development. I do think it is very important for elected members to have a mandatory duty to undertake training and development, and for this to be enshrined in legislation is probably a good idea.

I will take the opportunity, while we have the Local Government Act open, to make a few other comments about local government in South Australia, many of which are connected with this idea of capacity, training and development for elected members. I note that when the close of rolls for the upcoming local government elections occurred a couple of weeks ago, I decided to go through the list of nominations. I was taken aback by the large number of councils, particularly metropolitan councils, where the position of mayor was actually uncontested going into these local government elections.

These councils include: the City of Marion; the City of West Torrens; the City of Playford; the City of Norwood, Payneham & St Peters; the City of Burnside; Mount Barker council; and the City of Prospect. Going into the regional areas, they include: the Barossa Council, Berri council, Ceduna council, Grant council, Karoonda East Murray council, Loxton Waikerie council, Robe council and Wakefield council. I think it really is a matter of concern that so many councils have had the mayoral position uncontested going into these elections.

I am not criticising the current incumbents or those who entered those positions uncontested; it is not for me to look at their capacity to do the role. I guess my problem is that these people enter this position in a highly unaccountable fashion. When you do not have an election, you do not get to lay out a vision, you do not need to communicate to your community goals and priorities for what you will actually do in that position.

Again, that is not a reflection on those individuals who have taken on the mayoral roles in those council areas but, rather, it is a reflection on our local democracy that in many councils—and there are hundreds of thousands of South Australians encompassed in those councils that I just read out. Those people will not be able to go to the polls and select someone. They will not be able to weigh up the options between different candidates for mayor. Also, they will not be able to fully hold mayors to account during the incoming term, because they have nothing to benchmark against in terms of things that those people would have pledged to fulfil if they had gone through a council election process. I think that is quite disappointing.

I do note that the Minister for Local Government is on record in this place saying that the government is very interested in introducing a comprehensive reform bill for local government in the first half of 2015. I really look forward to seeing what the local government minister and the state government opposite actually have on the table for local government. My view is that local government in South Australia, while operating fairly well as a whole, is still operating within the bounds of a 1970s or 1980s legislative framework, when actually the role of local government in 2014 is a much more complex beast: its responsibilities are much more substantial than even at the beginning of the turn of the century. I really look forward to seeing what the government has in terms of recommendations for the reform, what they will bring to community consultation, what they will bring to consultation with local governments and what they will work on with the opposition.

There are some things that I think should be canvassed. I am not saying this is my specific position and it is certainly not a position of the Liberal Party of South Australia. What I think we need to be looking at and having a discussion with the South Australian community includes the size of councils. I am not saying that we necessarily need to go down the track of amalgamations, but what we do need to look at is where can councils strategically work better together, where do councils fit neatly together and, if it is not amalgamations necessarily, it is looking at how councils can work together better and how we can get a legislative framework in place which encourages that.

I am very interested in looking at the way councils raise revenue. The Liberal Party went to the last election with quite a controversial rate capping proposal. Again, while I am not necessarily advocating for that policy, I do think the way councils raise revenue needs to be seriously looked at in South Australia at the moment.

In my own electorate of Bright, I have two councils: the City of Holdfast Bay and the City of Marion. They operate the same general rating structure, but when you drill down into the rate in the dollar, you have a very different situation. If you live in the suburb of Kingston Park, which sits very neatly in the suburb of Marino but in two different council areas, there is a huge difference in what neighbours pay in rates.

I have one resident who lives in a street in Kingston Park, whose house is probably worth around about \$900,000. Next door, there is a house in the suburb of Marino. The houses are actually joined together, and that house is also worth about \$900,000. The difference in the annual rates bill for those two properties is over \$700, and that is a situation that I think cannot go on in my community. Not only does it create a situation of envy, but it is not practical for two neighbouring households to pay such a dramatic difference in their annual rates revenue.

