

## HOUSE OF ASSEMBLY

Wednesday, 18 March 2015

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 11:00 and read prayers.

### *Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** I welcome to parliament students from Blackfriars Priory School. The minister for sport, tourism, agriculture and fisheries is a Blackfriars old scholar, as is my eldest son. Welcome.

### *Motions*

#### **HUMAN ORGANS TRAFFICKING**

**Mrs VLAHOS (Taylor) (11:03):** By leave, I move my motion in an amended form, with the select committee that has been proposed to report back on 3 December, the last day of sitting this year:

That this house—

- (a) appoints a joint committee to inquire into and report on the operation of the Transplantation and Anatomy Act 1983, and whether it should be amended in respect to the trafficking in human organs and any related matters;
- (b) in the event of a joint committee being appointed, the House of Assembly shall be represented by three members of the House of Assembly, of whom two shall form a quorum of House of Assembly members necessary to be present at all sittings of the committee; and
- (c) sends a message to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

I rise to discuss the foundation of the establishment of this select committee today based on my experience of having a large multicultural electorate in the north of Adelaide. Basically, the select committee will establish an update of the operation of the Transplantation and Anatomy Act 1983 to see whether it should be amended in respect of the trafficking in human organs and any related matters; and, in the event that we have some suggestions, they will be brought back to the house.

In my community in the north of Adelaide, I have many Vietnamese, Laotian and Cambodian constituents. During my time as the member for Taylor over the last five years, I have had many conversations with them and, indeed, travelled to Vietnam and Cambodia in October 2013 to discover some facts relating to this issue.

Human trafficking is an insidious and nefarious trade that happens around the world and affects people from all walks of life, but particularly from countries where there are poor economic outcomes for their own constituents and citizens. It can range from sex trafficking to workers caught in difficult work environments. One of the most tragic outcomes is, perhaps, organ trafficking, where people sell their organs and they are trafficked around the world for people who are in need of health transplantations.

One idea behind this committee, and is well known and well established because organ harvesting takes place in a number of ways around the world, is that we drive down demand by making it illegal for citizens of Australia and South Australia to participate in organ trafficking or organ harvesting by driving up demand. This is about closing the supply demand part of the economic cycle and making it illegal, just as it is for Australians to participate in the sex trade abroad with young and vulnerable people. It is to make sure that the people we are involved with, as our near neighbours, are not put through this hideous trade and to make sure that we in this country are good neighbours and good South Australians. That will be one of the major focuses of this committee, that we bring some recommendations back to update the act. So, I seek the support of the house for this motion.

**Mr GARDNER (Morialta) (11:06):** Medical advances have improved the success of organ transplantation. As such, there has been a rise in illegal harvesting and trafficking of organs which has followed. There is considerable growth in the organ harvesting market and that has led to the rise of organ theft and, indeed, killing for organs. This growing market is victimising some of the world's most poor and vulnerable people, especially in South-East Asian countries which neighbour us. I am informed that organ trafficking accounts for between 5 per cent and 10 per cent of the kidney transplants performed annually throughout the world. A small number of cases involving Australians travelling overseas for an organ transplant, or 'medical tourism', have been identified. Medical tourism as a term, in my view, perhaps does not capture the horror the situation entails for those whose organs are harvested and the extraordinarily vulnerable situation they have been in and the horrors that can follow.

There are limitations in any legislation that can be made by the South Australian parliament. We can, potentially, prohibit citizens and residents of South Australia undertaking activities overseas via an extraterritorial provision, but enforcement can only occur in South Australia. It would be a challenge for us to prevent people from genuinely establishing domicile in another state, territory or country either before or after the procedure and potentially avoiding any penalties we might apply. I think the motion by the member for Taylor is the right way to go forward.

I think a committee to investigate this nefarious trade, this horrific traffic in human misery, is the best way for us to go forward. I have had discussions with the member for Davenport, who I suspect may be about to make a contribution on this himself, and our joint party room has agreed to support the establishment of this committee. We look forward to its deliberations on working out the best way forward for the parliament to deal with this matter in a bipartisan fashion, and I am sure they will do a terrific job. I thank the member for Taylor for bringing this motion forward.

**Mr DULUK (Davenport) (11:09):** I also rise today to support the motion by the member for Taylor to refer the bill to a joint select committee of the house. On my understanding, the committee is intended to look at a possible prohibition of any resident of South Australia from receiving a human organ that has been unethically obtained. As we know, this is a practice that happens around the world, particularly in South-East Asia, and is of great concern to many of us on that moral dilemma.

The World Health Organisation collects data from about 95 member states on both legal and illegal sold human organ transplants. Recent WHO estimates suggest that within those 95 member countries approximately 107,000 sold organs are transplanted annually throughout the world. International health professionals associated with WHO estimate that up to 10 per cent of those organs are illegally obtained. Given this data, the real figure is likely to be higher as we know that many parts of the world do not participate in providing reasonable data. Similarly, world health organisations have conservatively estimated that the transplant tourism industry—that is travelling abroad to obtain an organ—makes up 5 per cent of the international organ transplant market.

To me it is clear from a number of the studies that the demand for human organs far outstrips supply. That is not surprising given the increasing burden of diseases such as diabetes which can contribute to renal failure. In that respect, estimates suggest that up to 70 per cent of transplanted organs are kidneys, and this is what we see in illegal trafficking of organs as well.

While ethically obtaining organs for transplant within our own community should be encouraged—and I encourage all members and all South Australians to be organ donors—it is also necessary to curb unethical demand for organs overall. The proposed select committee will look into this issue, especially within Asia and Africa and other parts of the world struggling to control the export of unethically obtained organs. I support the referral of the bill to a joint house committee and look forward to its findings and to see what we here in South Australia can do to curb this unethical practice.

**Mrs VLAHOS (Taylor) (11:11):** I thank the members for Morialta and Davenport for their contributions, and I look forward to working alongside my colleagues in this house. I should mention that this is a joint house committee. My upper house colleague Tammy Franks and I have discussed this at length over time and I know there have been meetings in the previous parliament from interested parties concerned about illegal organ harvesting around the world. I know the Speaker has had an interest in this matter in the past with China and its prison population. There have been

some developments in that space recently. I look forward to the upper house making contributions and joining with colleagues to move this forward.

In closing, I would like to tell a story that Geraldine Cox (the head of the Sunrise orphanages in Cambodia) spoke about at a fundraising luncheon that I attended, and it has been anecdotally spoken about in many of the Buddhist temples that I frequent in my electorate. It is about a child called Noodles. This child was a foundling child and was at the local Noodles store in a Cambodian town. Geraldine often has people telling her about foundling children. She went away on a fundraising mission and came back to see Noodles. In that time Noodles had had his eyes harvested. That child had gone from a sighted to a non-sighted life and was still at the Noodles store waiting for a new life.

This may not seem a big issue to us but it is a profoundly important human rights issue that this parliament can do something positive about, and I look forward to working with my colleagues in working towards that.

Motion carried.

#### *Parliamentary Committees*

### **NATURAL RESOURCES COMMITTEE: KANGAROO ISLAND NATURAL RESOURCES MANAGEMENT REGION**

**The Hon. S.W. KEY (Ashford) (11:13):** I move:

That the 100<sup>th</sup> report of the committee, entitled Kangaroo Island NRM Region Fact-Finding Visit, 5-7 November 2014, be noted.

In early November 2014, the Natural Resources Committee visited the Kangaroo Island Natural Resources Management region. This was the committee's first visit to the island since 2009. As with previous committee visits, vegetation management remained a source of debate. Kangaroo Islanders face a number of disadvantages compared to mainland South Australia: higher transport costs, longer times to ship produce from the island and difficulties in attracting investment were mentioned many times by witnesses.

It was clear that there was a difference of opinion between the Kangaroo Island Council and Natural Resources Kangaroo Island over what constitutes proper development on the island. Members heard that a number of proposed developments had been unable to proceed. The committee suggests that the soon-to-be appointed Kangaroo Island commissioner may be well placed to bring the two sides together.

Issues that concerned the Kangaroo Island Council, in particular, were roadside vegetation clearance for improved road safety, marine parks legislation and plantation forestry. The council suggested that it needed to have greater control over roadside vegetation and has criticised the veto DEWNR has on development proposals which require referrals to the Minister for Sustainability, Environment and Conservation.

The council, I believe, is in a difficult position. While further development of the island is desirable to ensure its long-term future, development needs to be sensitive to the island's unique qualities. Maintaining biodiversity and the integrity of native vegetation, including on roadsides, is important for wildlife and also for tourists, in particular high-value overseas tourists. Members were impressed with the work of the DEWNR animal and pest plant control officers who were in the final stages of removing feral goats and deer and also attempting to tackle more difficult pests, including feral cats and feral pigs with limited resourcing.

Koala management, one of my favourite topics, is continuing to be an issue for Kangaroo Island. Committee members were made aware of the high recurring cost of the sterilisation program and some members of our committee wondered whether it might be more cost effective for a non-government organisation to do this work. However, committee members understood that it would be unfair to compare the cost of managing feral animals with that of managing koalas, given that culling is still not an option. Koalas and their negative impacts on vegetation need continued management, with consideration also given to their role as a tourist drawcard.

Committee members were also impressed with the efforts of two entrepreneurial landholders involved in marron farming. They saw considerable potential for these enterprises to expand, building

on the island's clean, green reputation and relatively abundant water resources. However, there are some hurdles, particularly in the area of predation of marron by birds.

I wish to thank all of those who gave their time to assist the committee with this visit. In particular, I thank the member for Finniss who made time to meet the committee even though it was a very difficult time for him with his mother passing on the final day of our visit. The committee sent the member for Finniss a condolence card after our visit, and I take this opportunity to put on record the committee's heartfelt condolences to the member for Finniss on the passing of Mrs Maureen Pengilly on 7 November 2014.

I commend the members of the committee: the members for Napier, Kurna and Flinders, and the Hons Robert Brokenshire MLC, John Dawkins MLC and Gerry Kandelaars MLC for their contributions to the work of the committee and also this report. All members have worked cooperatively on this report, as they do in usual times. Finally, I thank the committee staff for their assistance: Patrick Dupont, who is our executive officer, and our former research officer, David Trebilcock. I commend this report to the house.

**Mr PENGILLY (Finniss) (11:18):** I indicate my support for the report. I would like to put on the record my appreciation to the member for Ashford and the members of the committee for their kind words regarding my mother's recent passing. For the record, my mother was the first woman elected to local government on Kangaroo Island. Anyway, that is another story.

The committee has shown a predisposition for visiting the island from time to time, which I think is to be commended, and I was very grateful that the committee went in November last year for a couple of days to look at a number of issues. There are always issues on Kangaroo Island—there always will be—and it is interesting to pick up on what the member for Ashford said because only on the weekend I found, while searching through my mother's possessions, a document entitled 'Kangaroo Island: a tourism planning statement' from the early 1990s. Surprise, surprise—the more things change, the more things stay the same. It is quite remarkable what is encapsulated there, including the need for a lodge.

There are a few things that I think need to be said. I note the comments regarding DEWNR and Kangaroo Island Council. My view is that the council has taken a quantum leap forward since the election, with the election of Peter Clements as mayor. They are a whole lot easier to deal with, and I think they have a different picture of where the island needs to go. It will not be as confrontational as it has been in the past, so that is a step forward.

Land clearance, moving trees, putting things in and taking things out will always be controversial, and one of the biggest impediments is the bureaucracy that reigns supreme for anybody who wants to put forward a development of some sort or another. They seem to become weighed down by state bureaucrats and, to a lesser extent, by council staff who are pressured by state bureaucrats. It is a sad thing.

The Presiding Member picked up on the transport costs and whatnot. This is one area where the government, through its organisation KIFA, has completely failed to act. They wanted to mess around with the warm and cuddly things, but they have not dealt with the issue of transport costs between the mainland and Kangaroo Island. Until that matter is dealt with, in tandem with the federal government of both persuasions, I might add (I can give them a smack around the ears as well), the island is going to be held to ransom. I know the minister for primary industries yesterday talked about the premium of \$60 a tonne that Kangaroo Island farmers got for canola. That is all fine; however, what he failed to mention was that it costs them \$50 a tonne to get it off the island for a start, and that is all part and parcel of it.

I also note that the committee report mentions the commissioner. To my way of thinking, the commissioner is not going to be worth a tinker's damn. It is a con and always has been. It is another level of bureaucracy. It is three days a week. It is a fool of an idea, quite frankly. I think the islanders have been conned on that, but we will wait and see. The interviews were held three weeks ago and still no commissioner has been announced, so I do not know what is going on there. Members of the government may be able to find out, but I am not holding my breath over it at all. In fact, I think that it is going to create more problems than it is worth.

I note the member's comments regarding marron farming. Marron farming has always been an interesting profession. Indeed, my brother-in-law was one of the first on the island to try marron when he had his farming property. Mr John Melbourne at Andermel has quite a large facility out there with ponds, but I suspect that the profitability level is not high. He has spent an enormous amount of money putting in dams, vineyards and everything else. As one fellow who has been in marron for a good number of years explained to me, the people who are poaching them out of the national parks and out of the dams are probably doing better than anybody else because their costs of production are not as high. It is an issue.

I think that National Parks and DEWNR need to look at what they are trying to stop when prosecuting people for poaching marron in national parks because they are an introduced species from Western Australia, and they are a menace. I understand they are a menace to platypus, which is also an introduced species to Kangaroo Island. The member for Ashford talked about koalas, which is also an introduced species to Kangaroo Island.

This madness about sterilising koalas has gone on for what must be nine or 10 years now at a cost of millions and millions of dollars. It was very controversial. I think I was mayor at the time when this first came in and the media by and large was urging me to say 'shoot them' for a sensational headline. Let me tell you that I did not say 'shoot them'. John Hill was the minister at the time, but I know and the department knows—and at that time it was all kept pretty quiet—that a good amount of shooting went on. People shut up about it, put them in holes in the ground and reduced the numbers rapidly, yet they are still sterilising koalas. So the couple of million dollars a year or whatever that goes into the sterilising koalas program could be better used, in my view, to do something about the cost of transport to and from the island.

Members also talked about tourism, and high yield international tourism. My point is that the guts of tourism on Kangaroo Island has always been family tourism; mum, dad and the kids. That has always been the backbone of tourism on the island. The international market is terrific but it is only small, let us be realistic. There are 3 million people a year who come to the Fleurieu but there are only 180,000 a year who go to Kangaroo Island.

The cost of getting to the island is killing the family tourism side of it, family visitations. I understand that the cost of going to Seal Bay, for example, is now well over \$70 for a family, and that is ludicrous. They have killed the goose that lays the golden egg. Internationals do not know how much they have paid for it; they have just paid for a holiday in Europe or America or wherever, and when they come they go to these places and have no idea what it costs. The backbone for tourism has been the family unit—and so it should be—and we should put our thinking caps on to try to do something about the cost of transport. Not bashing the ferry operator (as some members of the government have done regularly) would be a good start in the process. They are restricted to what they have to do, and let me tell you that no-one would like to drop the charges more than SeaLink, but they have to pay a million dollars a year to the government in wharfage. That would be a good place to start in dropping some of the cost.

We need to keep the families coming, and we need to market for the internationals, sure; we need to keep that going. The Southern Ocean Lodge is promoted regularly on the media and it is sensationally successful, absolutely fantastic. I had my part in getting that up, along with former minister Holloway, and I am very proud of that; however it is no good promoting that because it is \$1,800 or \$2,000 a night for two. I believe it is a complete fallacy to suggest that tourists who go to the island are going to stay at Southern Ocean Lodge. They want motel or unit accommodation—of which there is plenty—to be able to do that.

The cost of transport to the island is a limiting factor to primary industry, it is a limiting factor to tourism, and it is a limiting factor to the residential component of the island. You need a critical mass in residential population to be able to make something fire, and the critical mass is just not there with just over 4,000 people on the island. During the winter, from after school holidays and Easter onwards, businesses basically go backwards until about September. There are not enough people living there, and efforts by some departments to put dysfunctional families on the island have created more chaos—in education particularly, in crime, and the list goes on.

We need a new industry over there. I do not know what we do regarding a new industry, but we need to wipe out the blue gums on the west end of the island and revert that to farming, that would be a good start. It is high production rainfall country, and it is a dreadful waste while those blue gums remain there. I am afraid I have been hearing about schemes to produce power and biomass ad infinitum but nothing happens. I simply say that we need to get down to business, remove the blue gums and put in place a scheme to get that land back to high production agricultural country. That will lift the centre and west of the island, it will boost business across the island, it will put more kids in the schools, and the list goes on.

In concluding my remarks I again thank the committee, and I thank them for their remarks regarding my family. I support the report.

**Mr PICTON (Kaurua) (11:28):** It is my pleasure to talk today on the 100<sup>th</sup> report of the Public Works Committee—

*Ms Bedford interjecting:*

**Mr PICTON:** Sorry, the Natural Resources Committee, the hardest working committee of the parliament—

*Members interjecting:*

**Mr PICTON:** Annabel just mentioned Public Works, so it was in my head. It is my pleasure to talk today on the 100<sup>th</sup> report of the Natural Resources Committee, the hardest working committee of the parliament, and I think in this term of parliament it is continuing that hard work by its first trip to Kangaroo Island, which it was my pleasure to take part in.

We had a very packed schedule of visits and events across the wonderful part of South Australia that is Kangaroo Island, and it was very eye opening in terms of the number of issues, as the member for Finniss says, that are on Kangaroo Island, both from a natural resources perspective as well as from broader public policy issues that are there.

One particular success story that needs to be highlighted is the programs that have been put in place over recent years to eradicate goats and deer on the island. These are programs that the state government, I think together with the federal government, has put money into in order to deal with what was a growing problem of goats and deer across the island. We were briefed on this by the people who have been conducting the eradication, and it has been tremendously successful.

**Mr Pengilly:** They are good shots.

**Mr PICTON:** Very good shots, as the member for Finniss says. I think that the positions that they hold in terms of those deer and goat hunting positions are probably quite prized. There are probably a lot of people in South Australia who would see themselves as being finely attuned for that position. I was particularly interested in the way that they tackled the goat problem on Kangaroo Island, which is to use a Judas goat. They find a goat from the mainland, particularly a white goat usually, which enables them to be easily spotted, and attach to them a radio collar that enables them to be tracked, and send them out to mate—or to almost mate—with the other goats on the island. They are, of course, desexed goats that they send in, but the males are very attracted to the desexed female Judas goats from the city.

It enables the staff from the environment department to track down the places that the goats are inhabiting, which can be in some very remote parts of the island, with their surefootedness over rocky terrain and cliff faces, places where they could not otherwise be tracked down. That has been very successful for the goat problem. Unfortunately, it has not worked as well for other animals, particularly deer. Deer are much smarter. They have tried the Judas technique with deer, with peacocks and with pigs, but it has really been just the goats that have fallen for the trick. It has been a massive effort in terms of deer hunting to try to track them down. I believe they think that they are now down to 60 or so deer on the island.

That is not to say that there are not other problems with other introduced species on the island, in particular pigs and cats, which are a massive problem. They are both more difficult to track, and a substantial investment will have to be made to try to eradicate those species across the island. I think—and I think the committee thought—that the money that has been invested so far has been

well spent, and we would like to see the continuation of similar programs in the future to make sure that we can keep Kangaroo Island as free as possible from those introduced species.

There is also, of course, a huge number of foreign weeds across the island, and there are a number of programs that have been supported by the government to try to deal with them. We had a look at some of the weed sprayers and other equipment that is used to help farmers deal with weeds on their properties.

Of course, as the member for Finnis said, not all of the introduced species on Kangaroo Island are foreign and in Australia we would not necessarily think of all of them as introduced feral species. He mentioned marron, which are used in some of the aquaculture that we saw during the trip and, of course, platypuses, but always foremost in the mind of South Australians are the koalas on Kangaroo Island. The koala problem was not the focus of our trip, but it was certainly something that we looked at and something that we sought a briefing on when we were there.

There has been an ongoing program for a number of years to sterilise koalas on the island. In recent years, the number of koalas being sterilised has dropped, as the funding has been wound back slightly. I am happy to put myself forward as the person who suggested that maybe we need to look at whether an NGO could perhaps provide that service in the future rather than it being a government service. In the past it worked as a government service, given the numbers of sterilising operations that we were providing, but, now that the numbers have dropped, some of the economies of scale from the government's doing it are reducing.

**Mr Pengilly:** Sterilisation is done privately.

**Mr PICTON:** Okay, but we manage the program. I am suggesting that perhaps it should be managed privately by an NGO, and potentially they could get some efficiencies. I was interested in the evidence that we received. There is a huge number of people put their hand up to work in the government program to try and grab the koalas out of trees and bring them down. It is probably one of the most highly-sought jobs we have in the South Australian Public Service. It did strike me that perhaps an NGO might be able to even get volunteers to help do some of that work which would be more cost efficient.

In terms of vegetation there is an ongoing issue, and I think there are arguments on both sides in terms of roadside vegetation. Certainly, the council brought to our attention that it would like to clear a lot more of the roadside vegetation to enable safety for motorists, but also to make it easier for trucks to go along roads on Kangaroo Island. The confounding view is that roadside vegetation has some of the last remnant species we find of particular vegetation on Kangaroo Island and needs to be protected. Of course, there is a balance to be made there: we need to make sure that we protect our motorists, but we also need to make sure we protect some species that could otherwise be lost forever.

There are also issues—as the member for Finnis said—in terms of the blue gums on the island. I think the committee was thoroughly saddened by the situation in terms of the blue gums and the amount of land that could otherwise be used as prime farmland which is being taken up by these blue gums. There is very little hope on the horizon that there will be a good solution to this, particularly given the lack of an easy way to transport the gums off the island if they were to be felled in the future.

We also looked at some of the revegetation on the island. It was very impressive to see the work that has been put into revegetate large areas of land—sensitive to the original vegetation across the island—and it is very difficult to maintain that balance. It takes a lot of work and a lot of commitment by volunteers, but also the NRM board and the other people on the island, to make sure that is a success.

Very briefly, I would like to touch on some of the agriculture and aquaculture we saw on the island. I, in particular—but I am sure all the committee—was very impressed with the Heinrich's property that we saw and their use of kikuyu grass which, of course, is another introduced species to Kangaroo Island. They have been using it very well to run a more ecologically sustainable farm operation and they have rehabilitated a lot of land on their property, so a massive credit to them. Mr and Mrs Heinrich are very nice people and they were very hospitable to us on our visit.

We also saw a number of marron farms and saw the opportunities that aquaculture has on the island. That is going to feed into the work that we are undertaking in our forthcoming aquaculture inquiry.

Lastly, I would like to note that, as the member for Ashford said, we did hear a number of points raised in evidence about the disconnect between the council and various arms of the state government. I fundamentally believe that the commissioner will help in this regard, and I think most of the committee members did as well. I would also like to note how media savvy the Hon. Rob Brokenshire was by getting his face in the photo on the front page of *The Islander*, holding up their previous front page and noting the passage of the commissioner bill.

**Mr Pengilly:** Surprise, surprise.

**Mr PICTON:** Surprise, surprise.

**The SPEAKER:** Ah, an islander, I call the member for Bragg.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:38):** Thank you, Mr Speaker. I rise to speak on the report prepared for the parliament on the Kangaroo Island NRM region and disclose an interest, of course, of still being a landowner on Kangaroo Island, having been born and bred on the same.

The only disappointment, I would say, with this report is not in the exercise that was undertaken or, indeed, in the important projects that were observed and which have been referred to today, but that the number of recommendations that have come out of this are so narrow and so slim.

There are four, and I will address them briefly, but it seems to me that the committee has taken four of the cheap options to present to the minister for consideration because, clearly, there will be some funding connotations with these. I am disappointed that the big issues have not been dealt with but, nevertheless, at least the committee has been there and I thank them for doing so. I would hope that this report is one of the first to go onto the desk of the new commissioner for Kangaroo Island (if and when he or she is ever appointed), and that they march it up to the new minister for Kangaroo Island, whoever that is going to be, and that it is presented to cabinet for their support in the funding.

Let's consider No. 1: the subsidy for lime purchasing for acid soils. One would only have to look at the endless reports in the primary industries department to confirm that an enormous area on Kangaroo Island has trace element deficiencies and that there is an enormous need for support in that regard. Superphosphate has been used, of course, considerably over the last 70 or 80 years or so, significantly in the agricultural areas, and so I would have liked that to have been added in for some support in relation to the agricultural industry and not just the lime for the acid soils.

That is a problem and the salinity along creek lines in some areas of the island is also a problem, granted. However, the big picture here is the whole of the island has very significant deficiencies and I would urge the committee to inform themselves of what are truckloads of reports prepared on this issue over decades and understand that it is a much bigger issue to be dealt with.

The second recommendation is to look at having more signs on the side of the road about biosecurity. I do not know about any other members who have been to Kangaroo Island recently, but as you get off the boat, and off the plane into the airport for commercial travellers, you have big signs saying that you are not allowed to bring in bees, potatoes and a few other things. The biosecurity issue is still significant in that regard but, frankly, we need more than signs. We need much more than signs. I do not think you can have Alsatians, as they were previously named—German Shepherds—although I think the term Alsatian is still used. You cannot bring cats in unless they are actually—

**Mr Pengilly:** Sterilised.

**Ms CHAPMAN:** Sterilised. That information for anyone travelling to Kangaroo Island is very important to ensure that they do not interfere with the biosecurity protection, but you need a lot more than signs and pamphlets. Recommendation No. 3 is the management of feral deer, goats and peacocks. I heard the member for Kaurua eruditely present his understanding of how they are



managing feral goats and using the Judas system. I went all the way to the Galapagos to find that they had eradicated over 100,000 goats in less than eight months using the Judas system, which did not come out from the Galapagos in the end; it turned out that this process came from New Zealand.

I want to tell you what is actually happening over there. Yes, there are a number of people dealing with this issue. Some are shooting them from helicopters, some are actually going out on the ground, and Mr Markopoulos and others who are attending to this project are going along the coast and eradicating groups. They are looking for the white ones—and here comes confession time. We used to own white ones and we let them go years ago, because what used to happen after World War II apparently was that people had goats for milk purposes. They were a cheap option. They were purebreds and they were brought to the island and used for milking. I probably milked them as a child—well, I know, I have been photographed milking them. They were let go, so if you find some white ones, the general rule is you do not shoot them because they are somewhat protected locally.

Nevertheless, there has been an exercise in dealing with the goat eradication. Personally, I do not think their current population is actually a problem. So, again, I do not think you have gone to the pointy end of the pencil. I think the real issue here is not the eradication of goats or keeping them at a managed level, which I think Mr Markopoulos and others are doing fine. Aside from dealing with the few peacocks that might still be along the south road or the feral deer which have not been a huge problem on Kangaroo Island, people need to get with the program and understand that, apart from other introduced species such as domestic pigs that have gone wild, there is a huge abundant native species issue over there. I am referring not only to koalas but also the New Zealand fur seals which have infiltrated the Kangaroo Island oceans and which, I have no doubt, have demolished the penguin population down to about zero.

These are the sort of issues that have to be dealt with, and the committee has an important role to go out there and understand what is happening and come back here with some recommendations, as hard and expensive as they might be for a government to pick up, that deal with the real issues rather tiptoeing around and cherrypicking the cheap options. That is all I would like to say about No. 3: get with the program. I do not want to even start on corellas and other abundant native species problems we have.

**Mr Pengilly:** Wallabies.

**Ms CHAPMAN:** Wallabies.

*The Hon. T.R. Kenyon interjecting:*

**Ms CHAPMAN:** We have an absurd situation—take up this with the local minister, for example—

**The SPEAKER:** The member for Newland will only interject when seated.

**Ms CHAPMAN:** —where landowners have to get permits for the culling of wallabies. Has there been any abuse of this process? Have we seen a situation where landowners have undertaken a wholesale slaughter of wallabies? No! But we have a situation where every landowner, every decent person looking after the environment, has to get a permit every year and pay a fee. What a joke! Talk about red tape! Start there!

Recommendation No. 4 is the environment stewardship scheme based on that proposed by KI farmers. That sounds good, and it would behove the committee to look at what projects the Department of Primary Industries has provided in the past. If they are not providing these at present, I would be surprised. If they are not, then some discussions ought to be presented to the minister for primary industry, because that is an issue which I think he should be taking up. He is listening intently to this debate, and has an opportunity to do it. If they are serious about protecting the environment, understand the big picture; do not cherrypick the cheap options. Go back and look at what other departments have done in a sensible and responsible way, and give them support to make sure it still happens.

**Mr TRELOAR (Flinders) (11:46):** I rise today to make a contribution and comment on the 100<sup>th</sup> report of the Natural Resources Committee of this parliament, of which I am very pleased to be a member. The report describes our fact-finding visit to Kangaroo Island late last year, 2014. I was

very pleased to visit the island as part of this committee. It is some years since I have visited the island, so I was pleased to have that opportunity.

Flying in, as you do, to Kingscote and looking across the landscape I could not help but be impressed once again, first, at the way in which the island has been intelligently cleared and brought into production. There are quite large areas of remnant vegetation, particularly along creek lines and poorer soils, and the better areas, the more productive soils, have been brought into production by farmers. Kangaroo Island was one of the first settled areas of South Australia and continues to be—

**Ms Chapman:** The first.

**Mr TRELOAR:** The first, in fact: thank you, member for Bragg. The first, as she would know. I thank the committee Chair, the member for Ashford, for again capably leading the committee through its tour and deliberations, and also the member for Finniss who met us there at that time. As has already been mentioned, it was a difficult time for his family because he was in the process of burying his dear mother, so I thank him for the time he took out from that. I also thank the staff, Patrick Dupont and David Trebilcock. This report was one of David's last hurrahs, I think. I thank them both for their work in that.

It is interesting for me to note the similarities between Kangaroo Island and the southern end at least of my electorate of Flinders. Much of the landscape was very recognisable for me: those lateritic acidic soils, the sugar gums and the saline creek lines all brought images of home back to me. I can relate very much to the landscape we were walking through and looking at.

The committee has come up with quite a long report—a 70 page report—also with an executive summary and, as has been mentioned, four recommendations. It is interesting that the dot points in the executive summary include mention of—I will not say 'conflict'—difficult impasses sometimes between the Kangaroo Island Council and DEWNR. To be fair, a lot of these are around the management of the native vegetation, particularly roadside vegetation.

The issue here, of course, is that it is very difficult for councils, who have to manage the roadways and make them safe on behalf of their ratepayers, to obtain clearance to make anything like a safe passage along some of the major roads on Kangaroo Island. In a high rainfall environment, trees grow bigger and their foliage extends further out over the road. Really, there must be some common sense in this debate and there must be some practical resolve to get to the bottom of this issue. Councils must have the capacity to do reasonable clearance to make a road safe. Personally, I am of the opinion that a wide road is a safe road, not just for cars but for other traffic as well, particularly trucks and farm machinery. I hope that sensible discussion takes place about that.

We met with some of the local fishers; certainly it was very soon after the sanctuary zone legislation had been introduced, and they were still really quite worked up about that legislation and the impact it might have. We encouraged them to make a submission to the regional impact statement the government is undertaking at the moment, but many people in this house and beyond would understand that submissions do not necessarily count for a lot, particularly when legislation is already in place.

There is no doubt that these fishers will be in for a tough time because, even though only 6 per cent of the waters have been taken up in these sanctuary zones, for the most part it is a prime fishing zone and fishers ultimately will be fishing on top of each other in what is already a well-managed environment and a well-managed fishery.

New Zealand fur seals have been talked about already today, and I note that the member for Hammond maybe even two years ago had a private member's bill before this house to engage in the management of abundant native species. Certainly, two of the native species on Kangaroo Island would fall into that category—koala and New Zealand fur seals. Once again, I can make a comparison between Kangaroo Island and the bottom end of Eyre Peninsula, where I must say the New Zealand fur seals are having a significant impact on native fish stocks, the Wildcatch fishery, the farm tuna and probably the penguin colonies as well.

I think it is important, as the member for Bragg said, to have this conversation. We are in a significantly altered landscape. That is what we live in and that is what we produce from, so we can never not manage this landscape again, and that will mean managing abundant native species. I

mention the wild animals that have gone feral—deer, goats and peacocks. I must commend those who were involved, and mostly they were from within the department but there were many private landowners as well (and I am sure the member for Finniss will vouch for this), in undertaking a significant effort to reduce their number.

I guess the ultimate aim is to eradicate them altogether, as I can only imagine what damage feral deer, goats and peacocks must do to the natural environment, particularly to the creek lines, which seem to be the most vulnerable and most susceptible to damage anyway and they are obviously where those feral deer, goats and peacocks congregate.

I was particularly pleased on the last day to visit the property of Andrew and Tracie Heinrich. Andrew and I knew each other many years ago when we were at boarding school together, and I had the opportunity to renew our friendship when he undertook a Nuffield scholarship back in 2006. I, of course, was a Nuffield scholar a few years earlier in 2002. I notice from the scholars' directory that Andrew undertook his study in how more efficient genetics can achieve improved carcass quality in sheep, which is really very much a production issue.

It was lovely to visit his property and see what can be done, because this property has been well farmed, obviously, but consideration has been given to the natural environment and enhancing that environment. No better example exists, I think, of how a productive and sustainable landscape can support a profitable and sustainable farm business. I think there are incredible lessons in that for all of us, so I congratulate Andrew and Tracie on there. He has planted kikuyu, as the member for Kaurua mentioned. This is an introduced pasture (as most of our pastures are, of course), and Andrew is managing this to sustain his production but also to stabilise his soils.

Much of the island is covered with acidic soils, and acidic soils tend to be limited in their productive capacity. One of the recommendations is that the government 'reinstate the subsidy to farmers to purchase lime to improve soil pH in areas with acid soils'. This may go beyond just Kangaroo Island. The Minister for Agriculture is here at the moment, and I have already had a brief conversation with him about this. It is one of the simplest and most cost-effective ways of raising soil pH and improving the production on that soil.

Acidic soils tend to become more acidic under modern farming practices, with the addition of fertilisers, artificial nitrogen and natural nitrogen being introduced into the soil profile. As they become more acidic, their productive capacity is limited. I think this really is worth considering because at the moment the amount of lime that is going out—the addition of lime—is certainly not meeting what we would expect the effort to be to maintain those soils at a neutral pH.

Lastly, at the Heinrich property we also met Andrew Gilfillan—a family name that would be well known in this place. He has been doing some work on a farm's environmental stewardship scheme. I think this has some merit. In essence, it provides the opportunity for landowners who have undertaken environmental works to be credited for that work, for it to be noted in their production or their product or as offsets, with regard to the Department of Environment, should they want to undertake any further work. With those few words, I commend the report to the house.

**Mr PEDERICK (Hammond) (11:56):** I rise to speak to the 100<sup>th</sup> report of the Natural Resources Committee, entitled Kangaroo Island Natural Resources Management Region Fact Finding Visit, 5-7 November 2014. I just want to make a few quick comments about bees and the fact that beekeepers do not have access to national parks like they used to. It is certainly a major concern in regard to beekeeping and agriculture in this state and in this country.

Bees are a vital part of our agricultural landscape, as they make sure there is pollination in cases where it is needed, whether it is with broadacre crops or in more horticultural-style crops, like almonds, which are planted in a broadacre fashion in some places. Certainly, in regard to canola and other crops, they are vital for pollination. The restrictions on going into national parks are really hurting the bee industry. This happens on Kangaroo Island and in Ngarkat Conservation Park as well. Before, beekeepers were actually custodians of the parks and maintained tracks and access, yet more and more I keep seeing and hearing about these beekeepers being given less and less access to keep up their vital work.

It is a vital time to access the flowers of the native bush in the season when they need to have their bees in the parks. They certainly do a great job in managing the parks and looking out for problems, as well as other issues around compliance in relation to the general public's access to parks. Kangaroo Island is well known for honey from its Ligurian bees, and that is why there is a strict quarantine protocol on bees going over to Kangaroo Island. All machinery has to be completely cleaned out for that process.

New Zealand fur seals are causing massive issues around the state, not just on Kangaroo Island, where they have decimated the little penguins, but certainly through the Coorong, where they are decimating fish catches for commercial fisheries. Something really needs to be done for people to get on board and manage those. We have heard about the effect of marine parks, which is really hurting fishers on Kangaroo Island, and also the issues around managing—

**The SPEAKER:** The member for Hammond may need to seek leave to continue his remarks.

**Mr PEDERICK:** I seek leave to continue my remarks, Mr Speaker.

Leave granted; debate adjourned.

#### *Bills*

### **STATUTES AMENDMENT (BOARDS AND COMMITTEES - ABOLITION AND REFORM) BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 12 February 2015.)

**Mr GARDNER (Morialta) (12:02):** In speaking on this bill, I note that I am not the lead speaker for the opposition. The lead speaker for the opposition is not in fact in the chamber but is being found right now. The last information the government provided to the opposition was that the order provided through the week was that we would finish the bill that we were going through last night when the Attorney-General was speaking.

**The SPEAKER:** The member for Morialta is quite correct.

**Mr GARDNER:** Yes, indeed. I am speaking on this bill given that the opportunity for the lead speaker to speak must therefore be arranged. The government has stated an ambition to abolish a whole range of boards and committees, and there will be some opportunities that the opposition will take issue with and some that the opposition will support, and those will be outlined shortly in expert fashion by the shadow attorney-general (the Deputy Leader of the Opposition) and, indeed, by a range of other members of the opposition who have concerns about some of the boards and committees that the government proposes to abolish.

However, on the other hand, there is no doubt some merit in abolishing some. When the government says that these efficiencies are required because efficiency is in itself a good thing, the opposition agrees. Efficiency is a good thing. We would like to save money when a board or a committee is not benefiting the people of South Australia through its continued existence, so we heartily support and endorse that.

The concern I have is twofold. Where boards and committees are being sought to be abolished because the board or committee in question presents what the government might see as a stumbling block through its frank and fearless advice, which might potentially embarrass the government, or, indeed, through its expert advice that the government may from time to time choose to ignore because they are too incompetent to know good advice when they hear it, that presents a problem. When the government refuses to accept frank and fearless advice that is good advice and their response is just to abolish the committee, that presents us with a sincere problem. So, we will be raising some concerns of that nature.

The second concern I have is where in some of these cases an argument can be put that a board or a committee may be in existence to provide advice. It may not be called on very regularly, because the matter in question, though important, might not be one where changes are regularly

being made. So, on those sorts of occasions, the question has to be asked: is it worth continuing with such a committee?

If there is in fact no financial waste as a result of the committee or panel's existence and the panel or committee is being abolished just for convenience of the government so that they can make their press release look more attractive when they talk about how many boards and committees they are abolishing, when there is actually no objective benefit to the state through the abolition of the committee and indeed if the matter to which that committee or panel provides advice comes up, then I think the government is barking up the wrong tree.

Without wanting to labour the point, I will allow the lead speaker for the opposition to go through the matters in detail, and I look forward to the further passage of this bill and to the advice from the government, when they want to come back and debate the bill for which I made myself available in the chamber in the first place.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:05):** This is a bill that has returned to the parliament, namely the Statutes Amendment (Boards and Committees—Abolition and Reform) Bill from 2014, and which was prosecuted by the Premier. It follows the Premier's announcement mid last year that there would be a review of all boards and committees of the South Australian government, the intention being that there had to be some opportunity for them to present to the government to justify their continued existence and to decide, if they were not to continue, that they would either be abolished or replaced by a structure or management arrangement (i.e. internal department or ministerial management) where they had not achieved a threshold of justification.

Subsequently, the Premier announced that, of the 429 boards and committees, 90 would be retained, 107 would be abolished, 17 would be merged, and 62 would be subject to further review. This bill abolishes I think some 56, or thereabouts, either abolishing them or merging them with some other entity, simplifying them or the like. Certainly, there has been a group through this exercise that has lived to fight another day and apparently remain under review by the government, but which may still have the fate of abolition. Some, of course, are able to be dismantled, reformed or renovated by a regulatory procedure, guidelines, ministerial edict or whatever, but some require the statute, and that is why we are here.

The opposition have, in short, identified a number of areas where we agree with the government that abolition of the structure that exists is justified. Sometimes it is because they have completed their task and they are no longer required. I can think of a number of boards that were set up to supervise housing developments, for example, which are now either underway or completed and no longer require that type of structure to continue. There are a number in the area which I look after for the opposition, in urban development and in the Attorney-General's responsibility, which we would agree with the government have passed their use-by date, many of whom have done excellent work but there is no reason why they ought to be accommodated.

There are four areas, however, in which we feel the government are progressing with an abolition or a destruction of a structure which currently exists which is ill conceived in the decision to do so and will produce an alternative regime which will totally inadequately deal with the proper management of that area of responsibility.

One is the proposed abolition of the South Australian Tourism Commission Board. A second is the abolition of the Pastoral Board. The third is the abolition of the Animal Welfare Advisory Committee, and the final area is the Health Performance Council. I wish to refer to each of these in turn. Other members on our side who are very familiar with the operation of a number of these, I do not doubt, will elaborate on the concerns raised in these areas, but I will try to, as succinctly as possible, put the positions as we see them.

Firstly, in relation to tourism, the announcement that the government would consider abolishing the South Australian Tourism Commission Board was met with an enormous amount of concern. Let me go to those who have indicated their disquiet, and start with the Tourism and Transport Forum Australia. This is a national body, which was established as a peak body to represent companies in Australia's tourism, aviation and transport sectors. It is one with which I am sure most members would be familiar. It has significant interests in South Australia. It periodically

publishes its recommendations for consideration by state and federal governments and, indeed, local governments but particularly the former.

They have been instrumental in identifying for the lawmakers and the governments of the day areas of development and opportunity to dovetail into the benefit of both infrastructure, particularly transport opportunities, and tourism, in the clear recognition that you just do not have a tourism industry unless you have the infrastructure to go with it and the transport corridors and/or shipping or marine ferries and the like that are necessary to be able to take advantage of that for South Australia's benefit. The TTF has been quite forthright in indicating that the South Australian Tourism Commission Board is an integral part of making sure that that is delivered. In their submission they say:

The decision to abolish the SATC board and deliver full control of the agency to the minister threatens to stall that momentum and with it the economic growth and jobs that a strong tourism industry brings. The government has indicated that the abolition and merger of these boards, along with the abolition of more than 100 other government boards will be dealt with through an omnibus piece of legislation. When this omnibus legislation comes before you in the House of Assembly, I urge you to vote against the abolition of the SATC board and the merger of the ACC board.

They go on to say:

It's good governance practice to have the SATC operate in a commercial environment at arm's length from the government with the oversight of an independent business orientated and expert board. This best-practice structure is also in place in every state and territory, except the ACT. A formally constituted board provides a clear layer of accountability for the chief executive, gives the industry certainty about the rigour of the agency's strategic framework and encourages investment. Removing this level of governance unnecessarily exposes the decision making process at SATC to the vagaries of the political cycle and creates uncertainty for investors in South Australia.

They made their position very clear. Mr Bignell, or the cabinet, did not listen. He takes the view, in response to the concerns raised, that he has considered the correspondence during the consultation period. In a letter to me dated 18 January 2014 he says:

Decisions like these have not been made lightly and have come about from discussions I have had with hundreds of people throughout the state during the past 24 months.

I had a little look at some of these submissions, and sure some of them are by people who I think have a vested interest in supporting the government's position, but parties such as the Australian Tourism Export Council, together with the TTF and others, have made it abundantly clear that an independent body is important.

The minister also states in a letter dated 31 October 2014, after repeating having had discussions with hundreds of people:

The chair of the South Australian branch of the Australian Tourism Export Council, Mr Paul Brown, was included in this process and is supportive of the government's decision. Mr Brown has accepted a position on the new industry panel.

I rest my case. For those who have been given the leg up or the leg across to be able to have an opportunity to serve in the new structure, of course they are going to come out and make positive statements about what is a government decision, but the independent people who have actually identified the significance of having this independence have identified the merit.

Let's understand this: if we are dealing with major projects of property, subsidy, or support either to tourism enterprises or infrastructure to go with them, then it is absolutely imperative that we have an independent board to make those decisions. How clearly should that be enunciated in the background of the government's decision, for example, on the Gillman development, where they had the Renewal SA board saying to them not to do certain things in a process and a government department saying not to do things regarding their decision in relation to a development of the Gillman land? However, they set up a structure to bypass the advice from the Renewal SA board, four of whom have subsequently resigned.

It was quite unique of the Premier to set up a structure so that the CEO, the then Mr Fred Hansen who was appointed to this role, had direct accountability not to the board, as applies in other enterprises where we have government boards, but to the minister. Instead of being accountable to the board like most CEOs—the CEO, for example, who is accountable to the board for the SA Water Corporation and there are a multitude of other examples—in this instance we have a separate

statutory body which has a new line of command from the minister to the CEO, and we can see what happened in that scenario. What a debacle.

Tourism is very important for the future of South Australia and it involves decisions about prioritising transport and other infrastructure projects to support it, yet we are getting rid of a board. Consequently, the tourism industry will be directly accountable to a minister. If ever that opened up a door for potential misconduct, maladministration or even corruption, I do not know what would, and so I would urge the government to rethink this issue. This is a very important board. It has a very important independent role. It has a commercial accountability role and it has an obligation obviously to report to the parliament and provide that level of independence. I think that is critical and I am concerned that the government should be so intent as to try to bulldoze through a proposed abolition of this board.

In addition, of course, we have the submission from the South Australian Tourism Commission and their plea to the government in their presentation on 15 August last year by Ms Jane Jeffreys who is the chair—and I think for a period that also overlapped with her role as the chief executive officer. Others may be more familiar with what the current position is, but I think there was certainly a period where she operated both as chair and chief executive, but at least the government had a separate board which would scrutinise the prioritising of projects and the recommendations that went before cabinet. In her letter to the Minister for Tourism (Mr Bignell) she outlined her plea that the commission board be kept. She said:

We firmly believe that the board should continue. It has an essential role to play for government and the tourism industry in ensuring that tourism drives economic development for the state more holistically.