I think something we need to have a real discussion about in South Australia in terms of local government—and it is not something that sits ideologically very well with me—is the idea of compulsory voting for local government elections. Normally, it is not something that I would support, but I do think when you have a situation where, in metropolitan Adelaide, local government turnout is sitting at 25 to 30 per cent, it creates a situation where local government is very much a poor cousin to the federal and state tiers of government.

How can you take local government in this state seriously when state and federal governments sit in a compulsory voting system but local government does not? It really emphasises and underpins an irrelevancy of local government. I think that is really an unfortunate thing because local government is definitely not an irrelevant tier of government but, with a different voting system in place, I think local government is suffering for the non-compulsory voting environment in local government elections.

I also have a concern about the general capacity of local government and that is going right to elected members in local government. Somebody can potentially get elected with a couple of hundred votes from the local bowling club or can get a little group of local residents around them because they have a particular gripe about an issue. In some councils, you only need a couple of hundred votes to get on local government. That concerns me, and I think if we did have a serious discussion about whether or not to have compulsory voting in local government, we could then have a discussion about capacity of elected members as well. Would compulsory voting actually enable us to have overall greater capacity amongst our elected members? I am beginning to think that that would be the case.

Then there is the situation, which comes back, potentially, to the size of local government areas in South Australia, of the economic role of local government. I often think that local governments in South Australia do not necessarily see themselves as drivers of economic development when actually I think they absolutely are and it is a very important role of local government. Elected members need to see their role as economic developers and tailor their policies and the way they work to do that. Again, that will require working across boundaries and working regionally and not just internally in our fairly small local government areas within Adelaide.

I can count at least three major projects in my own electorate that are currently held up by local government red tape. I think sometimes people blame the state government planning system for this sort of thing, but I actually believe local government can often lead to very significant delays in the start-up time of economic projects. I have three totalling probably about \$150 million or \$200 million in my electorate at the moment, and I think it is because local governments in my community do not actually see themselves as drivers and catalysts of economic growth, and they need to be able to do that.

Those are just some of my thoughts about local government in this state at the moment. I think we have a great opportunity, hopefully, as the local government minister has suggested in this place, to look at reform of local government in South Australia in the first half of 2015. I really hope that the government does come forward with a raft of reforms, looks at the local government excellence panel that was led by Mr Crafter over the last couple of years, looks at those recommendations and uses them as something of a foundation for reforming our third tier of government.

It is a tier of government which very much has the potential to be the best and most functional tier of government. It is the most local tier of government and has the ability to most effectively impact the lives of South Australians but, too often, because of bureaucracy and because of capacity issues, it does not fulfil that potential to be the best tier of government in this nation and, too often, it is in fact the worst.

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) (17:15): Can I say first of all, on behalf on the minister, that I am sure he is disappointed that he has not been able to listen to the contributions, but I am sure he would equally welcome the fact that there has been support throughout the room for this measure. I say, on his behalf, thank you to those who have spoken. I am not exactly sure what is appropriate for me to do, given that I am not technically the minister, so—

The Hon. P. Caica: Whatever you want, John.

The Hon. J.R. RAU: Whatever I want?

The Hon. P. Caica: Yes, you can do whatever you want.

The Hon. J.R. RAU: Excellent. Can I just say in parenthesis that what I am about to say is entirely my personal opinion and has no substance or value otherwise, or perhaps even because of that. I just want to say a couple of things.

Although it may not have looked like it, I did listen to the member for Bright's contribution. I want to say that I have noticed that the member for Bright, amongst other new members, including the member for Reynell, the member for Schubert and the member for Hartley too, whose birthday it was yesterday, and others in the chamber have been very active contributors in this place. I

encourage them to do that. The other great thing you have that some people who have been here much longer than you, and might sit more or less directly in front of where you are sitting, although slightly to your left, and might not be here presently—

Mr Gardner: Just remember that provocation brings response.

The Hon. J.R. RAU: Okay. I was just going to say that all of you gentlemen have the great virtue of brevity, precision and compelling argument. I just draw that to your attention.