She goes on to say:

The advantages of ongoing retention of a commercially orientated and independent skills-based board for the Commission include:

- The Commission Board plays a crucial role in challenging the Commission to be innovative in how it inspires international and domestic consumers to view South Australia and ultimately drive demand for our product and experiences.

She later goes on to say:

The Premier heard this directly from stakeholders and industry leaders at the recent TTF event in Adelaide.

Clearly, he was not listening. Then she goes on to say:

The Commission acts in a commercially sensitive environment. It receives/leverages cooperative marketing funds and cooperative investment sponsorship for its events and marketing activities amounting to more than \$10 million. This investment could be potentially at risk if investors are not assured there is a suitable corporate structure governance in place at the Commission to manage and protect their investment, particularly given the perceived lack of the corporate sector's appetite to work directly with government.

That comment is concerning in itself but, nevertheless, if it is right, that is even more reason why we should have an independent board. She goes on to say:

- Without the board governance structure, the government would risk business investment to leverage current funding and community confidence given the role tourism has been identified to play in South Australia's economic future.
- The Board and commercial structure allow the Commission to retain and attract commercially orientated personnel that are solution based and outcome orientated.
- The abolition of the Board and the subsequent loss of commercial focus of the Commission would result in the state risking its reputation and the confidence of industry and interstate and national tourism entities as it could be seen as a downgrading of the value and role of tourism in South Australia.
- The commercial orientation of what the Commission undertakes and drives is a foundation for the vibrancy in our city and an underlying contributor to the overall positioning and brand of the state. This commercial orientation and thinking also supports investment and growth in this dynamic sector.

In summary, they say: keep the skills-based, commercially oriented board; integrate the functions of the Motor Sport Board to the commission; and reduce the number of board directors on the commission board but retain the skills-based board for the commission to ensure all of the objectives they have outlined in detail in their submission.

I do not always take the submissions by groups trying to protect themselves as necessarily being the arbiter or the threshold basis upon which we should make decisions in this place because, of course, there can clearly be seen that there is some vested interest in doing so. But we have other major stakeholders in this forum saying, 'This is important. Keep this independence, keep a skills-based board.' It does give a level of independence, integrity and transparency to government in making decisions when they start to prioritise major projects.

It ensures that tourism is able to claim, via that process, to have an open and transparent process that can be seen by other people and other organisations that are seeking to have the government make decisions to prioritise their objectives. For example, people in the agricultural industry may say, 'We want to have better roads,' or people in the mining industry may say, 'We want to have ports.' These are areas of priority that, ultimately, governments have to make decisions on. They are big decisions: they are big dollar items.

The tourism industry wants to be able to remain in a credible position of being able to present an independent and thoroughly investigated and supported recommendation to the government. I am very concerned about the government's insistence that this board should go and that it should be taken in-house. It is a big mistake, and we will not support it.

The second area is in relation to the Pastoral Board. I am sure other members who represent parts of South Australia with areas that have had the benefit of having the Pastoral Board which they and their constituents can go to and which is an independent body to make decisions in this area will have a lot more to say on this. The Pastoral Board—for the people who may not be familiar with this—covers a whole area of land in South Australia, probably by far the biggest single tract of pastoral land, which covers our state and occupies mostly the north of the state, our station country. We have an enormous agricultural industry, and sheep feature up until the dog fence and after that it is cattle. Some are nodding here to tell me this.

I think some are in the organic category and pride themselves on producing beef for interstate and export consumption in a big way, as a big income earner for South Australia. In fact, I think they are even so careful about this that they import hay from hundreds of miles away to make sure that their stock is not eating hay that might contaminate or affect their organic status. They are very careful not to use chemicals or certain poisons when they are dealing with dingoes or feral animals.

**Mr Knoll:** Strong animal welfare standards.

**Ms CHAPMAN:** They have extremely strong animal welfare standards—thank you very much. They are very conscious of remaining in the remote parts of South Australia, delivering for South Australia, providing a major export for South Australia and making sure that we can proudly say around the world that we make a very good product and, in that case, it obviously has an organic status.

For all their effort, they usually get a better return; I certainly hope that continues. Some of our biosecurity laws, and particularly the management by this state government, do raise some questions from time to time about how they deal with it—the feral dingo problem, for example—and the enormous cost that that puts on our rural people, particularly in the station country, to be able to survive.

I know the member for the West Coast, the member for Flinders, has some pastoral land in his area. I am not quite sure what the historical reason is for that, why beautiful parts of the West Coast are actually still in it, but he will tell us, no doubt. They are, importantly, under the responsibility of the Pastoral Board, and certainly members who cover our Riverland area also have some significant pastoral properties, for which we do not have certificates of title but have lease arrangements which are managed by the Pastoral Board.

Recently, in another area, I asked the Registrar-General for dealing with land in South Australia (Mr Pike) about some amendments on some other legislation, and he wants to keep a proper record of the crown leases in South Australia. To update the management of that in some legislation, we are happy to support some legislation that covered that aspect, but we should not ignore the fact, for the purposes of this exercise, that the people who occupy these properties have paid for the right to occupy them.



They may not have an estate in fee simple; they may not have a certificate of title as I might have for a piece of property in Tusmore in South Australia, but they do pay good money—often a lot of money—to be able to buy property in these regions, and they are undertaking enterprises which, as I say, provide revenue for the state and major industry and employment for the state, and they are serviced by towns for people who also live in those areas.

The Pastoral Board has responsibility to make a number of decisions; one is: what is the level of fee that the landowners should pay for the government structure? Most of the rest of us in South Australia pay rates to a local council. These people are not covered by a local council, but they obviously do need to have some body that sets the fee for the landholders to pay.

So, one important role is to identify what are the costs of operating a pastoral board and what their fee should be, and they set that by recommendation to the minister, and the minister can reject or sign off on that. Obviously, they can do as they wish, I suppose, in the end but at least you have a body from which they are obliged to at least receive the recommendations—and that has worked very well.

They have a very important role in setting stocking rates on properties, for example, to ensure that our pristine environment in what are mostly remote areas of South Australia—certainly, delicate soil environments—where destruction by erosion, wind erosion and the like could severely impede the standard of how environmentally sound these properties are, let alone their capacity then to be able to be productive, from an enterprise point of view, in a rural or tourism opportunity.

In relation to the sheer interruption to the environmental integrity, it is massively at risk unless you have a body which deals with such things as how many introduced species and how many hoof prints can a certain environment safely sustain for the purposes of reaching a balance between providing for an industry and protecting the environment for ecological sustainability as well.

The Pastoral Board has a number of roles and it is a very important role, and the government has decided that it wants to get rid of it and that it is going to take all this in-house. It seems as though, on the briefings I have had on this matter, that the Department of Environment personnel, who obviously have a role in supporting and providing data and information to the Pastoral Board at present, will still do that work and they will give it to the minister and the minister will make the decision.

Again, we have a situation where the transparency of the fees to be set and the rules to be applied will not be transparent, and it will affect, we suggest, the integrity of the supervision and management of a vast tract of South Australia for which there will be no voice or advocacy available without that Pastoral Board.

Others will give advice to the parliament, I am sure, about how effective the Pastoral Board has been and how important it has been in providing their work, recommendations and independence and why they should be retained. I for one have not received any suggestion from even those who are providing a briefing by the government that this board in some has failed or that this board in some way has been deficient in not justifying its continued existence. So from our side of politics that will be opposed.

I now move to the abolition, under the Animal Welfare Act, of the Animal Welfare Advisory Committee. The proposal of the government essentially is that they will reform animal ethics committees which currently operate such that they will be established with their members appointed by the relevant licensees rather than the minister. I am not overly familiar with how this currently operates, so I thank those in the department who have provided briefings on this.

At present we, quite rightly, have animal welfare laws in this state to ensure, inter alia, that animals are not used or abused, for example, in testing for product advancement or even for medical purposes, and there are certain ethical standards we insist upon. I cannot remember all the details of these, but I expect they still include things like: ensuring that if an animal is used for a testing procedure, for example with a certain drug that is under trial, there will be minimal imposition of any pain to the animal and they will be humanely put down in circumstances where there is a prolonged incapacity or infirmity of the animal in question. These are all logical things. I do not think anyone would have any issue with that. We need to have certain standards.

Obviously, overlapping that, are all sorts of other rules that we have which, I suppose, touch on the area of morality questions about whether animals used in any testing procedures are likely to be caused to be either destroyed or to develop into something that is unacceptable. An example, which has always been used is that of Molly the sheep, or whatever she was called—Dolly, I think, was the sheep.

**Mr Pederick:** Dolly.

**Ms CHAPMAN:** Dolly the sheep. When we had the GM—

**Mr Treloar:** She was cloned.

**Ms CHAPMAN:** Dolly was cloned, and we have done a whole lot of cloning legislation here to do with the use of embryo cells for cloning so this is not an unfamiliar topic to the parliament. I am not going to dwell on it, but I make this point: there are a lot of ethical questions about what we use government research money for. That is one threshold question. The second is: in genetic engineering and/or social engineering, what decisions are made when animals are involved. For example, I think it is quite reasonable that it goes through a process with Medvet, which is an entity that has, historically, looked at sheep and inoculations.

I can think of one, for example, at the Waite and Roseworthy campuses (now part of the University of Adelaide) where they used to have a little contraption behind the sheep's bottom and they would collect the faeces of the sheep and test them. The little contraption on the sheep's backside was not seen to be unreasonable or to cause any pain to the sheep, but it was important for looking at the advancement of products for sheep immunisation. We had them running around on Martindale Station in testing arrangements for sheep as carriers of an antidote for snake venom. The production of immunisation material to deal with, I think, rattlesnakes in America was one of the products they were able to develop and sell.

These are all the sorts of things where, obviously, we have to have certain standards about protection. So important is this area that we also ensure, under our current law, that the people who are allowed to even do this research have to have a licence. We also do it for human testing, I might add, so that with drug treatments or medical procedures where there is, potentially at least, a controversial area of research that is going to be undertaken we have certain standards. Historically, the government has established animal ethics committees and licensees through the legislation. The committees and even their composition details have been provided to me on a confidential basis. I am happy to accept that confidential basis as to the composition of the chairs of these committees and those who are currently members of the committees. They play a very important role.

What is concerning to me is that, under this proposed restructure, we are going to have a licensing system which will continue to provide for certain entities to have the right to be able to undertake research and do testing, including on animals, and we are going to have a committee structure which, instead of being comprised of people recommended by the minister as an independent process through the board, is going to move to the licensees themselves nominating the people who are going to sit on these committees. I think that is a recipe for potential disaster.

It is fair to say that the people who are currently licensed (whom the committees sit over and keep an eye on) are largely government departments or educational institutions—obviously like universities as you would expect—but they are also private enterprises and some NGOs. I have been provided with a huge long list of people who are currently licensees which, say, the Wildlife Ethics Committee, currently provides for. However, what we are going to do is ultimately put some of these entities into the structure that is going to have a responsibility to actually carry out the work. I see this as too close and too available to exploitation and will not provide the level of protection that we have currently.

I can tell you how serious this issue is: it is so sensitive that when the government provided, on a confidential basis, the list of the chairs of these committees and the licensees, it did so on the basis that it wanted to ensure that these people were quarantined from lobbying or harassment—to use their words. I do not doubt for one moment that there would be some extremist groups that would always want to be protesting against the use of an ant for the purposes of research. We do not want to have lawful entities unfairly interrupted by people who want to put an extreme view on some of these issues all the time, especially when laws have already been made. These issues have been

debated and laws have been made and we have a structure to protect the interests of the vulnerable, including animals, in these circumstances.

However, it worries me that this whole process is already pretty secret. It is not sitting well with me, and certainly not with the opposition, that we have a scenario where we are going to get rid of the board and we will just have these animal ethics committees—I was going to say 'manned', which is not a very modern word—comprised of both men or women who, as good as they may be, have a vested interest. That is another area which we do not agree should be abolished. That must be kept independent and it must be protected, especially in an environment where there is a good deal of secrecy.

Finally, I come to the Health Performance Council. If ever there was a case for arguing why it is important to keep the Health Performance Council alive and operating, you need only go to the debates of the Hon. John Hill, former minister for health, who came to this parliament some years ago and told us how important it was that he restructure the health system, that we have a better system, better enforcement and a new governance, and that we would get rid of all the state boards of hospitals. We would get rid of all the regional boards—well, he actually had sacked all those before we even got the bill. He would get rid of the board of the IMVS and create Pathology SA, and we were going to have this great panacea of health service. What a disaster!

In any event, he came into the parliament and said that he was going to introduce a health care act which would ensure that we had a level of accountability, even for his own department, the health department, and that we were going to have a health performance council and it was going to have a role in doing two very important things: firstly, it would have the power to be able to get information from the department when it needed it and, secondly, it would report to the parliament directly each year in its annual report about what it was doing and what it thought was important.

More importantly, he said that it would deliver a comprehensive review every four years to ensure that the parliament was kept abreast on what was happening with this massive department which had just been corralled in and become a centrally controlled entity under the bureaucracy—the biggest of the state departments. I think we now have well over 1,500 people just in the head office, let alone the tens of thousands of people who are employed in our hospitals, clinics and community services.

So, I say that if ever there was a justification for having a health performance council, in the absence of every other level of governance, independent advocacy, scrutiny or supervision, it is in the words of the Hon. John Hill who presented a bill to the parliament which was supported. Of course, we were not happy on this side of politics that the government had broken its promise to get rid of boards, but we supported the implementation of a health performance council to at least have one little gasp of oxygen in support of keeping transparency in the government. What happened? The government came along, under Premier Weatherill, and said that we were going to review all our boards and get rid of the Health Performance Council. Guess what?

**The SPEAKER:** Could the member for Bragg not use the Premier's surname for reasons which are so compelling I thought you would obey them.

**Ms CHAPMAN:** Thank you. The current Premier came along and told the parliament that it was important that we get rid of the Health Performance Council and that it was going under this bill. That is not acceptable to us; I can tell you that is far from acceptable to us. Do you know what else is really adding an absolute insult to this parliament? He is asking this body to vote for the abolition of the Health Performance Council before it has even tabled in the parliament its four-yearly report which has been sitting on the desk of the current Minister for Health since December. By law, he does not have to produce it for another couple of days because of the 16 or 19 or 20-day rule of parliament's sitting post his receipt of it.

In an environment where the government is saying—and the Premier, in particular, who has announced this policy and prosecuted this bill—that we do not need a health performance council, where is their four-yearly report? Why can we not have that tabled here in the parliament as we discuss this bill? How do we know what they say is important for us to consider in the new Transforming Health services which the government is currently undertaking under the current Minister for Health?

How do we know whether in fact the health services we currently have, which have been under the scrutiny of the Health Performance Council and which has reported to the minister and which we cannot even see yet—not even before the closure of discussion and consultation with South Australia when they cut off the oxygen of people having a right to complain about their new Transforming Health, bulldoze the Repat Hospital, slash and burn the QEH, castrate the Modbury Hospital, to do whatever it is doing down at poor old Noarlunga, let alone the poor old country health system.

In the environment or in the envelope of us considering a major piece of health structure, of services and the delivery of cramming in all our emergency departments out of seven big major metropolitan hospitals into three—in the envelope of that environment of discussion, where is the Health Performance Council's report? Sitting on the minister's desk. We need the Health Performance Council. It has reported already in its years of operation to this parliament. The last report was for the period ending 30 June 2014, and that was tabled on 13 November last year. Whether it is abolished or not, it will of course have an obligation to still report for this financial year, or part thereof that it still survives. That report will be tabled, in the general thrust of things, probably by the end of 2015.

I do remember, though, when the country hospital boards and the regional boards of the metropolitan hospitals were all abolished some years ago, that it took some years for us to finally get all the last annual reports of the boards before their demise, because, of course, most of them were sacked before they had a chance to even sign off, so they had to go back and find some of these people to even approve what their reports had presented. This is how ridiculous it is. Anyway, with a bit of luck we will actually get the Health Performance Council's annual report for this current financial year, or part thereof that it exists, possibly at the end of the year.

In the environment when in July last year the Premier was announcing a review of all the boards, you would think that when the Health Performance Council provided its annual report in 2014 it might report to the parliament some justification upon which it might continue to exist and that it may present to the parliament some view itself about whether it had a role that it should continue to play and whether it could justify its continued existence.

We do know that Ms Anne Dunn, as the chairperson of the Health Performance Council, did put a submission to the Minister for Health and Ageing on 14 August last year as the basis upon which they submitted that in the reform process the government should consider the retention of the HPC. They did say, if it is not to be retained, that they recommended that it be provided with a wind-up period sufficient to complete its 2011-14 review report. We now know that that has occurred and it is sitting on the minister's desk. They obviously expressed their disquiet to the minister about what it was doing.

In fact, they reiterated a number of points, particularly the independent expert advice of which the members of the council are comprised and of which they have undertaken the job over the last few years. They also outlined to the minister the achievements they had made. Some of these are set out in detail in annual reports that have already been provided to the parliament, but they do point out that it is South Australia's only external review body of the health system, providing the expert independent monitoring necessary to ensure accountability, transparency and public trust. They also went on to say that there had been some demonstrated positive impacts on the quality of the health system as a result of the recommendations and the work they had done in presenting them.

I would like to summarise some of these. Of course, one was to keep the health advisory councils, an assessment of those and a review of those and some independent advice to the government. They say that in the assessing of data the HPC had revealed that country residents receive less community mental health care, specialised psychiatric care and follow-up after hospital discharge for mental health reasons, including areas of reallocating resources to reduce the burden on hospitals. They were very active in that space.

They claimed that the HPC had found a strong correlation between remoteness and dying in hospital, and that a significant number of South Australians die in hospital due to under recognition of end-stage chronic diseases. These findings led to advice for ways to better meet South Australia's expectations while creating savings.

To important initiatives of work they had undertaken and assessment of the data, they claimed they had provided frank advice on whether the departmental strategies were being implemented as planned; in other words, they were a bit of a watchdog on the promises of the department, the minister's expectation that they would be delivered. They had someone in there checking the minister to make sure that what they had been told by their advisers and the health department was the full picture.

They took credit for (and I do not doubt it) being instrumental in providing a cost-effective advisory service to the Minister for Health on the health system as to quality of service outcomes and cost savings. An example they provided was that in 2013 they outlined that the HPC had identified up to \$30 million in savings annually for SA Health through improving end-of-life care. The review was undertaken quickly, but ultimately (which, I might say, was not as quick) we had the end-of-life legislation through here.

There were a lot of other contentious issues associated with advanced care directives and how they might be managed and implemented without, even inadvertently, introducing a situation where people became fearful of euthanasia-type practices, if I can put it as generally as that. The government was careful to make sure of that, I think, as best they could. However the government was advised of critical information about how they might best look at that issue. We do not like to look at end-of-life things as having just a dollar value (like, sort of, bumping them off early so that you save costs for the health system, if I can put as crudely as that). I simply point out, though, that they had an important role in advising the government in that regard.

They have been highly effective and they were undertaking a number of projects that were very important, one of which was to look at Indigenous health in South Australia and how the services in our health structures were operating or failing. They were doing an enormous body of work on that. I am told, independent of the HPC, that some of this work has been picked up by some other agencies. I hope that occurs, because the failure to even record important data in regional and remote South Australia that I have experienced in here first-hand, is shameful, and it has been under the watch of the current Premier, both in his current role but more particularly in his former role. They do not record the addresses, apparently, to identify the level of child abuse on Indigenous lands. I seek leave to continue my remarks.

Leave granted; debate adjourned.

*Sitting suspended from 13:00 to 14:00.*

*Parliamentary Procedure*

#### **ANSWERS TABLED**

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

*Parliamentary Committees*

#### **LEGISLATIVE REVIEW COMMITTEE**

**Mr ODENWALDER (Little Para) (14:02):** I bring up the fourth report of the committee, concerning subordinate legislation.

Report received.

*Question Time*

#### **HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:02):** My question is to the Minister for Health. Does the minister agree with the statement made by Dr David Pope from SASMOA yesterday that these reforms, and I quote:

...will cost lives. You can't have just three major emergency departments in Adelaide and not see people suffer and die unnecessarily as a result.

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:03):** No, I don't; of course I don't.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:03):** Supplementary, sir: can the minister guarantee that no lives will be lost as a result of the decision to downgrade half of the 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) (14:03):** What I can say is that we already have 500 more deaths in South Australia every year than in comparable states. That is a problem which needs to be fixed, and that is something which Transforming Health is seeking to correct. The simple fact is, one of the reasons we have more mortalities than interstate benchmarks is because of the way our health system's configured. It has grown organically over the last 80 years, with aged facilities that need to be replaced, the way we do rehabilitation and the fact that it's not incorporated into our major hospitals, and the way our emergency departments just do not work.

We have too many people going to the wrong emergency department who are not able to get the definitive treatment. We have stroke data which makes it quite clear that people are presenting after hours with strokes and are unnecessarily dying because we don't have senior clinicians on after hours, because we don't have the diagnostic services available. These are all the sorts of things we are trying to fix as part of Transforming Health, and I'm very confident that we'll be able to get that mortality rate down and we will have fewer—fewer—unnecessary deaths than we do at the moment.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:04):** Will the minister stand down if preventable deaths occur as a result of his reforms?

**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):** That's a stupid question.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:04):** Can the minister explain to the house why that is a stupid question? Why is it stupid that we ask that the minister consider standing down if there is a preventable death which occurs as a direct result of the reforms which he is pushing through the house?

**The SPEAKER:** I don't think the minister has responsibility for the intelligence, or otherwise, of the Leader of the Opposition's questions, but he appears to want to assume that responsibility so I will ask him to reply.

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:05):** No, I don't, sir; thank you very much for that kind offer. As I have said before, this is about reducing the number of unnecessary deaths we have in this state.

*Members interjecting:*

**The Hon. J.J. SNELLING:** Don't be silly. Look, ask some serious questions. Give South Australians some comfort that the opposition in this state—the Liberal Party in this state—have some serious questions to ask about Transforming Health rather than stupid inane questions of the type you just asked.

**The SPEAKER:** The leader.

**HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:05):** My question is again to the Minister for Health. Given that the downgraded emergency departments will be diverting life-threatening emergencies, what range of conditions will be considered life threatening?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:06):** Life threatening is pretty self-evident: it doesn't require a clinical definition. But, of course, something where someone is in danger of dying and where it is not appropriate to take them to the closest emergency department and they are going to be able to get better care by being looked after in an emergency department that has the appropriate diagnostic services—

*Members interjecting:*

**The Hon. J.J. SNELLING:** —with senior clinicians on site 24 hours a day. It's not rocket science.

**The SPEAKER:** Before the leader asks another question, would he be seated. I call to order the leader, the deputy leader, the member for Unley, the member for Hartley, the member for Mount Gambier and the member for Heysen. Leader.

**HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:06):** Thank you, sir. I presume that a stroke is a life-threatening condition, and I ask the minister to outline to the house what are the symptoms of a stroke?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:07):** I'm not a clinician but the paramedics—

*Members interjecting:*

**The SPEAKER:** The member for Florey is called to order for offering to answer the question.

**The Hon. J.J. SNELLING:** The paramedics who work in our ambulance service are more than capable of diagnosing a stroke. I know you don't have any confidence in our ambulance officers, in our paramedics—I do. You're still stuck in a health system of 50 years ago. The simple fact is that paramedics can quite easily diagnose a stroke. They quite easily know when a stroke is happening and to take that person to the relevant hospital, and to suggest otherwise just shows what a fool you are.

**The SPEAKER:** The Minister for Health should not say that I am stuck in the medical norms of 1965 or say that I am a fool.

**The Hon. J.J. SNELLING:** I apologise, sir.

**The SPEAKER:** The leader.

**HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:08):** Does the minister know what the symptoms of a life-threatening stroke are?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:08):** Fortunately, I'm not in the ambulances diagnosing strokes. That is not a job the health minister has. I'm barely qualified—

*Members interjecting:*

**The Hon. J.J. SNELLING:** I'm barely qualified to cut my own toenails as far as health care is concerned. I have occasionally applied a bandaid to one of the children, but fortunately it's not up to the health minister in this state to diagnose strokes.

**Mr Marshall:** You don't know.

**The Hon. J.J. SNELLING:** No, I don't know—I don't need to know. That's not my job. We employ 30,000 people to work in our health system: ambulance officers, nurses, doctors—that is their job. I wouldn't pretend to interfere; I wouldn't be so arrogant as to say that I had diagnostic knowledge and that this is something that I would be able to have any particular expertise in.

**The SPEAKER:** Before the leader asks his next question I call to order the members for Schubert, Hammond, Elder and the Minister for Agriculture, and I warn a first time the deputy leader, the member for Hartley, the leader and the member for Heysen. Leader.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:09):** My question is again to the Minister for Health. When will on-site stroke services be available for patients at the Flinders Medical Centre?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:09):** Currently there are stroke services at the Flinders Medical Centre. What we want to ensure with the way that the stroke configuration will be is that the Flinders Medical Centre and the Lyell McEwin will have stroke services so that they will be able to diagnose stroke and they will be able to provide—I have forgotten the name of the treatment, but the member for Fisher will remind me—

**Ms Cook:** Are you talking about the—

**The Hon. J.J. SNELLING:** The drug to dissolve the clot.

*Members interjecting:*

**The Hon. J.J. SNELLING:** I can't hear. In any case, these services will be provided at the Flinders Medical Centre and the Lyell McEwin 12 hours a day, and at the Royal Adelaide Hospital it will be a 24-hour, seven-day-a-week service, so that anyone having a stroke can be taken directly there and they will be able to be immediately given the lifesaving treatment that they need because, at the moment, too many people are dying overnight because they are not taken to a location that can give them the treatment that is going to save their lives. This is a very, very important reform and I know that the stroke doctors who are advising this process, this is something they are completely on board with.

*Members interjecting:*

**The SPEAKER:** Before the leader asks another question, I warn the member for Heysen for the second and final time, I call the member for Adelaide to order and warn her a first time for persistent interjection, and I warn for the first time the member for Hammond. Leader.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:11):** If a person is sitting at home and they suspect that they are having a life-threatening stroke, let's just say at 9 o'clock on a weeknight, which hospital should they present at?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:11):** They should call an ambulance, call 000.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:11):** How many symptoms are common between, for example, a stroke and other conditions which may exist?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:11):** If anyone thinks they are having a stroke, call an ambulance. No-one should be playing guesswork if they think they are having a stroke. If you think you are having a stroke, or if you think a loved one is having a stroke, the first thing you do is call 000. That is what you should do because a stroke, of course, is a very, very dangerous thing. I am amazed that the Leader of the Opposition should think otherwise.



*Members interjecting:*

**The SPEAKER:** Before the leader asks another question I call to order the members for Taylor and Mitchell. Leader.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:12):** Thank you, sir. Given that one of the principal symptoms of a stroke is dizziness, is the minister suggesting to the house and to the people of South Australia, that anybody in South Australia going forward experiencing dizziness should present themselves at the Royal Adelaide Hospital emergency 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) (14:12):** Anyone who thinks they might be having a stroke should not be driving themselves to hospital. That would be the most foolish thing someone could do. If you think you are having a stroke, you call an ambulance.

*Members interjecting:*

**The SPEAKER:** Before the leader asks another question, the leader and the deputy leader are warned for the second and the final time. The leader.

#### HEALTH REVIEW

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:13):** So, for clarity, the minister's advice to this house is that patients at home experiencing dizziness should immediately call an ambulance?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:13):** The Leader of the Opposition is just being silly.

*The Hon. T.R. Kenyon interjecting:*

**The SPEAKER:** The member for Newland will withdraw and apologise for his remark.

**The Hon. T.R. KENYON:** Sir, I withdraw and apologise for my remark.

**The SPEAKER:** Thank you. Member for Little Para.

#### OIL AND GAS SECTOR

**Mr ODENWALDER (Little Para) (14:13):** My question is to the Minister for Mineral Resources and Energy. Can the minister update the house on the latest results of spending on oil and gas exploration in this state and any threats to the continued performance of this economy-supporting sector?

**The SPEAKER:** Well, this will pour oil on troubled waters!

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:13):** Blessed are the peacemakers, sir, because they will be called sons of God. I thank the member for his question and his enthusiastic support for the oil and gas sector. Recently, the ABS published exploration expenditure data for the calendar year 2014. They showed very good continuous outcomes for South Australia. In South Australia, petroleum exploration rose to \$510.7 million, resulting in a 38.9 per cent increase compared to 2013. It was a good result but we have to acknowledge that 2015 is going to be a challenging year for our oil and gas industry, especially with significant falls in global oil prices in the first quarter of this year. Spending on exploration ensures that South Australia is able to maintain a pipeline of discoveries that has helped the Cooper Basin reach record production levels as the largest onshore producer of oil in the country, but there are threats to this continued success.

In New South Wales, a parliamentary inquiry spearheaded by the Greens and the Shooters and Fishers Party, this month called for the creation of a national domestic gas reservation policy. There have been calls for moratoriums, of course, in fracture stimulation. If South Australia were to

embrace these policies, there would be devastating consequences for the energy revolution taking place in this state, but do either of these policies have any merit?

Recent research shows that the arguments in favour of these policies just simply do not stack up. Recently, the Northern Territory government commissioned an independent inquiry into hydraulic fracturing. The substantive weight of agreed expert opinion demonstrates that there is no justification whatsoever for the imposition of a moratorium on hydraulic fracturing. They were pretty conclusive about that.

This inquiry was undertaken by Dr Allan Hawke, a highly respected former senior commonwealth public servant, high commissioner to New Zealand, then chancellor of the Australian National University. Several times throughout the report Dr Hawke endorses the South Australian regulatory regime for oil and gas exploration and production. Dr Hawke's report says, and I quote, 'The South Australian regulatory system is often cited as the benchmark for other jurisdictions,' and often refers to this throughout his consultations as the strongest in Australia. Dr Hawke also points out that fracture stimulation has been used successfully for many years in the Cooper Basin to enhance oil and gas production.

The review backs the findings of the Victorian government Gas Market Taskforce chaired by former Howard government minister Mr Peter Reith, which found that, and I quote, 'Clearly, there is a lot of exaggeration' about hydraulic fracturing. The task force was convinced by what it described as compelling evidence that fracture stimulation should be allowed.

As for the merits of setting aside a proportion of our gas production for domestic users, a review conducted by Professor Ian Harper shows that there is no case to be made for such a policy and, in fact, every sign would be that it would hold back South Australia from reaching its full economic potential. His report, prepared for Deloitte Access Economics in 2013, found that the introduction of the domestic gas reserve on the east coast of Australia would cost \$6 billion in forgone gross domestic product in 2025.

**Mr Tarzia:** What did Queensland Labor do?

**The Hon. A. KOUTSANTONIS:** The report warned the longer term consequences of domestic gas reservation, like the Victorian government's moratorium on fracture stimulation by the former Liberal government—

**The SPEAKER:** The minister's time has expired, and the member for Hartley is warned for the second and the final time.

#### *Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** I welcome to parliament, to this spectacle, pupils of Enfield Primary School, who are guests of the member for Enfield and Deputy Premier; and students from Christian Brothers College, who are guests of the member for Adelaide. The leader.

#### *Question Time*

#### **HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18):** My question is to the Minister for Health. What is the difference between a community emergency department and an emergency 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) (14:18):** The difference is, with regard to Noarlunga Hospital at least, patients who need to be admitted will have to be admitted into Flinders Medical Centre; that's a large proportion of our patients who are admitted anyway. More than half of them are, in fact, going up to Flinders Medical Centre at the moment. The Noarlunga Hospital won't be admitting patients from the emergency department—that's the change.

*Mr Pisoni interjecting:*

**The SPEAKER:** The member for Unley is warned for the first time. Leader.

**HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:19):** Of 15 doctors currently employed in the Noarlunga emergency department, how many will still have positions at Noarlunga after the transition to a community emergency 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) (14:19):** I would imagine all of them.

**HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:19):** Is that a guarantee that the minister is providing to the doctors at Noarlunga, that they will all keep their jobs in the community emergency department at Noarlunga post the implementation of the changes there?

**The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:19):** That's certainly my expectation.

**HEALTH REVIEW**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:19):** Considering the minister's 2014 election promise to build a new Women's and Children's Hospital within 10 years and his statements this year to the Flinders Medical Centre NICU group that the relocation is still 10 years away, has the minister misled the state by claiming Transforming Health fast-tracks the co-location?

**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 saying we are breaking an election promise by doing it earlier. I think that is his logic. Well, I guess we are. Shucks, we want to do it earlier than we promised. If that is a broken election promise, yes, I guess you've got me on this one. The fact is we would like to relocate the Women's and Children's Hospital earlier, if we can. That is an option that we are exploring at the moment.

*Mr Gardner interjecting:*

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

**The Hon. J.J. SNELLING:** It will depend on any number of things but, aside from that, the time frame for relocating the Women's and Children's Hospital is, as we announced last year, 2023.

**TRANSFORMING CRIMINAL JUSTICE**

**The Hon. J.M. RANKINE (Wright) (14:20):** My question is to the Attorney-General. Can the Attorney update the house on the consultation process for the Transforming Criminal Justice project?

**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, Minister for Child Protection Reform) (14:21):** I thank the honourable member for her question. I think it is the first time she has asked me a question.

**The Hon. A. Koutsantonis:** In public, anyway.

**The Hon. J.R. RAU:** In this forum, anyway. Thank you very much for that question. Since the beginning of the year, I have commenced a process of extensive consultation on proposed reforms to the criminal justice system. The intentions of this government to reform the criminal justice system were flagged in December with the release of the Transforming Criminal Justice Strategic Overview paper. This was followed by the release of a consultation paper on the efficient progression and resolution of major indictable matters.

Reform of the criminal justice system is a huge task and it is one that this government does not shy away from. It is important that the government hears the views of everyone who plays a part in the criminal justice system. To date, consultation has taken place with the legal profession, members of the judiciary and the Legal Services Commission. Consultation has also taken place

with advocacy groups, including OARS, the Commissioner for Victims' Rights and victim support services. My office has also briefed minister Maher, as Minister for Aboriginal Affairs, on matters relating to criminal justice reform.

Further consultation will take place with community legal centres, Aboriginal advocacy groups and other organisations relevant to the criminal justice system. Consultation is open to everyone and people are encouraged to provide feedback to the government on matters of criminal justice reform through the Attorney-General's Department web page. As Minister for Justice Reform, it is my plan to continually release papers and, in some cases, draft legislation outlining proposed reform over the course of this year.

As these papers and draft legislation are released, I will continue to consult with relevant interest groups and organisations and with the legal profession to form a comprehensive picture of how different groups will be affected by any proposed reform. Consultation is ongoing and will continue as further papers are released.

#### GILLMAN LAND SALE

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:23):** My question is to the Premier. Was the advice from Treasury dated 29 November 2013, which comprised, 'If the government is inclined to go with the Lipson proposal it should only accept it for Stage 1 (150 ha) and not have the options for Lipson to purchase subsequent areas' presented to cabinet?

**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, Minister for Child Protection Reform) (14:23):** A couple of things. First of all, these matters have all been extensively canvassed over the course of months and months, and all of these questions have been dealt with before.

The second point, I think of relevance, is to point out that, despite the reports in the InDaily (which are attributed, in part, to the Deputy Leader of the Opposition), it is my understanding that the sensational new document actually was not the product of an FOI application by the deputy leader—or anybody else, for that matter. It was actually first published in *The Australian* newspaper (which is a national paper, I believe) on 5 December 2014.

I also believe that the document was tendered in court and subsequently later tendered, I believe, by me in here. That is the context of the document, as I am led to believe. And the answer is that what goes on in cabinet stays in cabinet, and there is no conversation happening about what occurs in cabinet.

#### MURRAY-DARLING BASIN REGIONAL ECONOMIC DIVERSIFICATION PROGRAM

**Mr WHETSTONE (Chaffey) (14:25):** My question is to the Minister for Regional Development. Will the minister table any evidence he has that the \$25 million in the federal funding for the Murray-Darling Basin Regional Economic Diversification Program will incur a \$21 million GST bill?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:25):** I will provide the member for Chaffey with all the evidence he requires to satisfy him of the impacts of this arrangement. The Minister for Regional Development is acting in the best interests of South Australians to maintain a level of funding that we can sustain. I will provide that to the member either in a private capacity or table it in the parliament.

#### MURRAY-DARLING BASIN REGIONAL ECONOMIC DIVERSIFICATION PROGRAM

**Mr WHETSTONE (Chaffey) (14:25):** Supplementary: can the minister inform the house what time frame this \$25 million is on the table, given that all the other basin states have signed the funding agreement and are spending that funding?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:26):** It is worthwhile, I think, giving a bit of historical context because I indeed was the person who negotiated this agreement with the previous federal government: it was in return for our agreeing to provide some degree of contribution to the 3,200 gigalitres of extra water that had to flow down the Murray River. One of the

quid pro quos from South Australia was that the burden of adjustment should not fall on South Australia as a consequence of putting this additional water—

**Mr Whetstone:** It's not coming out of the water department.

**The Hon. J.W. WEATHERILL:** I know that I have done all the heavy lifting on behalf of your electorate, but if you could just listen to me for a moment. We did make it very clear to the irrigators, the farmers and the Riverland community that, in our quest for getting a healthy river, we would not cut them adrift, and I kept that commitment to them.

We insisted that, as a quid pro quo for our getting the 3,200 gigalitres, the burden of adjustment shouldn't fall on that. How that was reflected is that we had the Water Industry Alliance come to us and say, 'If we assisted to change the configuration of how we do things, we could come up with some additional water efficiencies.' They said that they needed \$240 million for that purpose, and we advocated very strongly for that and we achieved that outcome. So, we asked for more from the previous federal government.

We also asked for an additional \$50 million to assist the adjustment of the Riverland communities for the obvious changes they were going to have to bear because of the reduced amount of water that would be available for them. That \$50 million was agreed to be a sum of money which would not affect our GST arrangements. That was the agreement—that is the agreement I struck with the previous federal government.

The problem is that, when these things disappear into the bureaucracy, they come out the other end, especially the federal bureaucracy, in a series of different buckets. One of the buckets is a \$25 million bucket of funding, which is now available to South Australia. We are now being told that to access that money, despite the fact that the commonwealth are happily allocating it and telling us what we should spend it on, it is going to come out our budget through a reduction in our GST arrangements. We simply are not going to cop that.

South Australia has always done the right thing in relation to this river. We did ask for an exceptional arrangement. I know that the member for Chaffey says, 'New South Wales and Victoria don't get this deal.' Well, they don't get this deal because they don't deserve it. South Australia has always done the right thing by this river. Why on earth are you advocating for people over the border? Why aren't you sticking up for South Australia? They seem constitutionally incapable of advancing South Australia's interest, always wanting to capitulate to Eastern States' interests.

We simply want the deal that we did. We are not going to hand over money to the commonwealth or back into the GST pool to pay for the privilege of nominating a series of projects that the commonwealth are interested in supporting. We are not going to do that. We are going to get them to stick to the deal that they did with us.

*Members interjecting:*

**The SPEAKER:** The member for Schubert, I have heard his cry and he is warned a first time. The member for Unley is warned a second and final time, and the member for Newland is called to order.

#### **POLICE RECRUITMENT**

**Mr GARDNER (Morialta) (14:30):** My question is to the Minister for Police. Will the government meet its commitment taken to the last two elections to deliver an extra 313 sworn police officers over and above the 2010 numbers?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:30):** I get regularly briefed on this matter and, in fact, I answer this question after each graduation ceremony. The most recent briefing I have received from SAPOL was that we are on line to recruit. That is the advice I have received.

*Members interjecting:*

**The Hon. A. PICCOLO:** No, sorry.

*An honourable member interjecting:*

**The Hon. A. PICCOLO:** We are on track, on line, to recruit the additional police.

*Mr Marshall interjecting:*

**The SPEAKER:** The leader has long been on a second warning.

*Mr Marshall interjecting:*

**The SPEAKER:** Please.

#### **POLICE RECRUITMENT**

**Mr GARDNER (Morialta) (14:30):** A supplementary question: does the minister stand by the commitment made to the people of South Australia that there will be '300 more police' on the beat?

*Members interjecting:*

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

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:31):** At least I have the opportunity to find the right page with the answers.

*Members interjecting:*

**The Hon. A. PICCOLO:** You have to read out the questions. The most recent advice that I have received—and I will just confirm—is that we are on line with the commitment we have made, on track with the commitment we have made.

#### **POLICE RECRUITMENT**

**Mr GARDNER (Morialta) (14:31):** My question is to the Minister for Police. Does the minister accept the evidence of Mr Denis Patriarca, the Director of Business Services at SA Police, given to the Budget and Finance Committee earlier this month, that in the 2017-18 year there will 4,421.1 sworn police officers, 36 community constables and 188 cadets—a total of 4,645 officers including cadets?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:32):** I would need to confirm that exact figure. I do not have it before me. I will be happy to get back to the member.

*An honourable member interjecting:*

**The SPEAKER:** The member for Wright is called to order.

#### **POLICE RECRUITMENT**

**Mr GARDNER (Morialta) (14:32):** My question is again to the Minister for Police. By what measure will there be 300 more police on our streets as was promised to the people of South Australia at the last two elections? In 2010, there were 4,367 sworn police officers. SAPOL says that there will be 4,421 in 2017-18 at the end of the term of the promise—that is just 54 more—and you promised 313.

*Mr Knoll interjecting:*

**The SPEAKER:** The member for Schubert is warned a second and final time.

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33):** I have nothing to add to my earlier answers.

### HOUSING SA TENANCIES

**Ms SANDERSON (Adelaide) (14:33):** My question is to the Minister for Social Housing. Can the minister update the house as to how many Housing Trust properties were vacant as at 28 February 2015 and for what reasons?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:33):** Thank you very much for the question. We have talked often here in the house about vacancy rates, and we know that we have 42,310 houses. We have about 2.7 per cent that are available for tenancies. They are undergoing maintenance prior to reallocation. When we look at the private sector, this is a little bit below what they face. They look at about 3 per cent to 3.5 per cent, looking at those vacancy rates.

### HOUSING SA TENANCIES

**Ms SANDERSON (Adelaide) (14:34):** A supplementary question: can the minister give me a breakdown as to why they are vacant and the exact number? You have given 2.7 per cent. Are they waiting to be sold? Are they waiting to be demolished? Are they waiting for maintenance? Why are they vacant?

*Members interjecting:*

**The SPEAKER:** Who interjected: 'Because there's no-one in them'?

**The Hon. J.R. RAU:** That's the usual cause of vacancy.

**The SPEAKER:** I call the Deputy Premier to order. The minister.

**The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:34):** I just answered that question: that's 1,095.

### HOUSING SA WAITING LIST

**Ms SANDERSON (Adelaide) (14:35):** My question is again to the Minister for Social Housing. Can the minister inform the house how many people are on the waiting list for a Housing Trust property and the breakdown of each of the three categories?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:35):** Just a moment and I will find that for you.

*Members interjecting:*

**The Hon. Z.L. BETTISON:** I understand this is a question that has been asked several times of me, but I would like to answer accurately because I know that the member for Adelaide is very specific. On 31 December there were 21,266 applicants on the public housing and Aboriginal housing waiting lists, and 15.1 per cent were category 1. As I have outlined in the house before, category 1 is for those with urgent needs: customers who are either homeless or at risk of homelessness who face significant barriers to accessing long-term accommodation. The wait times vary between a few months and several years, depending on the house type and the area required.

Category 2 is 28 per cent of the list and they are of high needs. These are customers who demonstrate barriers to accessing long-term accommodation because of health problems, financial issues or social problems. Disability support pensioners are given this category. There is still significant wait time. Category 3, which is 56.5 per cent of people, have housing affordability issues. It is for all applicants who do not qualify for either category 1 or 2 but who still meet income and asset eligibility requirements. Customers who can demonstrate exceptional needs may be elevated to category 1 or 2.

Category 4, which is the remainder—a very small percentage—is current tenants who have applied and been approved for transfer to another Housing SA property but who do not demonstrate special needs required for category 1 or 2.

### CHILD PROTECTION SCREENING

**Ms SANDERSON (Adelaide) (14:37):** My question is to the Minister for Volunteers. Can the minister explain why some disability groups are now paying hundreds of thousands of dollars more for screening checks, yet there are still lengthy delays in volunteers and employees getting the checks completed, delaying their ability to start work?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:37):** I thank the member for Adelaide. Let me be clear: if someone cannot volunteer or they cannot work because their screening has not been done, it is unsatisfactory. I am aware of this issue and I have worked very closely with my department to look at the issues in regard to screening. The key issue for me has obviously been the increasing time it has taken to do the checks. In the coming weeks I would have tripled the amount of staff in the screening unit since I became the minister.

In the budget last year we did introduce cost recovery measures, and that included \$55 for a volunteer to get a check, but to support volunteers with this—and let me add that some volunteer organisations pay for their volunteers and others ask for their volunteers to do the check themselves—they can put in multiple applications at one time and it will still be \$55. When the cost did increase I did say very clearly to volunteering organisations that my door was open to talk to them about any of the cost pressures that they had, and I reiterate that aspect again.

I am aware that this is an issue. We have expanded the staff to working 11 hours a day over two shifts and overtime on Saturdays. In last year's budget we also had \$500,000 additional for online registration, and that would be a registration form and the ability to check online someone's screening. This will be very positive when this comes out in the next few months for large users to reduce the ability for overscreening. One of the challenges we do have is overscreening. The screenings are portable and are valid for three years. We are working with our significant users to acknowledge that validity of the screening.

### CHILD PROTECTION SCREENING

**Ms SANDERSON (Adelaide) (14:39):** My question is again to the Minister for Volunteers. Can the minister guarantee that screening charges will not be increased to pay for the extra staff, second shifts and overtime being done in the department's screening unit?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:40):** I have no intention to change the application fees.