Compulsory voting is an old chestnut that has been floating around forever and quite possibly will float around for ever. It has been raised by the member for Bright. All I can say is there are contending schools of thought here. Some might say that part of the reason that the local government system in New South Wales appears to be permeated by unsavoury activities has something to do with compulsory voting which, in turn, has some bizarre attraction to organised political groups, but who can say? I do not know.

The other point made by the member for Bright about local government being a driver of economic growth is actually a very good point. Every level of government, whether it is state, federal or local government, should be looking for ways in which they can facilitate and enable development, growth, employment and economic activity in the state. If there are any contributions that the member for Bright or others might wish to make to my ministerial colleague in the course of further conversations about this matter over the next few months, I am sure he would be very interested to engage with you on that topic of economic development being something that councils focus upon and regard as being part of their core objective.

Another conundrum we have when we speak of local government is that we have 68 entities, and they are enormously diverse in terms of their capabilities, their size, their rate base and so on. If you look at a large metropolitan council like Onkaparinga, Port Adelaide Enfield or Charles Sturt, they are reasonably large financial enterprises with quite large staff complements that are capable of having in-house skills of quite a high level. Then at the other end of the spectrum, for example somewhere on Eyre Peninsula where you might have Elliston, Tumby Bay or some place like that, and it is no disrespect to those places, when you have a rate base of 50¢ a year, it is pretty hard to have a huge galaxy of stars working for you and things happening.

These are some of the challenges for local government, and one of the inherent complexities about this is that we are not dealing with a series of entities of similar size and complexity. We are certainly not dealing with anything that is remotely like Brisbane City Council, so maybe one day a conversation about that scale issue at some level needs to be had, whether it is in terms of the actual boundaries of these things or whether it is in terms of an agglomeration of functions into some super council-based thing which does, I think, happen to some extent in respect of waste collection already, which is fine.

I think it is a fascinating topic. There are lots and lots of issues that could be explored and no doubt will be, and I do know that the minister is a passionate believer in and enthusiast for local government having had a career himself in local government.

Mr Griffiths: As mayor of Port Pirie.

The Hon. J.R. RAU: As mayor of Port Pirie indeed. I am sure he will be very keen to talk to all members about these issues. Again, I thank all members for their contributions. I am sure the minister will be appreciative of the fact that this matter has received the unanimous support of the parliament. I thank everyone for their remarks.

Bill read a second time.

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) (17:22): I move:

That this bill be now read a third time.

Bill read a third time and passed.

*Adjournment Debate***WORLD SPORT RUGBY CARNIVAL**

Mr GARDNER (Morialta) (17:22): It is with pleasure that I speak on the adjournment tonight and I think the member for Schubert and the member for Hartley may yet get a chance to do so because I do not intend to use 20 minutes. I wish to bring the house's attention to the successes of some young South Australians in the World Sport Rugby Carnival which took place from 6 to 12 July 2014 at the Gold Coast. Over 50 teams of different age groups competed in the World Sport Rugby Carnival and I commend them for doing so.

It is not traditionally a sport in which South Australia excels over and above the rest of Australia and, indeed, those other countries where rugby is played. I would like to bring to the attention of the house, for example, that the open division at the carnival was won by St Andrews College from New Zealand; the runner-up was the Southport School from Queensland; the under 16s was won by a school from New Zealand, and the runners-up were also from New Zealand; in the under 15s, Queensland and New South Wales were the winners and runners-up; in the under 14s, again, Queensland schools; under 12s, Queensland and New Zealand; and in the under 13s, the winners were the South Australian junior rugby team and the runners-up were the Cavaliers from New South Wales.

It is a tremendous achievement. The South Australian junior rugby team playing in the under 13s won six games and drew two which is utterly unheard of in South Australia. I am particularly pleased that one of my constituents, James Du Preez, was the captain of the team for the third successive year and, for two of those years, I have been pleased to assist in sponsorship. I know James works very hard in raising money to enable him to attend these carnivals and participate. I just wish to share with the house a few words that James has been kind enough to send to me as his local member and one of the people who was able to assist. James wrote to me:

While away on tour I learnt many valuable life skills. These include respect for teamwork, leadership and living away from home without my parents. Playing against high quality opposition also improved my playing skills dramatically in a short space of time. As far as team achievement is concerned, we went extremely well. We finished first in the under 13s age group. At the end of the week we had won six games and drew two, meaning we were undefeated. All of these games were played against big Queensland and New South Wales clubs and schools that have hundreds of kids try out for 23-man squads. We had 50 that trialled.