### CHILD PROTECTION SCREENING

**Ms SANDERSON (Adelaide) (14:40):** My question is to the Minister for Education and Child Development. Has the minister now identified the flaws in the process of screening and ongoing monitoring of Families SA staff that allowed issues of high concern regarding 20 per cent of residential care workers going undetected and unactioned until they were uncovered via the audit of front-line workers undertaken by Mal Hyde last year?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:40):** I think we just need to disentangle some of the assumptions there because that is a characterisation that does not ring well in my ears. What the Hyde audit undertook to do—and it was initiated by my predecessor in a very responsible move—was to ascertain what processes had been used to employ people who were working in the residential care area.

A variety of processes had been undertaken over several years and it was the view that some of them were less satisfactory than others. The process has been gone through and a number of staff have been cleared and are at work. I believe a couple are still being investigated, and we are aware of that investigation. However, it was a very responsible approach in order to make sure that high standards were being applied. In saying that, I note that our standards improve over time. Our expectations improve and our capacity to test and measure the qualities that we are looking for in our staff also improve.



### PRESCHOOL HOURS

**Mr PICTON (Kaurua) (14:41):** My question is to the Minister for Education and Child Development. Can the minister inform the house what the government is doing to ensure South Australian children will continue to receive 15 hours a week of preschool in 2016?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:42):** I thank the member for his question. I enjoyed very much visiting a children's centre recently in his electorate at Aldinga Beach. It was extremely enjoyable to spend an afternoon with all of those children and the parents and also the other providers who were there to help assist families to have the best outcomes possible, in wellbeing as well as in education. It was a really good experience.

Saying that leads on to the more general point that the early years, as we have all come to realise, are absolutely essential to the ongoing wellbeing and education of children. If we do not get the early years right it becomes so much more difficult, and progressively more difficult, to lift standards later on. One of the ways in which we have done that in South Australia—we have always had a very strong commitment to preschool, with government-funded preschool—is that we were able to enter into a national partnership agreement with the previous federal government to guarantee 15 hours. Other states were also part of that agreement. It meant that 15 hours a week was guaranteed to be provided to all preschoolers, an absolutely exceptional outcome.

The current federal government has, as members would be aware, agreed to a one-year continuation of that under somewhat difficult arrangements to get that tied down. So for this school year we have the 15 hours. They held off making a decision about what to do for ongoing years on the basis that they would have a Productivity Commission review. That review has been completed and the results were very strongly in favour of maintaining the 15 hours.

I was interested to read that, as part of the submission to the Productivity Commission, PricewaterhouseCoopers attempted to quantify the gross state product addition to our economy through investing in high-quality preschool education and engaging disadvantaged children in particular, and they estimate that that contributes \$2 billion to our gross state economy. So, it is not just about the wellbeing of children, although everything stems from that: the state of our economy depends very much on the quality of our education, and that starts back in preschool, which brings me back to the 15 hours.

Having received this Productivity Commission report and being delighted to see their commitment to the 15 hours across South Australia, we had a ministerial council meeting and discussed the very urgent need seen by all states for a decision to be made by the federal government. Not only do we need the commitment but we need a commitment early because families need to know what's going to happen, centres need to know what their staffing requirements are going to be. However, tragically, we were unable to secure a commitment at this stage from the federal government. I hold out hope. I am always an optimist, and I hold out hope that they will indeed see the great sense in funding this, but at this stage we are still awaiting their decision.

### GILLMAN LAND SALE

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:45):** My question again is to the Premier. Did the Premier read the Treasury advice, dated 29 November 2013 to his attention as treasurer, prior to going into the cabinet meeting of 2 December 2013?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:45):** Yes.

### GILLMAN LAND SALE

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:45):** Supplementary: Premier, can you assure the house that you advised the cabinet of the contents of that recommendation?

**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, Minister for Child Protection Reform) (14:46):** If I can just—

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** Yes, by leave of the Deputy Leader of the Opposition, I seek leave to appear on behalf of the Premier. In my capacity as a member of the cabinet I am duty bound to say, Mr Speaker, that it's traditional for us to say that what goes on in cabinet stays in cabinet, and it wouldn't be appropriate to go into what happens inside the cabinet.

#### **SOUTH AUSTRALIAN FIRE AND EMERGENCY SERVICES COMMISSION**

**Dr McFETRIDGE (Morphett) (14:46):** My question is to the Minister for Emergency Services. How many non-operational MFS firefighters and MFS civilian staff are being transferred to SAFECOM?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47):** I thank the honourable member for his question. As he would be aware, a few weeks ago I made an announcement in relation to emergency services reform. In terms of what staff will be ultimately transferred to what is now SAFECOM, that's to be determined. That work is being currently undertaken by both the chiefs and working groups. I don't have a definitive answer. That is something that people are working on at the moment.

#### **SOUTH AUSTRALIAN FIRE AND EMERGENCY SERVICES COMMISSION**

**Dr McFETRIDGE (Morphett) (14:47):** Supplementary, Mr Speaker: will those individuals be covered under the Public Service Act or the UFU industrial agreements?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:47):** I thank the honourable member for his question. As I have said on a number of occasions and also at all the forums, that will be subject to agreements which have to be entered into. Those agreements will be part of the work to be undertaken between both the UFU and also the PSA. That will require a new industrial agreement to complement the existing two.

#### **SOUTH AUSTRALIAN FIRE AND EMERGENCY SERVICES COMMISSION**

**Dr McFETRIDGE (Morphett) (14:48):** Supplementary, Mr Speaker: does the UFU support these moves and have they been consulted on them? Do they support them?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:48):** I thank the honourable member for his question. In general terms, all the unions and all the volunteers have been consulted in terms of the process to date. I know that a number of members of the opposition have been to those meetings. Specifically, as to the final wording of those agreements, no, we haven't started that process. In fact, on Monday I announced a whole range of work groups which have been established. They are available on the internet.

*Dr McFetridge interjecting:*

**The Hon. A. PICCOLO:** Seen them all? That is one of the things we have to deal with. I haven't entered into detailed discussions with either the PSA or the UFU at this point, but that will happen in due course before people are permanently reassigned.

#### **COUNTRY FIRE SERVICE**

**Dr McFETRIDGE (Morphett) (14:48):** Again to the Minister for Emergency Services: minister, following your answer to my question on 26 February this year about fitting automated vehicle location systems to the CFS vehicles, will you now release the UXC consulting report on this issue and, if not, why not?

**The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:49):** I'm not familiar with the details of those recommendations; I'll get them for you.

### EMERGENCY SERVICES LEVY

**Dr McFETRIDGE (Morphett) (14:49):** Again to the Minister for Emergency Services: is the emergency services levy going to be increased to pay for the 10 per cent wage rise for MFS firefighters or is the money coming out of MFS emergency response budgets or out of CFS or SES budgets?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:49):** All budget considerations will be dealt with in the aspect of the budget, but obviously, Mr Speaker—

*Mr Marshall interjecting:*

**The Hon. A. KOUTSANTONIS:** All considerations about expenditure are dealt with in the upcoming budget, so the member will have to be patient and wait for the budget. Not long to go now—only a few more months—and I'm sure the member for Morphett will have all his questions answered.

### PREMIUM FOOD AND WINE GRANTS PROGRAM

**Ms COOK (Fisher) (14:50):** My question is to the Minister for Agriculture, Food and Fisheries. Minister, could you inform the house about the soon to be launched Premium Food and Wine Grants program?

**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) (14:50):** I thank the member for Fisher. It's a story about fishing so, Fisher/fishing—it kind of works. Food and wine exports in South Australia are worth \$4.8 billion to our economy, and one of our key economic priorities is premium food and wine from our clean environment exported to the world.

One thing we know, talking at markets here in Australia and around the world, is that consumers, more and more, are after certification around the food so we can go out and say, 'It's premium food and wine from our clean environment'—which it is. People want that reassurance that there is some sort of tick of approval from an internationally-recognised group. When it comes to fishing, the highest standard you can get, internationally, comes from the Marine Stewardship Council—an organisation based in Europe and recognised right throughout the world for coming in, looking at the way fishing groups go about their business and making sure it is sustainable in every way and that it looks after the environment.

We already have two fisheries in South Australia: the Lakes and Coorong fisheries that have that MSC tick; and we have the Spencer Gulf prawn fisheries as well that have that MSC tick. In April, I will be meeting with the Marine Stewardship Council at the Seafood Fair in Brussels, and the fishing industry over on Eyre Peninsula have asked if I would go there and check it out because that is the place in the world where you not only get the best ideas for marketing seafood products but also everyone from the industry around the world is there.

One of the problems we have for any industry when they are trying to get a certification is that expense of getting people here to go through the testing regime to make sure that all the boxes that are required are ticked. Today we are going to launch a program with \$250,000 in it, with individual grants worth up to \$30,000 to help people in the fishing industry get that tick of approval from the Marine Stewardship Council and get that MSC approval.

We will be going out and advising fishing industry people right throughout the state that this is up for grabs and encouraging people to apply for some of this money, because we know that restaurants and seafood retailers right around the world, particularly the people we speak to in Hong Kong and China, are more and more going to be demanding that anything we produce here from the sea has that internationally-recognised tick of approval. If that's the way the international market is headed, we have to meet that market and not be left behind because, as I said at the outset, food and wine exports from South Australia are worth \$4.8 billion a year to South Australia. It is an extremely important part of our economy and we want to work side by side with primary

producers everywhere to make sure we can help them get their goods to markets right around the world.

### MAJOR EVENTS BID FUND

**Mr WHETSTONE (Chaffey) (14:53):** My question is to the Minister for Tourism. Minister, how much money remains in the total \$6 million Major Events Bid Fund over four years?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:53):** I thank the member for the question. I'll have to come back with how much money is left in there because it is something that changes month to month as we attract new events. We have Liverpool coming here on 20 July, of course, which is terrific. Next year we have won the rights to host the national swimming championships which also doubles as the Olympic trials for Rio. We have many events that we have gone out and used money out of that bid fund—because that's what it is there for—to attract those events to South Australia and we'll continue to do that. What the balance is at the moment is a bit of a moveable feast because we are always out there looking for new events. I encourage everyone to come to us if you have good ideas about events that you would like to have.

**An honourable member:** The Asian Cup.

**The Hon. L.W.K. BIGNELL:** The Asian Cup would be fantastic, yes. We are going after all sorts of events. We have the best stadium.

*Mr Marshall interjecting:*

**The Hon. L.W.K. BIGNELL:** Yes, not so good that one. There are a few hidden costs behind it. It looks alright on paper, but when you work out you might have to stump up a million bucks for it's not so attractive.

**Mr Gardner:** What about the KI Surfing Classic?

**The Hon. L.W.K. BIGNELL:** That wasn't such a good one, no, so we will reject that one, but happy to talk to everyone. The member for Mount Gambier and I have been talking about a few things that we can do down in the South-East maybe. We need to look at having these major events not just in the city, although we've got great facilities here to have that. It would be great to have some more out in the regions, so anyone who has any good ideas please come and see us about that. We do have a pool of money, it was an election commitment and it will help us to lure more and more tourists to South Australia.

If we just have look at the past three months, Adelaide Airport has had its busiest first quarter, they think, on record, as we had \$165 million come into the economy through the Tour Down Under, through the Clipsal, through the Fringe, through the Festival, through WOMADelaide and, of course, the World Cup Cricket—the World Cup Cricket just on its own brought \$31 million into the economy. The events business is big business, and we are out there every day scouring the lists of events that we can bring—

*Mr Marshall interjecting:*

**The Hon. L.W.K. BIGNELL:** Because they don't actually help.

**Mr Marshall:** The tourism board doesn't help?

**The Hon. L.W.K. BIGNELL:** No, they don't help in this.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The Treasurer is warned for the first time.

**The Hon. L.W.K. BIGNELL:** This bid fund that came up to attract all these bids wasn't an idea from the Tourism Commission Board; it was actually a government initiative that we went after.

*Mr Marshall interjecting:*

**The Hon. L.W.K. BIGNELL:** Sorry?

**Mr Marshall:** It already existed with Australian Major Events before you guys got in.

**The Hon. L.W.K. BIGNELL:** Yes, but the money coming into that fund helps us to go after and be a little bit more nimble in getting some of the events that we need to get. If you look at the current system, you would have to go back to the Tourism Commission Board, have a meeting with them and get a budget bid up to go for it. What we have now with that pool of money is the ability to be able to have the money on the table straightaway so, if someone outbids you, you can increase the money.

*Mr Marshall interjecting:*

**The Hon. L.W.K. BIGNELL:** Well, the surf classic was way before this bid fund was put into place, so you are talking about something that pre-dated my time in the job.

**Mr Marshall:** Whose fault was it then?

**The Hon. L.W.K. BIGNELL:** It doesn't matter whose fault it was. We are here to talk about—

**The SPEAKER:** The minister will not respond to interjections.

**The Hon. L.W.K. BIGNELL:** Thank you very much, Mr Speaker. We are talking about going after events that will benefit the state, and the \$6 million bid fund certainly helps us do that.

**Mr WHETSTONE:** Supplementary, sir.

**The SPEAKER:** Supplementary, member for Chaffey.

#### **MAJOR EVENTS BID FUND**

**Mr WHETSTONE (Chaffey) (14:57):** Will events drawn with the bid fund be declared major events?

**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) (14:57):** Well, we go over this a few times.

**The SPEAKER:** To the substance of the question.

**The Hon. L.W.K. BIGNELL:** Yes. It is up to the promoter of the event whether something is declared a major event. I have explained—

**Mr Whetstone:** It's called the Major Events Bid Fund.

**The Hon. L.W.K. BIGNELL:** Yes, but that's for us to go after the major events. Liverpool is a major event in terms of it being something that is going to bring in probably about 10,000 people to the state. It's up to Liverpool to get us, as the government, to declare it a major event. It is not our decision: it is for the promoter of the event. If Liverpool wants us to declare it a major event so that they get coverage in terms of people scalping tickets, and if they get coverage in terms of ambush marketing, it is up to the Liverpool Football Club to ask us to do that, and it is something, when we do go after a major event, we ask people if they want to do that.

If it is a non-ticketed event, you might not need it. The Tour Down Under, for example, which is something that we own as the government, every year we declare that as a major event, not because there is any ticket scalping going on but because we have Santos there as the major sponsor, we have Wolf Blass as the major wine sponsor, and we have all these other sponsors we want to look after, like BUPA. We don't want people standing on the side of the road with signs. In fact, some of the members opposite may have fallen foul in last year's Tour Down Under in the lead-up to the election with some of the activity they undertook out there, asking people to vote for them when the tour went—

**Mr PENGILLY:** Point of order, sir: I ask you to rule on whether the points made by the minister are anything to do with the—

**The SPEAKER:** I uphold the point of order. The member for Adelaide.

### CHILDREN IN OUT-OF-HOME CARE

**Ms SANDERSON (Adelaide) (14:59):** My question is to the Minister for Education and Child Development. Does the minister agree that the best care for a child is in a family setting?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:59):** It's an incredibly general question, so I will try to unpack what my beliefs are. The ideal circumstance, where a family is able to provide a safe and nurturing environment for a child, is for the child to be in that family. We have seen many successful and happy cases of adoption and people being brought up by other parents; nonetheless, we have also seen a lot of cases, sadly, where even in a happy adoptive home or a happy fostering home there is a deep grief at not being with biological parents.

I think we have to accept, not only objectively but also from many people's subjective experience, that being in your own home, if at all possible, is the best place to be—but, as I say, if at all possible. Often, that's not the case. My view is that, where that's not possible, being in kinship care, which has increased by 700 per cent in this state in recent times, is a good approximation and is a near approximation. Being in foster care, again, in a nurturing and safe environment is good.

Sadly, for some children, residential care and, even more challengingly, emergency care are employed. I would rather that that wasn't necessary, and I am at the moment working on ways in which we can reduce that. I think we can all agree that, ideally, the closest to the creation of the sense of being part of a family that is stable, nurturing and safe is the best outcome, but we do have to accept that that is all too often not the case and we have to make other arrangements.

**The SPEAKER:** A supplementary.

### CHILDREN IN OUT-OF-HOME CARE

**Ms SANDERSON (Adelaide) (15:01):** Yes, a supplementary: given the minister's answer, in which she mentions that, sadly, residential care and emergency care are used, and given the recent Productivity Commission report that shows that only 86.5 per cent of children in out-of-home care are in home-based care, which is 7 per cent lower than the national average and the worst of all states and territories, can the minister outline what she is doing to improve this figure?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:02):** Certainly, although I would correct. I don't think I said 'Sadly, they are in residential care.' Sadly, it is necessary for them, in many cases, to be in that situation. Yes, as I alluded to, all too often we have found that residential care, and even emergency care, is necessary and we are over the average.

With so little time left in question time, it might be something you and I discuss more in detail in a bipartisan way, but I think that we need to operate with the NGOs to increase the number of foster care places that are available, but they need to be high-quality foster care places. We need to be assured that they are safe. We need to be assured that they are nurturing.

We know that, often for residential care, the reason that they are there is that there might be some particularly challenging behavioural issues or needs, the trauma that may be experienced by those children that makes their behaviour difficult to manage in a family setting and/or being in large sibling groups. There is a reluctance to separate sibling groups too much.

So, it's not a simple matter, it's not a magic wand, but I do take it very seriously. Pam Simmons has given some recommendations on that. I have met with her, and we are working together on ways in which we can advance that. I am happy to continue a discussion outside of this chamber with you on that.

### *Grievance Debate*

### POLICE RECRUITMENT

**Mr GARDNER (Morialta) (15:03):** Labor's refusal to admit that it will not meet its 'recruit 300' police target is becoming a joke—it is past a joke. They promised we would have 300 more police officers. They are not delivering, and it is time for the minister and time for the government to own up. They say the first step on the road to recovery is to admit you have a problem, minister. Until

you do that, until the government admits that it has a problem, that it is not going to meet its target, that it is not going to meet its promise on police numbers, how can we possibly have a reasonable and rational discussion about what sorts of services will be necessary in the future?

The facts are these. In 2010, there were 4,367 sworn police officers in South Australia, 36 community constables and 113 police cadets—a total of 4,516. Two weeks ago, in Budget and Finance Committee, the South Australia Police Director of Business Services, Denis Patriarca, identified that SAPOL's projected police numbers for 2017-18 are 4,421.1 sworn officers plus 36 community constables and 188 police cadets—a total of 4,645.1. Labor's promise at the 2010 election was for '300 more police on our streets over the next four years', and there was a net increase of 13 to bring it to 313 as a result of the inclusion of transit officers.

Delivery on this promise was delayed during the last term from 2014 to 2016 and, in their talking points at the time, their line was still clear. I am quoting from their internal talking points retrieved through FOI. They said, 'By 2016, there will be a total of 4,700 sworn officers on the beat.' Then in the 2013 budget the promise was delayed again, to 2018, and that is the promise Labor took to the last election.

In case anyone was in any doubt as to whether that promise included community constables and cadets, I went to the trouble of asking the minister during estimates last year. His answer could not have been clearer. He said: no, the expectation is that these would be sworn police officers, not community constables and not cadets. That is what Labor signed up to in 2010, that is what Labor signed up to in 2014 and that is what the people of South Australia bought, or thought they were buying, when they elected these people to parliament, these Labor candidates—sworn police officers to increase by 313, first by 2014, then 2016, then 2018: and that is what Labor put in writing to the various stakeholder groups who were asking about this promise.

So, where are we now? Between 2010 and 2018, sworn police officers are going to increase from 4,367 to 4,421—by 54, by a full 259 fewer than was promised by the Labor Party at the elections. Last year, the minister did change his mind—late in the year. He said later in the year in answer to a question that cadets and community constables would now be included in the count. Not content with breaking the promise by delaying from 2014 to 2016 to 2018, last year they broke it further by including cadets in the count. That means the increase is from 4,516 to 4,645, an increase of 129. Even taking it by this government's new preferred way of counting, they still fall 184 short.

Today, the minister comes in here and answers questions in the parliament. Asked whether he will admit that their promise is over and that it is in dead in the water, he says they are on track. He says they are on track to meet that promise. What a joke. The fact is that Labor promised the people of South Australia 313 more police officers on the beat, on the streets, and the truth is that promise will never happen. Whichever way the minister and the government spin it, they are not going to get anywhere near 313 more police, yet they continue to insult the intelligence of the South Australian people by insisting that they are on track.

He is like Monty Python's shopkeeper pretending that the dead parrot is still alive. He cannot admit this promise is now finished. It is not resting, it is not stunned, it is not tired after a good old squawk, shagged out after a long squawk. It is not 'pining for the fjords'. It has passed on. The truth is this promise is no more. It is an ex promise. This promise is deceased. It has ceased to be. It has expired and gone to meet its maker. Bereft of life, it rests in peace. If you had not nailed it to the perch, it would be pushing up the daisies, minister. 'The plumage don't enter into it. It's stone dead.' It is demised. This is an ex promise and it is time for the Weatherill Labor government to admit to it, own up to their faults and apologise to the people of South Australia.

## HEALTH REVIEW

**Ms BEDFORD (Florey) (15:08):** In light of some of the questions today in question time, I want to share a family experience I had in 1988. My son awoke one day late in October and seemed a little bit disoriented and out of sorts. Looking back, it was the beginning of the onset of a major neurological trauma which did not become apparent till later that night. He went to a party that day and came home afterwards, vomiting and complaining of a headache. We settled him on the lounge and his dad looked after him while I was doing some laundry. At about 7 o'clock that night, my

husband came to tell me that something was very wrong and, when I saw my son, I noticed the right side of his face had fallen.

I rang the Modbury Hospital and asked what these sorts of symptoms suggested and was told they were very busy and to give him an aspirin. At least that part of the advice was useful. But as a parent, with even a limited knowledge of medical symptoms, I knew that something was terribly wrong. I called the Women's and Children's Hospital to let them know that we were on our way by car which, in retrospect, was not the best idea. I am telling the house this because my son was having a paediatric stroke. The Women's and Children's Hospital was the best place to be, and I was even luckier in that the doctor on duty that night in accident and emergency recognised what was happening.

The rest, as they say, is history. My son went on to make a full and complete recovery. Despite only having as much chance of having a second stroke as he had of having his first stroke, no-one seems to worry about that quite as much as I do. The whole misadventure most likely could have been sheeted home to his father's experience in Vietnam of being sprayed by Agent Orange, but that is another story altogether.

In Transforming Health, we have the opportunity to do several things to make sure people see the right people and receive the best of care first time every time. No-one who thinks they are having a heart attack or a stroke should be driving, and it is probably best that their significant others do not drive them either. Calling an ambulance is always going to be the best option in an emergency. These days, the first responders are paramedics of the highest level, backed up by ambulances able to transport patients to the most appropriate centre for treatment.

Our role here in this place and out in the community is to reassure everybody of how services will be provided and the options people have when seeking help with life-threatening events versus emergency care for things such as broken bones. This reform process has not been undertaken to upset people; rather it is to provide people with the best possible treatment into the future.

The Liberals here in South Australia, when in government, tried several things to make sure that health could be sustainable. One of them, unfortunately, at the Modbury Hospital was outsourcing the management to a private company, Healthscope, which hoped to support its experiment by running a private ward in the public hospital. None of this worked, and the hospital came back into public hands in 2002. Since then \$30 million has been invested in the Modbury Hospital, and our new accident and emergency area is still operating 24/7, despite what anyone might say and is working well—so people need to be assured that it is open to all but the most serious cases, and it includes seeing emergency paediatric cases.

In Transforming Health, a further \$32 million will be invested to prepare for the dedicated elective eye surgery area, the new hydrotherapy pool and rehab gym, and upgrading wards to provide 28 rehabilitation beds and support services. So, when someone in a position of responsibility, such as the deputy leader, says, as she did here earlier today, that the Modbury Hospital has been castrated, I cannot understand how she has reached such a position. Modbury Hospital is part of the north-eastern suburbs and an important part of the South Australian health system and it works closely with the Lyell McEwin Health Service to ensure that the full range of medical procedures and services are available to people when they need them.

There are choices if people need health care. Just as people cannot always know what is wrong with them, someone in an accident and emergency area who has never seen them before cannot always diagnose within the first five minutes what their exact condition is on their presentation. If you ever face an emergency, I know that, with the wonderful health practitioners and providers we have in this state, we will be able to prove that the implementation of Transforming Health changes are not only essential but also responsible, worthwhile and beneficial.

#### **MURRAY-DARLING BASIN REGIONAL ECONOMIC DIVERSIFICATION PROGRAM**

**Mr WHETSTONE (Chaffey) (15:13):** I too rise with frustration in relation to the question that was asked of the regional development minister this afternoon and answered by the Treasurer, with the supplementary being answered by the Premier. I do pay some respect to the Treasurer, who will give me a briefing on the GST component to an important \$25 million federal funding initiative which will go to river communities which are impacted by the implementation of the basin plan.



Back in November 2012, the then Labor federal government announced this initiative—\$100 million to communities affected by the basin plan, with \$25 million coming to South Australia—but they were in caretaker mode. They came out with 21 projects that had not even applied to this fund. These 21 projects were picked out of a can and put on the table by the state government, which said, 'Here are some projects this money can go towards.' The purpose of the program was not only to help communities adjust to the basin plan but also to diversify their economic base and adjust to a more sustainable water future.

The Labor government has announced these 21 projects for the fund in the electorates of Hammond and Chaffey without notifying any of them. When I found out about these projects getting up, I rang the successful businesses. They did not know anything about it. They did not understand that they had won this tender process. What I am concerned about is that today we had the Premier stand up and take over the answering of this question. It is a \$25 million grant from the regional development minister, not from the water minister. The Murray-Darling Basin Plan is implemented out of the water department. This \$25 million diversification fund comes out of the department of infrastructure, so he really did give us a dizzy answer today.

I am so frustrated that the Premier from day one has politicised this Murray-Darling Basin Plan. He came up to my electorate. He said that there could be no water from irrigators and we have 4,000 gegalitres to the plan. To date, the government has contributed nothing—not a drop—to the 183 gegalitres of water that is needed for South Australia's contribution. Regarding the irrigation sector, the irrigation communities are the only people who have stood up and put this water back into the basin plan.

When we had drought, the only people who gave up water for Adelaide were the irrigators and their communities. Again, we watched this Premier, this government, politicise this strategically important water infrastructure change in the history of this state that needs to be supported by both sides of government, yet we have a state government that continues to stand up and politicise it. We saw a \$2 million campaign for more water. How much water did we get out of \$2 million from South Australian taxpayers? Not one drop. We hear the Premier talk about the Murray-Darling Basin Plan being 3,200 gegalitres. Well, it is not. It is 2,750. The extra 450 was a sweetheart deal that he did with then prime minister Gillard. To date, there has been no initiative put on the table about how we are going to achieve that 450. I can tell that the Premier will stand up here and hold his hand out for the irrigation communities once again to have to contribute to a state government that has absolutely no consideration for what the regional communities are going through, giving up their economic base.

There has been no requirement to match funding by the state government. South Australia is the only jurisdiction that has failed to accept its share of this federal funding. Yes, Victoria, New South Wales and Queensland have all signed off on this funding. They are spending it. As I speak today, they are putting that money to good use; yet, South Australia is sitting back and saying, 'No, we are not agreeing to this.' I wonder why. Would it be that the Premier is saying, 'They are two electorates that we are not going to win. No, we are not even interested in supporting them.'

I call on the Premier and the Treasurer to put their heads together with the Minister for Regional Development and sign up to this program. If there is a GST component to it, so be it, but it is about supporting all of South Australia, not just building tunnels here in Adelaide, not just continuing to build a desal plant and turn it off, not just to build infrastructure that is not as productive as others could be. I guess one of the things that really concerns me is how long will this funding remain on the table before the federal government takes it away?

### **ONE THOUSAND LIGHTS FOR WOMEN**

**Mrs VLAHOS (Taylor) (15:18):** I would like to speak today on a recent visitor I hosted in the South Australian parliament. It was a great pleasure to meet once again with a leading Cambodian member of parliament, Mu Sochua. I wish to speak about a great initiative that she recently launched called One Thousand Lights for Women with her party in Cambodia. This surrounded the events leading up to International Women's Day on 8 March. Mu Sochua and I both became friends in 2012 when she visited my electorate and she and I participated in a Buddhist ceremony. We have kept in contact since then.

Included in her Cambodian parliamentary duties, Sochua is the head of the Women's Caucus in parliament and she chairs the Women's Caucus of the Council of Asian Liberals and Democrats—an association of eight political parties in South-East Asia. Sochua is also a senior member of the Cambodia National Rescue Party and a globally renowned pro-democracy advocate. In fact, in 2005 she won an award from Senator Hillary Rodham Clinton, the Vital Voices Global Leadership Award, which basically revolves around leadership and mobilising global actions in combatting the trafficking of women and children in the Asia Pacific region.

She also won the Eleanor Roosevelt Award in 2009 for a project with the George Washington University for leadership in human rights. She has a PhD in law and is a very accomplished woman, a very compassionate woman and a very courageous woman, standing in front of many violent protest movements that threaten the average, ordinary Cambodian in their everyday life, and standing side by side with them.

When we met two weeks ago in parliament we discussed One Thousand Lights for Women. With almost 20 per cent of all Cambodians in South Australia living in my electorate, it is very important to them that I participate in this process. My electorate has two Cambodian temples: the Watt Khmer Santipheap, which is the Temple of Peace; and the Watt Preah Puth Mean Chey, which is the Victory of Buddha at Macdonald Park. The Khmer Buddhist Association of South Australia also has a temple adjacent to Taylor, in the member for Ramsay's electorate.

Sochua and I discussed how this new program, One Thousand Lights for Women, will boost democracy in her country. This program aims at training women leaders in Cambodia to improve their political training and confidence to participate in democracy, and actually stand for office in their next round of elections in Cambodia. Its aim is to train new female politicians and to connect them with mentors. I was more than happy to volunteer as a mentor for this program and perhaps even offer some sort of internship, if it is allowed, with my office in the parliament and in my electorate of Taylor. It is about providing women with the opportunity that they might not otherwise have to become active in private industry, local community politics or national politics in Cambodia.

One example is the story of Meng Sopheary, who begged her grandmother to let her attend elementary school when she was a girl. She begged her grandmother again to let her finish secondary school, because she was an adolescent who should stay close to home. It was not until she entered law school that her grandmother finally gave in and gave her approval. In Cambodian society this was a lot. Meng Sopheary is now one of 176 female lawyers in Cambodia. She now has a solid foundation where she has the capacity to analyse the law and perhaps one day engage in local politics. One Thousand Lights for Women is a program sorely needed in Cambodian civil society, which aims to build on this maturing but fledgling democracy, boost its citizenship with 21<sup>st</sup> century skills and to fight the corruption that is sometimes seen throughout South-East Asia.

Earlier this year, the Cambodian Court of Appeal upheld a decision to imprison 10 land activists and a Buddhist monk for protesting against a company they allege was causing floods in their local community. Soon I will be sending Mu Sochua a letter of support for a more transparent and open civil society, offering my help with her pro-democracy campaign. It is a wish that many of my Cambodian Australian constituents have told me they hold dear to their heart and it is something I will continue to fight for with them. They still hold their hearts in their hands for Cambodia and they still feel the hurt and pain of having to leave their homeland and flee from persecution. I will do everything in my power to help with them with this aim of building a democratic and fair nation.

#### **MEMBERS' BEHAVIOUR**

**Mr SPEIRS (Bright) (15:23):** On 26 February 2015, I invited 20 guests to listen to a speech I was making about the impact of the train horns in my electorate. Most of those who attended parliament that afternoon were doing so for the first time. The spectacle that they witnessed is a black mark against all of us. Two government members, including a senior minister, and four members of the opposition were ejected from the chamber following a melee about the dirty tricks and racist tactics used by the Labor Party in their campaign to win the seat of Elder, a matter which I am pleased will now be subject to deliberations by the Australian Human Rights Commission.

My visitors saw the very worst of the South Australian parliament. They saw a puerile display of irrelevance. They saw all their stereotypes of politicians reaffirmed in a few short minutes: childish

hollering, personal attacks and the circus of a division. It was sickening, it was pointless but, more than anything else, it was irrelevant to them as South Australian citizens. When I joined them for afternoon tea afterwards they munched on their Parliament House danishes in hushed shock. It felt like a wake for democracy. They were ashen and horrified at what they had been witness to. For the first time in a long time, the main topic of discussion was not train horns, it was the state of their parliament.

I am very conscious about sounding holier than thou and sanctimonious in making this statement. This is not an attempt to pressure my own standards on to this parliament, standards which I may not perfectly fulfil myself; rather, I am providing a voice for my constituents who feel completely disenchanted with their parliament.

I regularly distribute community surveys into my electorate. These surveys pose a couple of questions. First, they ask what residents would like changed in their community and, secondly, what they would like raised in parliament. One of the most common items to be raised regarding the parliament is our standards of behaviour. Repeatedly, people raise the immaturity of the parliament, the lack of bipartisanship and the games and dirty tricks. They are beyond angry: they have reached a point of not caring. Rather than being a hallowed institution respected for its wisdom and vision, this building represents irrelevance.

At the moment I am undertaking a concerted doorknocking campaign. The first thing that strikes me about this is that when I arrive on people's doorsteps they are completely bemused that a politician would actually front up to listen to them. They are cynical, they are disillusioned, they are disempowered and they have completely lost faith in us. As a class, we are simply hated. We are irrelevant and we are useless in their eyes.

I believe that most people in this place are here for the right reasons. Individually, we are predominantly people with the right motivations and a desire to serve the communities we love, but collectively we are a laughing stock. If anyone disagrees with me, just get out into the suburbs and speak to the tradies, the mums, the grandparents, the guys down at the surf club. Making a statement like this may not make me popular in this house, but I can tell you that I am doing my job by speaking up, because that is what I hear directly from the doorsteps of my electorate. The truth hurts. Don't get me wrong, I love this job. I love its diversity, its challenges and the rewards of effective representation. I love the patch of South Australia that I am privileged to serve. My gripe is not about the role I have chosen to fulfil; rather, it is about one segment of the world I have chosen to be part of: it is the nonsense of this chamber.

We wonder why the average South Australian cares more about Madge and Harold's reunion and the 30<sup>th</sup> anniversary episodes of *Neighbours* than they do about one second's worth of activity within these four walls. We tell ourselves that there is some bold legislative agenda on the table for us to deliver. We tell ourselves that we are changing South Australia. We tell ourselves that we matter. Give me a break! Give me Madge and Harold.

I think that we think that the South Australian public is to blame. I think we look down on them, lament their apathy and lack of engagement. We think that they do not understand what we go through, that they do not understand the importance of our positions. Let me be clear with the house: it is not the fault of the South Australian public, it is because of us. We are trapped in our own version of *The Truman Show*, the same movie sets, the same storylines, the same cloistered bubble.

We wonder why poor old Frank from Marino yelled out, and I quote, 'Piss off, you idiot' from the gallery when he saw the transport minister being ejected. We should not wonder for one minute. If we had a skerrick of self-awareness, we would be asking why he did not express that sentiment to every one of us, because collectively in the eyes of those who we seek to represent we are an irrelevant rabble and we only have ourselves to blame.

#### MID SOUTH COAST SURFING RESERVE

**Mr PICTON (Kaurna) (15:28):** Well, how about that. Here is something outside the cloistered bubble. I am delighted to discuss today in the house that the National Surfing Reserves board has voted unanimously to establish a Mid South Coast surfing reserve in Adelaide. The reserve covers the area from Christies Creek to Pedler Creek, covering the suburbs of Christies Beach, Port

Noarlunga, Port Noarlunga South, Seaford and Moana—about half the length of the Kurna electorate.

Since the 1950s and 1960s, surfers have been coming to this part of our coastline to take advantage of the best surfing available in what is now metropolitan Adelaide but back then was well outside the city. It has long been known as a place where young surfers can learn, with regular surfing schools taking place, but also for aquatics programs—most famously the Port Noarlunga School Aquatics Program, which I am sure many members took part in when they were in primary school—for paddle boarding, for the Disabled Surfers Association (which this year is celebrating its 10<sup>th</sup> anniversary), as well as for spectacular kite surfers, who can often be seen along Port Noarlunga South and Seaford.

There are some 50 surfing clubs in South Australia, and many of them are based at, or regularly use, the Mid South Coast. Names like Y-Steps, The Hump, Trigs 1 and 2, 3 Poles and the Troughs might not mean much to some people, or even to some locals, but these are the names of significant surfing landmarks on the Mid South Coast and they are well known to an estimated quarter of a million surfers in South Australia.

**The Hon. T.R. Kenyon:** Including the member for Newland.

**Mr PICTON:** Including the member for Newland, who I understand is an active surfer both of the Mid South Coast and elsewhere across South Australia. Many people might ask: what is a surfing reserve? The objectives of the mid coast surfing reserve will focus on, firstly, celebrating surfing heritage and culture, which there is much of in this area; secondly, ensuring a safe aquatic and beach environment; thirdly, protecting the environment, which is very important in this area; and, fourthly, supporting councils' coastal park initiatives.

I pay tribute to all the hardworking volunteers who have been successful in seeing this bid realised and succeed. Firstly, thank you to the chairperson, Sue Bennett, who comes from SA School Surfing; the vice chairperson, Michael Nieuwendyk; the secretary, Dick Olesinski OAM, who is from Surf Life Saving SA, particularly the South Port Surf Life Saving Club, where he has had a very long involvement; and committee members Chris Warren from Surfing SA (many people would know him as a former Channel 7 reporter); Bill Jamieson, who is a councillor for the City of Onkaparinga and a longtime surfer in this area; Carl Charter, from Reef Watch; Corey Jackson, from the Surfrider Foundation; Chris Lemar, Board Riding Club; and Steve Francis and Rick Dabrow. Also thank you to professional surfer from Seaford, Dion Atkinson—

**The Hon. T.R. Kenyon:** He's a star.

**Mr PICTON:** —who has become a reserve ambassador for this area, and, as the member for Newland said, he is a star.

The concept of the reserve has received wide support from local community groups, from local residents signing petitions, from local service clubs, from the local Indigenous Kurna community, and from the local council. I was very pleased to support the bid, and write a letter that formed part of the bid, and to be part of the bid ever since the first public meeting some 18 months ago. I know that the member for Reynell is also very supportive of the bid.

It is now at the stage where they will be talking to the state government and the City of Onkaparinga about how the reserve will fit in with the management of the coastline. The next steps also include work on ensuring that the reserve works hand in hand with other users of the coastline, whether they be swimmers, fishers, kayakers, walkers, and especially the four surf lifesaving clubs that cover this area—Moana, South Port, Port Noarlunga and Christies Beach.

One of the first tasks the group is looking at is to establish interpretive signs along the mid-coast to help inform the public and new surfers about the name and history of each of the surfing breaks. I give credit to the committee for their work to help restore the Trig site at Port Noarlunga South that was there for 50 years as a famous surfing marker as well, of course, as a maritime marker, but mysteriously went missing in 2013. It has now been recovered, and it is being restored with support from the local council. The group is also working on an oral history of surfing in the area, and it has been interviewing lots of local surfing identities to make sure that their stories and recollections are preserved for all time.

*Bills***FAIR WORK (MISCELLANEOUS) AMENDMENT BILL***Final Stages*

The Legislative Council agreed to the bill without any amendment.

**STAMP DUTIES (OFF-THE-PLAN APARTMENTS) AMENDMENT BILL***Final Stages*

The Legislative Council agreed to the bill without any amendment.

**JUDICIAL CONDUCT COMMISSIONER BILL***Introduction and First 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, Minister for Child Protection Reform) (15:34):** Obtained leave and introduced a bill for an act to provide for the appointment of a judicial conduct commissioner to examine complaints in relation to the conduct of judicial officers; to make related amendments to the Constitution Act 1934, the Courts Administration Act 1993, the District Court Act 1991, the Equal Opportunity Act 1984, the Freedom of Information Act 1991, the Judges' Pensions Act 1971, the Justices of the Peace Act 2005, the Magistrates Act 1983 and the Ombudsman Act 1972; and for other purposes. Read a first time.

*Second 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, Minister for Child Protection Reform) (15:35):** I move:

That this bill be now read a second time.

This bill concerns the establishment of a transparent, formal and partly independent mechanism for dealing with complaints made against a judicial officer, be they derived internally or externally to the judicial system. There is no current system at all to deal with these matters, the only recourse being correspondence with the head of the jurisdiction of the judge in question. This has been justified in the past in the name of the undoubted constitutional principle of the independence of the judiciary. That argument can be taken too far.

While it is absolutely clear that the functions of the judiciary as a decision-making institution should not be subject to the will of the executive, it by no means follows that any individual member of the judiciary should be immune from examination as to performance, or examination as to conduct in the performance of their duties—or in their extrajudicial behaviour—that does not relate directly to the performance of the judiciary as an independent arm of government. I seek leave to insert the remainder of the second reading explanation in *Hansard* without my reading it.

Leave granted.

New South Wales has a large Judicial Commission, established in 1987 by the *Judicial Officers Act 1986*, and having a budget of about \$6 million. The Commission consists of the heads of the NSW jurisdictions ex officio, and 4 appointed lay members. The Commission has a major function of dealing with complaints against the judiciary, but also has major functions in terms of developing sentencing statistics, compiling and up-dating a judicial 'bench book' and dealing with major aspects of judicial education.

Complaints are dealt with by the Conduct Division of the Commission. A Conduct Division is appointed by the Commission itself to hear each particular complaint. That Division will consist of 3 people—2 judicial officers and 1 lay member.

The Federal Court has a system of dealing with complaints against judges of that court by the establishment of ad hoc judicial commissions to deal with each case. This is to be found in the extensive and detailed provisions of the Commonwealth *Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Act 2012*. The Commissions are Parliamentary Commissions in the sense that each is established by resolution of both Houses of Parliament, but the membership is judicial, not Parliamentary.

The Australian Capital Territory has the *Judicial Commissions Act 1994*. The scheme is one for the examination and determination of complaints against judicial officers and is generally very similar to that in the Federal Court, but the Commission is appointed by the Attorney-General and not the Parliament.

There was published a Victorian *Judicial Commission of Victoria Bill 2010* under the then Labor Victorian Government, but it was never enacted. It was very similar to the New South Wales scheme.

This area of policy was examined by the Western Australian Law Reform Commission in 2012. The Commission broadly recommended a New South Wales scheme for Western Australia. Its recommendations have not been enacted. The report of the Law Reform Commission is an excellent source for the position in relation to complaints about judicial conduct in comparative jurisdictions.

This model exists for comparable jurisdictions overseas. For example, the United Kingdom has a system constituted under the *Judicial Discipline (Prescribed Procedures) Regulations 2006* made under the *Constitutional Reform Act 2005*.

It seems clear that to say that the principle of judicial independence insulates judicial officers from the independent and transparent examination of complaints from the public or other judicial officers is not a defensible position. The truth of this remark is fortified by the progressive establishment of judicial commissions to take on that task both in Australia and overseas.

There are not the same, or even similar, numbers of judicial officers across Australia. In late 2012, the Western Australian Law Reform Commission attempted a count. NSW had 300. Victoria had 243. WA, for whom a NSW system was to be recommended, had 135. SA had 84.

A full Judicial Commission on the NSW model, with corresponding expense, is not warranted on those numbers. The New Zealand model of a single Judicial Commissioner as enacted in the New Zealand *Judicial Conduct Commissioner and Judicial Conduct Panel Act 2004*. This model provides a starting point us.

There will be a Judicial Conduct Commissioner, appointed by the Governor. The Commissioner will hold office for a term of 7 years and may be renewed up to a maximum term of 10 years. It is contemplated that the Commissioner will be either a very senior lawyer or a retired judicial officer. The usual formula for this is a practitioner of at least 7 years standing. The appointment must be scrutinised and approved by the Parliamentary Statutory Officers Committee. These provisions mirror those in the *Independent Commissioner Against Corruption Act 2012*.

The Commissioner can only be removed by address of both Houses of Parliament, and will be free, by statutory statement, from any direction by any person. He or she will, in other words, exercise his or her functions as an independent statutory officer. The principal function of the Commissioner will be to deal with complaints made against judicial officers in accordance with the scheme laid down by the Act. The Commissioner will have all of the powers necessary to carry out his or her function.

The principle of judicial independence, properly so-called, is to be preserved. It will not be the function of the Commissioner to call into question any judicial decision in any form given by a judicial officer in relation to judicial proceedings. The Bill makes that clear at several points.

In general terms, the complaints scheme works as follows. Once a complaint is received by the Commissioner, the Commissioner will conduct a preliminary examination of the complaint. This is a winnowing process. If the complaint is one to which the *Independent Commissioner Against Corruption Act 2012* applies, the complaint must be referred to the Office for Public Integrity and all further action suspended until that process is complete. The Commissioner must notify the relevant head of jurisdiction or senior judicial officer of any complaint received by his or her office.

The Commissioner may take no further action on the complaint if the Commissioner is satisfied, for any reason at all, that further consideration of the complaint cannot be justified. Examples of this may be that the complaint has already been resolved in some way, the complaint is based on a misunderstanding or the complainant has not co-operated to the satisfaction of the Commissioner.

The complaint must be dismissed at this stage if it is frivolous, vexatious or not made in good faith, if it is not within the jurisdiction of the Commissioner, if it is trivial, if it is an attempt to relitigate the merits of some litigation or if it has already been dealt with. That should not be considered an exhaustive list. The Commissioner has a discretion to proceed further with a complaint even if it is not made in accordance with the Act on the basis that technicalities should not necessarily bar justice.

If a complaint passes these hurdles, then it may be classified as more or less serious. If it is less serious, the Commissioner may refer it for action to the senior judicial officer of the jurisdiction of the judicial officer in question. Senior judicial officers are to be given extensive powers to act upon and resolve such complaints. The Commissioner may recommend that the senior judicial officer take action in a particular way.