I am very pleased that James was able to do so well. He, in fact, scored 19 tries in the eight games they played, which was the most for anyone in the under-13 age group, and it is an outstanding achievement. I know James has now been offered a full scholarship to board at Toowoomba Grammar School in Queensland to play rugby, and that is a remarkable achievement for this young man from Morialta, and I am very pleased and our community is very proud of him.

STATE BUDGET

Mr KNOLL (Schubert) (17:25): I rise today to try to put a number of things we have been debating over the past few days into perspective by giving the house a series of numbers. I am a fan of numbers and I enjoy what they represent. What we have had over the past couple of days, especially from this Treasurer, is a level of hypocrisy that I had not yet seen in my short time in this place. I thought the bar was set pretty low but it seems that we have sunk lower.

In the last day, the Treasurer has sought fit to lay the blame for all congestion in the city on the opposition's opposition to the car park tax. The idea that a tax is the best way to influence people's behaviour, especially when it comes to driving into the CBD, is extremely naive. The idea that a tax such as the transport development levy was the panacea that was going to solve all of South Australia's transport and infrastructure issues is misleading in the extreme.

The idea that the opposition to the car park tax by the Liberal Party and others in the upper house was somehow going to bring down all of the plans of the government is completely erroneous, and it is a style of debate that may sound all bluff and bluster on the radio but it does not bear further scrutiny. In that context, I would like to give some numbers.

The two numbers that the Treasurer will talk about is the \$30 million a year for the transport development levy, the \$120 million black hole, and today we talked about the \$90 million a year worth of remissions that the leader said we would look to wind back if we were to have the numbers in the

house today. Again, he said there is a \$360 million black hole that we have put into the budget, on a hypothetical basis.

I would like to put that \$30 million per year and \$90 million per year into perspective. This year, in the 2014 year, the budget was \$16.487 billion. To suggest that \$30 million and \$90 million a year are the only real things on the table that are the panacea is absolutely disgusting when you look at these figures over the life of this government. This government, in the 2013-14 year, is \$311 million over budget on their spending.

Maybe we could forgive the government if this was a once-off, but I do fear that this is a trend. This is a trend that began in the heady days of 2002-03 when the young Rann government was finding its feet when it was \$184 million over budget. Nevertheless, I would have thought that they were learning and finding their feet in the job and we may see a return to something a bit more normalised and maybe a little bit more fiscal responsibility in later years.

But, in 2003-04, they blew out spending by \$467 million and then \$487 million in 2004-05, \$370 million in 2005-06, in 2006-07 it was \$374 million, \$304 million in 2007-08, and the real kicker, in 2008-09 it was \$670 million and in 2009-10 it was \$559 million. This government has never been able to actually abide by the numbers that they bring forward to the house. It is not the Liberal Party setting the budget, it is the Labor Party setting the budget. It is the Labor government that sets the budget and they are not even able to stick to their own figures.

Over the life of this government, they have overspent on their own budget estimates by \$3,890 million. To suggest that somehow the Liberal Party is bringing down the budget of the Labor government is absolutely erroneous. You may consider that all of the figures I have just quoted are in the past. What about the present day? What about today? What about into the future? The recent history of this government is that they are no better. Since 2011-12, they have spent \$841 million over their own budget.

To go on radio this morning and then stand in the house today and suggest, as the Treasurer did, that somehow the Liberal Party has managed to ruin the budget figures of this government is completely erroneous. I would say to the Treasurer and to the government that what we would dearly love in this place is a government that stands up and takes responsibility, that says: we have a budget of \$16.5 billion and we are going to use it to best effect. But no, we do not have that. What we have are threats from the Treasurer about a potential future Liberal government and the fact that what we have done over the past few days may be revisited on us.