The Commissioner must make the relevant jurisdictional head aware of most complaints and may recommend that the jurisdictional head take specified action. It is contemplated that, outside of the formal language of an Act of Parliament, the functions and powers of the Commissioner and the functions and powers of the jurisdictional head should operate co-operatively in the best interests of judicial independence on the one hand, and justly dealing with a *bona fide* complainant on the other.

The Commissioner has the power to report a complaint to the Parliament in limited circumstances if the Commissioner thinks that course is warranted, and the judicial officer concerned is subject to removal by address of both Houses under the Constitution.

If the Commissioner thinks that the course is warranted in light of the possibility that the removal of the judicial officer concerned may be at stake, the Commissioner may recommend to the Attorney-General that he or she appoint a Judicial Conduct Panel to hear the matter. The Attorney-General must consult the Chief Justice about the composition of the panel. In general terms, the panel will consist of two senior judicial officers and one lay member who is neither a judge nor a legal practitioner. The panel has the powers of a Royal Commission. It will report to the Attorney-General.

The Panel will have no independent powers to dismiss or discipline. Some judicial officers (such as Magistrates) may be removed from office by the Governor. In such cases, the report of the Panel, if in favour of removal, will go to the Governor. Some judicial officers may only be removed under the Constitution. In such cases, if the report is in favour of removal, the constitutional process will be invoked. That process will be begun by report by the Commissioner to the Parliament.

The Commissioner will be required to make a detailed annual report to Parliament.

Certain other amendments must be made. Many are consequential. For example, judicial review should not go in the ordinary course to a single judge of the Supreme Court. That could result in the invidious position where one judge is required to rule on the case against a fellow judge. Instead, judicial review should go to the Full Court.

There will be consequential provisions dealing with mechanical matters such as the service of documents, the protection of the contemplated process from obstruction or abuse and the confidentiality of reports and documents created in the course of the process. The general principle so far as the latter is concerned is that all documents and reports should be confidential by law unless released by the Commissioner.

There will be a strong provision designed to prevent information about the complaint from being published in the media or any medium of communication with the public generally at the discretion of the Commissioner. It should be borne steadily in mind that there is less need for wholesale protection, like that in the ICAC Act, here—complaints of, for example, judicial rudeness to a litigant or counsel are hardly the stuff of reputational breaking. Furthermore, judges have tenure—they are, rightly, secure in their position except in the most extraordinary of circumstances.

Consequential amendments to other Acts are required to acknowledge and bolster the new role and powers of the Commissioner. Two of these require detailed explanation.

The Solicitor-General has advised that the provisions of the Constitution that deal with the removal of judges require amendment. Sections 74 and 75 of *The Constitution Act 1934* say:

*74—Tenure of office of Judges*

*The Commissions of all Judges of the Supreme Court shall be and remain in full force during their good behaviour until their retirement according to law.*

*75—Removal from office of Judges*

*It shall be lawful for the Governor to remove any Judge of the Supreme Court upon the address of both Houses of the Parliament.*

The general effect of the advice is that these are two separate modes of dismissal. Put another way, dismissal under s 75 is not limited to the ground of failure to be of good behaviour and dismissal under s 74 does not require an address of both Houses of Parliament. Under s 15(1) of the *District Court Act 1991*, a District Court Judge may only be removed from office on address of both Houses of Parliament. It follows that, on current law, it is harder to remove a District Court Judge than a Supreme Court Judge. This is not sensible. The Constitution will be amended so that both may be removed only on an address of both Houses of Parliament. This can hardly be controversial as it increases constitutional protection for senior members of the judiciary in a principled way.

Second, jurisdictional heads will be given formal, statutory and extensive powers to direct the conduct of their jurisdictions and members of them in matters that do not impinge upon the principle of judicial independence. These powers are modelled on those contained in s 15 of the *Federal Court of Australia Act 1976*.

There are also regulation making powers. Most of these are very general in nature and follow routine practice. The exception is that there is power to make regulations to confer functions on the Commissioner relating to education and training of judicial officers and members of the legal profession. The reason for this is that, while the office of Commissioner is being set up in the first instance with a limited role in view, it may be that, in the future, it will be agreed to be expedient that the office of Commissioner take on a formal role in judicial and professional education akin to that undertaken by the more expansive Judicial Commission of New South Wales.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

## 1—Short title

## 2—Commencement

These clauses are formal.

## 3—Objects

This clause sets out the objects of the measure.

## 4—Interpretation

This clause defines certain terms used in the measure and specifies that, for the purposes of the measure, 'conduct of a judicial officer' includes any act or omission whether occurring in the course of acting as a judicial officer or not and whether or resulting from an illness or incapacity.

## 5—Application of Act

This clause provides that the measure applies in addition to (and does not derogate from) other relevant Acts or laws.

## Part 2—Judicial Conduct Commissioner

## 6—Functions and powers of Commissioner

Subclause (1) sets out the functions of the Judicial Conduct Commissioner (the *Commissioner*), being to receive and deal with complaints made in accordance with the measure in relation to the conduct of judicial officers as well as any other functions prescribed by the regulations or by another Act. The Commissioner is not subject to direction in the exercise of these functions. Subclauses (4) and (5) deal with the powers of the Commissioner.

## 7—Appointment of Commissioner

This clause provides for the appointment of the Commissioner for a term not exceeding 7 years. A person is only eligible for appointment as the Commissioner if the person is a legal practitioner of at least 7 years standing or a former judge of the High Court of Australia, the Federal Court of Australia or the Supreme Court or any other court of a State or Territory of the Commonwealth. A person who is a judicial officer or member of an Australian Parliament is not eligible for the appointment. A person may be reappointed but may not hold the office for more than 10 years in total.

The Governor may suspend the Commissioner from office for contravention of a condition of appointment, misconduct or failure or incapacity to carry out official duties satisfactorily. If this occurs the Governor must lay before both Houses of Parliament a full statement of the reason for the suspension and either House of Parliament may present an address to the Governor requiring the Commissioner to be restored to office. If neither House of Parliament presents an address to the Governor within 20 sitting days, the Commissioner is removed from office.

This clause also provides for the circumstances in which the office of Commissioner becomes vacant.

## 8—Pension rights

This clause provides a power to apply the *Judges' Pensions Act 1971* to, or in relation to, the Commissioner as if the Commissioner were a Judge as defined in that Act and service as the Commissioner were judicial service as defined in that Act.

## 9—Acting Commissioner

A person may be appointed by the Governor to act as the Commissioner during any period for which no person is for the time being appointed as the Commissioner or the Commissioner is absent from, or unable to discharge, official duties. The terms and conditions of appointment are to be determined by the Governor, except that the person may not act as the Commissioner for more than 6 months in aggregate in any period of 12 months.

## 10—Staff

The Commissioner may engage employees on terms and conditions determined by the Commissioner. The Commissioner may also, under a Ministerial arrangement, make use of the services or staff of an administrative unit of the Public Service.

## 11—Delegation

This clause provides that the Commissioner may delegate a function or power of the Commissioner except a prescribed function or power.

## Part 3—Complaints

## 12—Making of complaints

This clause provides that a person (other than a person prohibited from instituting proceedings under section 39 of the *Supreme Court Act 1935*) may make a complaint to the Commissioner about any conduct of a judicial



officer. The clause provides for the form and content of an application. The Commissioner must give notice to the relevant jurisdictional head of a complaint made.

In addition, the clause provides that the Commissioner may receive referrals relating to the conduct of a judicial officer from the Attorney-General or a jurisdictional head. The Commissioner may also on his or her own initiative, treat as a complaint any matters concerning the conduct of a judicial officer.

#### 13—Preliminary examination of complaints

This clause provides for a preliminary examination of each complaint by the Commissioner conducted in any manner the Commissioner thinks fit (but in accordance with the principles of procedural fairness).

#### 14—Referral of complaint to OPI

If the Commissioner is of the opinion that a complaint relates to conduct that may comprise corruption in public administration within the meaning of the *Independent Commissioner Against Corruption Act 2012*, the Commissioner must refer the complaint to the Office for Public Integrity to be dealt with under that Act and consideration of the complaint by the Commissioner is postponed.

#### 15—Power to take no further action

This clause provides that the Commissioner may take no further action in respect of a complaint if satisfied that further consideration of the complaint would, in all the circumstances, be unjustified.

#### 16—Dismissal of complaint

This clause provides that the Commissioner must dismiss the complaint if he or she is of the opinion that—

- the complaint is not within the Commissioner's jurisdiction; or
- the complaint has no bearing on judicial functions or judicial duties; or
- the complaint has been made for an improper purpose or is otherwise frivolous, vexatious, or not in good faith; or
- the subject matter of the complaint is trivial; or
- the complaint is about a judicial decision, or other judicial function, that is or was subject to a right of appeal or right to apply for judicial review or dealing with the complaint would otherwise require the Commissioner to challenge or call into question the legality or correctness of any instruction, direction, order, judgment, or other decision given or made by a judicial officer in relation to any legal proceedings; or
- the person who is the subject of the complaint is no longer a judicial officer; or
- he or she has considered or previously considered the subject matter of the complaint and has decided to take no further action or has determined that the subject matter of the complaint could not, if substantiated, warrant action under clause 17, 18 or 19.

#### 17—Referral of complaint to relevant jurisdictional head

The Commissioner must refer a complaint to the relevant jurisdictional head before taking other action under the measure (other than a complaint that has come from that jurisdictional head) unless the Commissioner—

- exercises his or her power to take no further action in respect of the complaint; or
- dismisses the complaint.

The Commissioner may, on referring a complaint, recommend that the relevant jurisdictional head take specified action in relation to the complaint or may advise the relevant jurisdictional head that the Commissioner is of the opinion that the complaint is not able to be satisfactorily dealt with by the taking of any action by the relevant jurisdictional head and that the Commissioner intends to make a report on the complaint to the Parliament or make a recommendation to the Attorney-General to appoint a judicial conduct panel. The relevant jurisdictional head must give the Commissioner written notification of any action taken by the relevant jurisdictional head in relation to the complaint. The Commissioner may make reports to the Attorney-General in relation to action taken under or in connection with the section

#### 18—Immediate report to Parliament

This clause provides that the Commissioner may make a report on a complaint to the Parliament in certain circumstances (and provided that the judicial officer is subject to removal on an address from both Houses of Parliament).

#### 19—Recommendation to appoint judicial conduct panel

The Commissioner may recommend to the Attorney-General that he or she appoint a judicial conduct panel to inquire into matters concerning the conduct of a judicial officer if of the opinion that an inquiry is necessary or justified and, if established, the conduct may warrant consideration of removal of the judicial officer.

#### Part 4—Judicial conduct panels

#### 20—Appointment of judicial conduct panels

This clause provides for the appointment of judicial conduct panels by the Attorney-General (on the recommendation of the Commissioner) to inquire into, and report on, any matters concerning the conduct of a judicial officer. A judicial conduct panel will consist of 3 members comprised of 2 eligible judicial officers and 1 lay member.

#### 21—Dissolution of panel if member unable to continue

If a member of a judicial conduct panel is unable to continue, then the presiding member must dissolve the panel and the Attorney-General is to appoint a new panel.

#### 22—Functions and procedures of panel

This clause provides that a judicial conduct panel must inquire into, and report on, the matters concerning the conduct of a judicial officer referred to it by the Attorney-General and may inquire into, and report on, any other matters concerning the conduct of the judicial officer that arise in the course of its dealing with the referral.

Subject to the measure, the procedure for the calling of meetings and for the conduct of business is determined by the panel but the panel must—

- act in accordance with the principles of procedural fairness; and
- hold all meetings in private; and
- call meetings and conduct business in accordance with any guidelines approved by the Chief Justice of the Supreme Court.

#### 23—Powers of panel

This clause provides that a judicial conduct panel has the powers of a commission as defined in the *Royal Commissions Act 1917*. Specifically, the clause provides that a judicial conduct panel may require a judicial officer to undergo 1 or more medical examinations for the purpose of assisting in determining whether proper cause exists for removing the judicial officer from office.

#### 24—Report by panel

This clause provides that a judicial conduct panel must, at the conclusion of its inquiry, provide a report to the Attorney-General which must set out—

- the panel's findings of fact; and
- the panel's opinion as to whether removal of the judicial officer is justified; and
- the reasons for the panel's conclusion.

The Attorney-General must cause a copy of the report to be laid before each House of Parliament.

#### 25—Removal of judicial officer

This clause provides for the removal of a judicial officer from office. If the judicial officer is a Judge who is liable to be removed from office (pursuant to the *Constitution Act 1934* or any other Act or law) on an address from both Houses of Parliament, the Judge may be removed from office on such an address. In any other case, a judicial officer may be removed from office by the Governor if a judicial conduct panel concludes that removal of the judicial officer is justified.

#### Part 5—Miscellaneous

#### 26—Commissioner's annual report

The Commissioner must, before 30 September in each year, prepare a report on the operation of the measure.

#### 27—Attorney-General may request information about complaints

The Commissioner must, at the request of the Attorney-General, provide the Attorney-General with information about the exercise of the Commissioner's functions under the measure.

## 28—Judicial review

This clause provides that any application for judicial review of a decision under the measure must be made to the Full Court of the Supreme Court.

## 29—Immunity from liability

This clause provides that no liability attaches to the Commissioner, any member of the Commissioner's staff or the members of a judicial conduct panel for any act or omission in good faith in the exercise or purported exercise of powers or functions under this measure or any Act.

## 30—No obligation on persons to maintain secrecy

This clause is designed to enable a person to disclose information to the Commissioner or a judicial conduct panel despite the provisions of any other Act or common law relating to confidentiality. This would extend to confessional disclosures and medical disclosures but does not extend to secrecy regarding informants.

## 31—Confidentiality, disclosure of information and publication of reports

It is an offence for a person to disclose information obtained in the course of the administration of the measure except in the circumstances set out in subclause (1). Subclause (2) allows the Commissioner to authorise disclosure if of the opinion that it is in the public interest. If information is passed on, the person to whom it is passed on is bound by the same rules of confidentiality. Subclause (3) allows the Commissioner to publish reports if of the opinion that it is in the public interest to do so.

## 32—Publication of information and evidence

This clause provides that a person must not, except as authorised by the Commissioner or a court, publish, or cause to be published information or evidence relating to a complaint if publication of the information or evidence is prohibited by the Commissioner. Information is published if it is communicated to the public as defined in the clause. Breach of the clause is an offence.

## 33—Other offences

This clause provides 2 further offences in relation to the administration of the measure which each carry a maximum penalty of \$10,000 or imprisonment for 2 years.

Firstly, a person must not—

- prevent another person from making a complaint under the measure; or
- hinder or obstruct another person in making such a complaint.

Secondly, a person must not—

- hinder or obstruct the Commissioner or a judicial conduct panel in the exercise or performance of powers or functions conferred by or under the measure; or
- refuse or fail to comply with a lawful requirement of the Commissioner or a judicial conduct panel under the measure; or
- make a statement that is false or misleading in a material particular (whether by reason of the inclusion or omission of a particular) to the Commissioner or a judicial conduct panel acting in the exercise of powers under the measure; or
- make a complaint knowing that there are no grounds for the making of the complaint.

## 34—Service

This clause provides for the manner of service of a notice, report or other document required or authorised to be given to or served on a person under the measure.

## 35—Regulations

This clause provides a regulation making power.

## Schedule 1—Related amendments

Part 1—Amendment of *Constitution Act 1934*

## 1—Amendment of section 74—Tenure of office of Judges

This clause amends section 74 of the *Constitution Act 1934* to clarify that the section does not give rise to a separate power to dismiss a Judge of the Supreme Court. The power to dismiss a Judge of the Supreme Court is contained in section 75 of the *Constitution Act 1934*.

## 2—Insertion of section 75A

This clause inserts new section 75A to provide that nothing in Part 4 of the *Constitution Act 1934* affects the operation of the measure.

Part 2—Amendment of *Courts Administration Act 1993*

## 3—Insertion of Part 5A

This clause inserts new Part 5A into the *Courts Administration Act 1993* which provides that the jurisdictional head of a court is responsible for ensuring the effective, orderly and expeditious discharge of the business of that court. *Court*, for the purposes of the Part, includes a tribunal or other body the functions of which include the exercise of judicial powers. The clause provides matters which constitute functions of a jurisdictional head and also provides matters that a jurisdictional head may do in respect of the management of a court and in respect of judicial officers for the purposes of ensuring the effective, orderly and expeditious discharge of the business of the court. The clause provides that the jurisdictional head may take any measures that the jurisdictional head believes are reasonably necessary to maintain public confidence in the court.

Importantly for the measure, this clause provides for action that a jurisdictional head may take in relation to complaints referred to the jurisdictional head under the *Judicial Conduct Commissioner Act 2015*. If a judicial officer refuses or fails to comply with a requirement made by the jurisdictional head in response to a complaint referred under the *Judicial Conduct Commissioner Act 2015*, the jurisdictional head must, by notice in writing, report that refusal or failure to the Attorney-General and to the Judicial Conduct Commissioner (and the report to the Judicial Conduct Commissioner will be taken to be a referral under that Act). A jurisdictional head of a court must also give notice to the Judicial Conduct Commissioner of any complaint made to the jurisdictional head in relation to the conduct of a judicial officer of the court.

Part 3—Amendment of *District Court Act 1991*

## 4—Amendment of section 15—Removal of Judges and Masters

This clause amends section 15 of the *District Court Act 1991* to provide for the removal of a Master under that Act by the Governor in accordance with the *Judicial Conduct Commissioner Act 2015* in addition to the current manner of removal.

Part 4—Amendment of *Equal Opportunity Act 1984*

## 5—Amendment of section 87—Sexual harassment

Section 87(6b) of the *Equal Opportunity Act 1984* currently provides an exception to sexual harassment by a judicial officer of a non-judicial officer or a member of the court staff of a court under section 87(6a) of that Act. The exception will apply in relation to anything said or done by a judicial officer in court or in chambers in the exercise, or purported exercise, of judicial powers or functions or in the discharge, or purported discharge, of judicial duties. This clause provides that conduct to which the exception applies may nevertheless be the subject of a complaint under the *Judicial Conduct Commissioner Act 2015*.

Part 5—Amendment of *Freedom of Information Act 1991*

## 6—Amendment of Schedule 2—Exempt agencies

This clause amends the *Freedom of Information Act 1991* such that the Judicial Conduct Commissioner and a judicial conduct panel under the *Judicial Conduct Commissioner Act 2015* are exempt agencies for the purposes of the *Freedom of Information Act 1991*.

Part 6—Amendment of *Judges' Pensions Act 1971*

## 7—Substitution of section 13

This clause substitutes section 13 of the *Judges' Pensions Act 1971* to provide that unless the Governor otherwise directs, a pension under that Act is not payable to, or in relation to, a Judge who has been removed from office (whether pursuant to the *Constitution Act 1934* or otherwise under an Act or law).

Part 7—Amendment of *Justices of the Peace Act 2005*

## 8—Amendment of section 9—Tenure of office

This clause is consequential.

## 9—Insertion of section 10A

This clause inserts a new provision dealing with suspension and removal of special justices (because special justices will be judicial officers for the purposes of the measure, whereas ordinary justices will not)

## 10—Amendment of section 11—Disciplinary action, suspension and removal of other justices

This clause is consequential to clause 9.

Part 8—Amendment of *Magistrates Act 1983*

## 11—Repeal of section 8

This clause repeals section 8 of the *Magistrates Act 1983* because it will be unnecessary if proposed Part 5A of the *Courts Administration Act 1993* is enacted.

## 12—Amendment of section 9—Tenure of office

This clause amends section 9 of the *Magistrates Act 1983* to provide that a Magistrate, when removed by the Governor, is to be removed in accordance with the *Judicial Conduct Commissioner Act 2015*.

## 13—Amendment of section 10—Suspension from office

This clause amends section 10 of the *Magistrates Act 1983* to make a consequential amendment and to provide that a magistrate may only be suspended from office under that section.

## 14—Repeal of sections 11 and 12

This clause repeals sections 11 and 12 of the *Magistrates Act 1983* which provide for the removal from office of magistrates.

Part 9—Amendment of *Ombudsman Act 1972*

## 15—Amendment of section 5—Non-application of Act

This clause amends section 5 of the *Ombudsman Act 1972* to provide that it does not apply in relation to any complaint to which the *Judicial Conduct Commissioner Act 2015* applies or any matter to which that Act would apply if the matter were the subject of a complaint under that Act.

Debate adjourned on motion of Mr Pederick.

**LOCAL GOVERNMENT (GAWLER PARK LANDS) AMENDMENT BILL***Introduction and First 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, Minister for Child Protection Reform) (15:37):** Obtained leave and introduced a bill for an act to amend the Local Government Act 1999. Read a first time.

*Second 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, Minister for Child Protection Reform) (15:37):** I move:

That this bill be now read a second time.

In 1864, land comprising some 134 acres was conveyed to the Corporation of the Town of Gawler. The land, which surrounds the historical core of Gawler, is held by the Town of Gawler in fee simple and is subject to a charitable trust for the purposes of a public park or parklands and a public cemetery. Charitable trusts must be for the public benefit and must be for the benefit of a section or division of the community, or of the community generally, rather than for a confined group of private individuals. As tantalising as this may be, I seek leave to insert the remainder of the second reading explanation in *Hansard* without my reading it.

Leave granted.

Much of the land held under the trust has been developed in a manner that is consistent with the terms of the charitable trust. For example, for park lands, sports fields and tennis and netball courts. However, over the years the Town of Gawler has granted a number of leases and licences in respect of recreational, sporting and community facilities, including showgrounds, bowling greens, a greyhound racing track and a swimming pool with associated club houses. A significant area of the park lands has also been developed as a caravan park and is currently leased to a private operator. Although these licences and leases appear to have been created in conformity with the provisions of the *Local Government Act 1999* relating to the leasing of community land, many of them are inconsistent with the terms of the charitable trust.

This situation has given rise to practical difficulties for the Town of Gawler and, as a result, the Town of Gawler requested that the Government consider legislation to discharge the trusts and to declare the land 'community land' under the *Local Government Act 1999*.

The Bill before the House extinguishes the charitable trusts in relation to the land and provides that no transaction entered into by the Town of Gawler in respect of the land prior to the Act being enacted is invalid (by reason of constituting a breach of trust).

In addition, the Bill amends Schedule 8 of the *Local Government Act 1999* to classify the land as community land, a classification that is to be irrevocable. This approach will empower the Town of Gawler to grant a wider range of leases and licences over the land, whilst still ensuring that the ideology of the charitable trust is continued and the land used for the benefit of the community. The irrevocable classification of the land as community land will also ensure that the Town of Gawler cannot sell off the land once the trusts have been discharged.

The Bill also avoids the need for the Town of Gawler to proceed under section 25 of the *Burial and Cremation Act 2013* (previously section 588 of the *Local Government Act 1934*) which provides that where a closed council cemetery is on land held on trust by the council, the council may petition the Minister to have the trust determined and the land dedicated as park lands. The Minister may only comply with the petition after conducting an inquiry to ascertain whether any interment rights exist over the land or whether there is any reason why the trust should not be determined.