The hypocrisy even here, the hypocrisy even in the now is breathtaking, when we hear the comments in recent months from the Premier urging members of the federal opposition to try to scurry the budget of the federal government. How, on the one hand, can the Premier go out and say, 'I urge my federal colleagues to oppose the federal Liberal government's budget,' but in the same breath the Treasurer comes in here and says, 'No, please don't oppose our budget, members, because we've got the right to govern.' I am sorry, you cannot have it both ways. Either governments have the ability to govern and there should not be any opposition from oppositions on budget measures, or opposition members have the ability to use the processes of parliament to achieve outcomes.

I am glad to have been given the opportunity this afternoon to make this contribution because to listen to the rhetoric and hypocrisy from members opposite over the past couple of days has been difficult to take. Thank you very much to the house for your indulgence on this matter.

NORWOOD FOOTBALL CLUB

Mr TARZIA (Hartley) (17:32): I rise to congratulate the Norwood Football Club on their back to back (three) premierships in a row at the weekend. By the way, the hearts of many on this side of the house beat true for the red and the blue, including but not limited to the member for Dunstan, the member for Flinders, the member for Morialta and, in the other place, the Hon. John Dawkins.

The Liberal Party is happy to support sport because it teaches our youth and older people about discipline, it teaches them about keeping a healthy and active lifestyle and it teaches them about winning and losing. Many go through sport not winning premierships and I am happy that so

many constituents in our area have experienced three in a row for the Norwood Football Club. Their reign as the SANFL champions has stretched for the third successive year after the Redlegs conquered the mighty Magpies (Port Adelaide) by four points in the grand final at Adelaide Oval last weekend. It is the first time in over 125 years that this has been done by the Norwood Football Club.

There was a massive crowd of 38,644, I am led to believe, at Adelaide Oval and the Redlegs triumphed in what was an absorbing battle between arch rivals in the first title decided at the ground since 1973, which is before my time, before the member for Schubert's time and before the member for Bright's time as well. I congratulate Redlegs captain, Kieran McGuinness, who, by the way, I think should have been best on ground. He led the side to glory with a superb performance in defence. That is not to take anything away from the exceptional midfielder Matthew Panos, who was named the Jack Oatey medallist as the best on ground performer.

I would like to take this opportunity to thank the president, Mr Paul Di Iulio, and the board of directors: Mr Joe Tripodi, Mr Bill Moody, Mr Ben Seekamp, the Hon. Michael Wright (believe it or not), Mr John Kassara, Mr Michael Taylor and Mr Grant Dalwood, and the senior coach, Ben Warren, for the exceptional support they have provided to the club throughout the year and, in several instances, for many years.

Apart from that, I think it is fitting to pay tribute to the success of other sporting teams in and around the area. While they were not successful, the Rostrevor Old Collegians team in the SAAFL Division 1 went down fighting to the Goodwood Saints in what was a tough battle. The Payneham Norwood Union SAAFL Division 2 team were successful; they have been elevated to the next division. I sincerely thank them for their great contribution to football in the Payneham zone and I wish them all the very best for the next season. I also congratulate the junior teams that had success, particularly the Hectorville Hounds under 14s, which won their premiership not long ago.

They are some fantastic results there, and obviously it is not all about winning but it is much more fun when that happens. I congratulate all those teams on their recent victories.

At 17:36 the house adjourned until Tuesday 14 October 2014 at 11:00.

*Answers to Questions***CLARE VALLEY WATER SUPPLY**

In reply to **Mr GRIFFITHS (Goyder)** (7 May 2014).

The Hon. S.E. CLOSE (Port Adelaide—Minister for Manufacturing and Innovation, Minister for Automotive Transformation, Minister for the Public Sector): The Minister for Water and the River Murray has received this advice:

SA Water has been investigating solutions to assist Clare Valley grape growers for some time, including third-party access arrangements.

SA Water's work with Clare Valley wine growers is ongoing and, as such, the quantum of savings is not yet known.