I commend the Bill to Members.

#### Explanation of Clauses

##### Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

##### Part 2—Amendment of *Local Government Act 1999*

3—Amendment of Schedule 8—Provisions relating to specific land

This clause inserts a new clause into Schedule 8 of the Act providing that the Gawler Park Lands and Pioneer Park are classified as community land and the classification is irrevocable. Pioneer Park must continue to be maintained as a place of public interest and a public garden. The proposed clause also revokes trusts applicable to the land and ensures that former transactions involving the land are not invalidated or held to be a breach of those trusts.

Debate adjourned on motion of Mr Pederick.

### **CRIMINAL LAW (FORENSIC PROCEDURES) (BLOOD TESTING FOR DISEASES) AMENDMENT BILL**

#### *Introduction and First 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, Minister for Child Protection Reform) (15:39):** Obtained leave and introduced a bill for an act to amend the Criminal Law (Forensic Procedures) Act 2007. Read a first time.

#### *Second 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, Minister for Child Protection Reform) (15:39):** I move:

That this bill be now read a second time.

At the last state election the government committed to introduce legislation to require an offender who bites or spits at a police officer to undertake a blood test for infectious diseases. This bill delivers on that commitment. A similar bill was introduced by the government in 2014 and lapsed when the parliament was prorogued. That bill only dealt with protection to police officers. The current bill has been extended beyond police officers to cover other categories of emergency workers who may—

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** I'm glad you're happy—other categories of emergency workers who may also be at risk of contracting an infectious disease owing to violence inflicted on them in the course of their occupations. I seek leave to have the remainder of the second reading explanation inserted in *Hansard* without my reading it.

### Leave granted.

Currently, in circumstances where an emergency worker is exposed to bodily fluids capable of transmitting an infectious disease, there is no means by which to compel the individual to provide a blood sample for the purpose of testing for infectious diseases. Approximately 700 police officers are assaulted in the line of duty each year. Many of these assaults, between 250 and 350 a year according to SAPOL figures, result in one or more officers coming into contact with an offenders bodily fluids and thus being put at risk of contracting an infectious disease.

Occupational violence is not confined to police officers. Other emergency workers are also assaulted in the course of their occupation including in circumstances where there is the risk of the transmission of an infectious disease. Research indicates that medical and nursing staff in accident and emergency wards and paramedics are at an equal, if not greater, risk of contracting an infectious disease as a result of being assaulted in the course of their occupations. Currently SAPOL offers blood testing to any officer who has had contact with an offender's bodily fluids, and is therefore at risk of having been exposed to, or contracted, an infectious disease. However, there is no obligation on an offender to be tested.

The current Bill builds on the existing framework in the *Criminal Law (Forensic Procedures) Act 2008* and provides that any offender who is reasonably suspected of having committed a specified offence of violence against a police officer or other stated category of emergency worker can be compelled to undertake a blood test to test for the presence of infectious diseases where the emergency worker was exposed to the offender's bodily fluids and there is a risk that the emergency worker, in being so exposed, could have contracted an infectious disease.

The specified offences are assault, causing harm, causing serious harm, acts endangering life or creating risk of serious harm, riot, affray, assaulting and hindering police, violent disorder and any other serious offence of violence prescribed by regulation.

The Bill includes safeguards. Consistent with the existing procedures for forensic procedures in the *Criminal Law (Forensic Procedures) Act 2008*, the Bill provides that an offender can only be required to undertake a blood test upon the authorisation (to be recorded in writing) of a 'senior police officer', being an officer of or above the rank of Inspector. Further, the results of any test are inadmissible in any legal proceedings. The Bill also amends section 58 of the *Criminal Law (Forensic Procedures) Act 2008* to make it clear that regulations made under the Act can regulate how tests are to be carried out and to whom the results may be released. These regulations will be drafted in consultation with SAPOL and SA Health.

It is also the intention that senior police officers will have regard to expert guidance of the risks of the transmission of infectious diseases in deciding if testing is appropriate under the Bill. A protocol will be developed between SA Health and SAPOL in close consultation with the Chief Public Health Officer to ensure senior police officers are properly informed and testing under the Bill is performed appropriately.

I commend the Bill to Members.

### Explanation of Clauses

#### Part 1—Preliminary

##### 1—Short title

##### 2—Commencement

##### 3—Amendment provisions

These clauses are formal.

#### Part 2—Amendment of *Criminal Law (Forensic Procedures) Act 2007*

##### 4—Amendment of long title

This clause makes an amendment to the long title of the Act consequent upon the measure.

##### 5—Amendment of section 3—Interpretation

This clause substitutes the definition of suspects procedure in section 3 of the principal Act.

##### 6—Insertion of Part 2 Division 4

This clause inserts a new Division 4 into Part 2 of the principal Act as follows:

#### Division 4—Blood testing of certain persons for communicable diseases

##### 20A—Interpretation

New section 20A defines key terms used in the new Division 4.

##### 20B—Senior police officer may require certain persons to provide blood sample

New section 20B allows a senior police officer to authorise the taking of blood from a suspect in the circumstances set out in subsection (1), and makes related procedural provisions.

## 7—Amendment of section 31—Use of force

This clause makes a consequential amendment.

## 8—Insertion of section 34A

This clause inserts new section 34A into the principal Act, which prevents forensic material obtained under new Part 2 Division 4 from being used for purposes other than testing the material for communicable diseases.

## 9—Insertion of section 39A

This clause inserts new section 39A into the principal Act, which requires the destruction of forensic material obtained under new Part 2 Division 4 as soon as is reasonably practicable after the material has been tested for communicable diseases in accordance with new section 34A.

## 10—Insertion of section 48A

This clause inserts new section 48A into the principal Act, which renders inadmissible specified results, admissions and statements relating to operation of new Part 2 Division 4, and prevents the reliance on those things to ground the obtaining or use of search warrants or powers.

## 11—Amendment of section 58—Regulations

This clause amends section 59(2) of the principal Act to enable regulations to be made under the Act in relation to the operation of new Part 2 Division 4.

Debate adjourned on motion of Mr Pederick.

**STATUTES AMENDMENT (BOARDS AND COMMITTEES - ABOLITION AND REFORM) BILL***Second Reading*

Adjourned debate on second reading (resumed on motion).

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:41):** For example, if data was recorded on the APY lands in respect of complaints or allegations of child sexual abuse and the like to the local agency which, geographically, is Coober Pedy, and if that data was sufficiently detailed enough to record where there had been allegations in respect of an Indigenous child who was resident on the APY lands at the time of the alleged abuse, we might have some hope of following through, ultimately, in dealing with the very serious allegations as recorded in the second Mullighan report in respect of child abuse which was undertaken by some senior people in his royal commission but which was under the hand, ultimately, of the late Ted Mullighan, who was the commissioner in respect of that inquiry.

That report detailed a shocking amount of high-level, very high-level abuse—'epidemic' I think was the word that was used—that was allegedly occurring on the APY lands at the time of that inquiry, yet I have looked at this issue myself, and probably other members have too, in trying to ascertain the data in respect of the record keeping of alleged child sexual abuse for South Australians and, in particular, in respect of the region which Mr Mullighan had identified as so chronically in a crisis situation. Yet, I have had answers back from the Premier as the minister for families and community services (I think that was its title at the time) that, 'We don't keep records of the nature of where the complaint has arisen.'

What is going on if we have a problem allegedly of 'epidemic' proportions, as reported by the Hon. Ted Mullighan, and we have data collection which is bereft or inadequate in ensuring that the agencies have the capacity to be able to monitor, improve and provide services and/or intervention, and/or protective measures to deal with that issue if we do not keep a record of it?

Similarly in recording and publication, whether it is by Nganampa Health Council or the Department for Health, the records in relation to the frequency of cases reported of children under five having sexually transmitted diseases such as chlamydia and the like which historically have been kept are no longer kept. Similarly we have complaints—and I have raised this again because the Freedom of Information Act does not apply to the Aboriginal health councils like the Nganampa Health Council—that we do not have any data disclosed in their annual reports or in the reports provided by the department on the level of marijuana use or other illicit drug use on the APY lands.

Why is this important? Of course it was important to have this available to us because good work was done on dealing with the prohibition of petrol on the APY lands and the introduction of a



fuel that was non-sniffable, apparently. It was an aviation-type fuel. I cannot remember the name of it now.

**The DEPUTY SPEAKER:** Opal.

**Ms CHAPMAN:** Opal, the Deputy Speaker has kindly informed me. So, there was a reduction in the use of cars using petrol. All these measures were put in place to help deal with this issue. There were complaints to me, and I am sure to other members at the time and probably even to ministers, that there was an increasing and corresponding use of other illicit drugs, namely marijuana, in particular.

When we go to the data to try to ascertain whether this is a problem, and whether we could ask the government what they are doing, try to propose something to the government that might work or work with the government on a measure that would help to deal with this issue, there is no data. It was music to my eyes, or ears, as you might say, when I read the Health Performance Council Annual Report of 2013-14, which told us that they were looking into questions of Aboriginal health.

They had looked at a case study and they looked at the question of data. They were very concerned about the Closing the Gap policy, which clearly was not closing the gap on any kind of assessment that we could be proud of or that we could feel confident there was actually movement on. This was the important work that the Health Performance Council were looking at.

As I mentioned prior to lunch, my understanding is that at least one other agency—I think, from recollection, it is the Aboriginal affairs department, now under minister Maher (an honourable member of another house)—is going to take up some responsibility to make sure this happens. Why? Because the health department will give advice to ministers, we would hope frankly and fearlessly but we are not confident that that happens. They certainly are not forthcoming in presenting data even to their own ministers and certainly not in their annual reports, which give the full picture of what is happening in the health services in South Australia.

One of the very important reasons we have a Health Performance Council is that it is the sole remaining watchdog that is independent and can do that job. I for one am very pleased at the work that the Health Performance Council has undertaken since its inception. I want to place on the record my appreciation to the members of the council under the chairmanship of Ms Dunn. I cannot immediately recall whether Ms Dunn has had the role as Chair from the inception of the council.

The council is represented by a large field of people who are qualified in everything from data to administration of government to medical, scientific and aged-care services and the like. There is a breadth of advisers, including some academics, who are there to make sure that we as a parliament get the full picture, or at least the picture as best we can get it, not the censored or restricted data that filters up through the department into the minister's office on matters which he or she, whoever it is at any one time, is giving us advice on.

As I said before lunch, the best example of an endorsement for the Health Performance Council came from the Hon. John Hill himself when we were debating the Health Care Act and the introduction of the new Health Performance Council. I cannot locate what he said immediately; I will come back to that in a moment.

What I want to mention is what the Health Performance Council recorded in its annual report for 2013-14 on page 3. The message from the chairperson (who, of course, is Ms Dunn) was as follows:

The primary task of the HPC is to provide independent advice to the Minister and the Parliament on the effectiveness of the health system in its operation, in producing good health outcomes for South Australians, and in engaging communities and individuals in improving their health.

Then they quote in their report a statement by Professor Michael Kidd AM, the Executive Dean of the Faculty of Medicine, Nursing and Health Sciences at the Flinders University, from 2014. He said:

The Health Performance Council has provided an invaluable service to the people of South Australia throughout its existence...the HPC has proven its value as an independent evidence-based monitor of the performance of our health system and has been empowered to analyse, evaluate and provide advice about improvements that continue to result in real benefits to health consumers and health service providers.

I seek leave to continue my remarks.

Leave granted; debated adjourned.

**The Hon. T.R. KENYON:** Deputy Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

*Address in Reply*

#### **ADDRESS IN REPLY**

**The SPEAKER:** I inform the house that His Excellency the Governor will be prepared to receive the house for the purpose of presenting the Address in Reply at 4pm today. I ask the mover and seconder of the address, and other members, to accompany me to proceed to Government House for the purposes of presenting the address.

*Sitting suspended from 15:54 to 16:31.*

**Ms DIGANCE:** Mr Speaker, I draw your attention to the state of the house.

**The SPEAKER:** There not being a quorum, ring the bells.

*A quorum having been formed:*

**The SPEAKER:** I inform the house that, accompanied by the mover and seconder of the Address in Reply to the Governor's opening speech, and by other members, I proceeded to Government House and there presented to His Excellency the address adopted by the house on 24 February 2015, to which His Excellency was pleased to make this reply:

Thank you for your Address-In-Reply to the speech with which I opened the Second Session of the Fifty-Third Parliament. I am confident that you will give your best consideration to all matters placed before you. I pray that your deliberations will add meaning and value to the lives of our South Australian community.

His Excellency The Honourable Hieu Van Le AO

#### *Bills*

### **STATUTES AMENDMENT (BOARDS AND COMMITTEES - ABOLITION AND REFORM) BILL**

#### *Second Reading*

Adjourned debate on second reading (resumed on motion).

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:34):** The Health Performance Council outlines a number of features in its annual report of 2013-14, which I was detailing prior to the brief adjournment to accommodate the reception by His Excellency, so I interrupt my contribution by recording our appreciation to His Excellency for receiving members of the parliament and especially those who are new members. I trust that they appreciated the hospitality of the Governor and were provided with some refreshment.

**Mr Knoll:** A glass of water.

**Mr Duluk:** A glass of water I had.

**Ms CHAPMAN:** Yes, excellent. Frugal and modest as it should be so that we can continue our deliberations. Nevertheless, it was spearheaded by you, Mr Speaker, to His Excellency's rooms across the way.

Shortly prior to that adjournment of the house, I had indicated that the greatest advocate of the Health Performance Council, I think, was the Hon. John Hill when he introduced the Health Care Bill in 2007. In support of the Health Care Bill, which was to set a new structure and governance for the administration of health services in South Australia—some of which this side of the house agreed to and some of which we did not—one of the things he endorsed was the establishment of the Health Performance Council. On 27 September 2007, he said:

The capacity for providing independent advice is addressed in the Bill by the establishment of the Health Performance Council. The Council will ensure that the Minister can have access to high level advice independent from the Department and provides greater public accountability for health outcomes. Having a single body will also support a more consistent and strategic approach in providing advice.

The Health Performance Council will evaluate and report on the overall performance of the public health system in relation to agreed outcomes. It will produce an annual report to be tabled in the Parliament as well as a substantial four yearly report. This latter report will identify significant trends, health outcomes and future priorities of the health system. It will review the health system as a whole, including the public, private and non government systems involved in the provision of health services. The four yearly report will also be tabled in the Parliament and the Government will provide a response to the Parliament within 6 months of it being tabled.

He goes on to say how its membership will be appointed and the spread of skills, etc. that were desirable for being on that board.

The former health minister took the view that it was important to have this body. He singled out the relevance of having one body rather than multiple bodies in this regard so that there could be an across-the-spectrum, consistent strategic approach in providing this independent advice. He made it very clear that this was an important addition to his new structure, particularly in light of his proposal following the Generational Health Review. That was a report that was prepared in about 2003-04 by Mr Menadue, and he set out a number of recommendations as to governance change and service delivery.

As part of this restructure, it was very important. His proposal was to get rid of the boards, get rid of the regional boards and people like Mr Ray Grigg and his board for the central regional health service (or it was called words to that effect). It covered the main spine of major acute hospitals. We had a central, we had a northern, we certainly had a southern, and I am not quite sure where the Women's and Children's Hospital fitted in but it was attached to one of the regional metropolitan boards.

They all got sacked—'Don't come Monday.' The IMVS board was gone, all taken in-house, but this Health Performance Council was going to be the body which was going to provide this panacea of independence and the like. I think largely that it has been very helpful in the reports it has provided to the parliament and, as I said before, we thank them for their service.

However, we are still awaiting the four-yearly report which was concluded last year, which has been provided to the minister and which the current Minister for Health has not yet disclosed to the parliament. The period for review by the community and all the stakeholders has passed, the expiry date has now gone and the government have already apparently made their decision about where they are going to go in this next stage. They published a fairly thin report yesterday, but it was padded out with about two inches worth of appendices in respect of data that was attached to it.

**Ms Cook:** It was only an inch in total.

**Ms CHAPMAN:** Let's go to centimetres: it is about half a centimetre of report and the rest of it, which is about an inch and a half to two inches, was all appendices. Members who have not had a chance to look at this document might be a bit disappointed when they see the one or two pages on each major health service. For the whole abolition of the Repat Hospital, we got two pages about what is going to happen, so of course the detail is stunningly omitted.

Nevertheless, I make the point that here we are in the midst of the government telling the parliament and the people of South Australia that they have apparently listened, that they have read all their thousands of submissions, that they have identified to us what they are going to do next and tabled that in the parliament, and yet still we are completely quarantined from the recommendations and report of the Health Performance Council. Why could that possibly be? First, surely if the government were proud of the level of service delivery and the efficiency of the service delivery of the health services they are currently overseeing, they would be rushing that report to us to tell us what a great job they were doing.

Secondly, if there were areas the Health Performance Council had identified where the outcomes were unacceptable or under par or the disclosure of documentation to support that were inadequate, surely they would also be rushing it into the parliament to say, 'See, this is why we have to change the structure of the health services in South Australia. This is why it's necessary to have three 24-hour super ED departments in three big metropolitan hospitals and cram the other four ED services out of the other hospitals into those three. This is the basis upon which it is necessary to do that. This is why, because here is the Health Performance Council's report.' But, no, we do not get to see it at all.

All we get from the government is the Premier announcing that he is just going to abolish this board—this board, which has been independent, frank and fearless in its advice, and whose reports are so important that the government is prepared to progress a major reform into one of the biggest and certainly the highest costing services of the government without us even seeing it. In fact, the Premier and the Minister for Health have come into this parliament day after day and argued their case, they say—answered questions, or avoided answers to questions probably more likely, but made statements about the need to reform, even today.

Even today, the Minister for Health told us that there are 500 deaths a year that are avoidable. He is suggesting that the reason for that is somehow or other associated with deficiencies in the way that health services are administered in South Australia. He may be right, but why should we not actually see the report of the Health Performance Council to tell us whether they have identified this problem or whether it is just Professor Dorothy Keefe, who is the employee of the health department who is sent out to spruik the apparent merits of this restructure?

There is no detail and no accountability of what has occurred. There is no Health Performance Council four-yearly report to justify and support the actions of the minister. I think the ultimate in arrogance is that there is no preparedness even to allow that material to be presented before they close off the cut-off time for South Australians to have a say. All of this, frankly, is an insult.

Then today I was absolutely stunned to read an article which purports to quote the Minister for Veterans' Affairs, who is also the local member covering the Repatriation General Hospital. Unsurprisingly, he is quoted as saying, 'My issue is what's best for veterans' health and the health of the electorate.' I do not doubt for one moment that that would be an interest, and I would certainly hope it to be, both as the local member and as the minister. But then he goes on to say, allegedly:

(Health Minister) Jack Snelling made a good case to me (that) the reforms he's proposing are good for veterans' health and health for the aged ... I'm confident they'll all be better off through the health reform offering.

What kind of private briefing has the Minister for Veterans' Affairs (the member for Waite) had that we all are missing? What is the case that has been presented by the Minister for Health that justifies doing this?

All we have had, as members of parliament who are being asked to support this initiative, is an assurance by the health minister that, firstly, this is not about money; secondly, it is about providing a better, safer and more efficient service—and I paraphrase that, but that is the gist of what he has been saying—and thirdly, at the briefing he provided to MPs, which Professor Keith also attended, he told us that there is an unacceptable level of avoidable deaths in our hospital system and that somehow, without any detail, this is going to change it. That is the presentation that we have had from the government.

We have had a couple of glossy booklets which talk about ideas for restructure, about transferring the location of some services from one site to another, and yesterday a bit more detail on that. We still do not have anything clear, I think. There was an indication, for example, that acute aged mental health services, up to 30 beds, would be relocated from the Repat Hospital up to the Flinders Medical Centre. I am not sure whether they are going to tip out the people in the Margaret Tobin Centre or whether they are going to build another facility, because we do not actually know the detail of that. We have absolutely no idea what is going to be left at The Queen Elizabeth Hospital.

Let's remember what has gone from that hospital already. The government has already, under minister Hill, cherrypicked out The Queen Elizabeth Hospital's iconic feature, namely the kidney transplant facility, and relocated it to the current Royal Adelaide Hospital at a cost of \$15 million. The government has relocated the professors, the kidney transplant surgeons, the experts in that regard, to the Royal Adelaide Hospital, into a hospital which it is about to demolish. It has spent \$15 million on relocating them.

I remember asking minister Hill at the time, 'Why is it necessary for you to take this iconic health service out of The Queen Elizabeth Hospital, which they have developed, pioneered and are very proud of, where they already have special rooms with air conditioning to make sure that there is a germ-free environment for kidney transplant services, etc.? Why are you relocating this service, at a \$15 million cost, into a building that is going to be demolished when you build and relocate the

Royal Adelaide Hospital down at the other end of North Terrace?' Do you know what the answer was? Because they have to get used to the new culture—whatever the hell that meant.

So what we have is a situation where the government was prepared to take out a piece of that hospital, of which it was rightly proud, and move it—even if it meant spending millions of dollars—to a property that it was going to demolish. Secondly, the government downgraded the intensive care unit from the highest level down to its current level. Of course, it is about to get another slashing. There was a report at the time that this could mean an extra 100 people a year would die (avoidably) if the government did this.

Every time you reduce the formula, the number of trained ICU staff to patients, obviously you will have a lower service. Therefore, as that diminishes down, you leave the rest of the health professionals with no other option but to cut out a whole lot of procedures. For example, unless you have the highest level of intensive care capacity, you do not perform heart transplants at that location. If you reduce it to a level of extra care, you may get to a stage where it is unsafe to deal with any coronary or stroke-type activity, and it seems that is where we are heading with The Queen Elizabeth Hospital, if you are chronically ill or you have a life-threatening condition, whatever that is. I was no clearer after today's answer from the minister in question time as to what a life-threatening condition is or who on earth is going to do that. It seems that if you have a headache and you think you are having a stroke or heart attack, you ring the ambulance. That seems to be the gist of today's advice in question time.

Does the wife say, 'Look, we don't live in a place that's close to a hospital. We live just outside of Oodnadatta'? As for ringing up that great paramedic who is going to rush over and tell them whether the headache is about to be a stroke or not, as usual, the government have completely forgotten the fact that a third of the state lives outside of the metropolitan area of Adelaide. That is what they completely ignore. It is disgraceful. However, let us go back to what is occurring at present, and that is the government as of yesterday are clearly going to try to salvage some services out of the Repat Hospital. They are apparently going to build a new swimming pool at The Queen Elizabeth Hospital to help with the rehabilitation and prosthetic services which will be provided there, but The Queen Elizabeth Hospital is effectively going to be a rehabilitation centre and a bandaid clinic.

That is not to say that those services are not needed, but the people of the western suburbs and the people who are using the Repat Hospital, who are returned veterans—men and women who have served this country—need a bit more than that. They do not need to have their Repatriation General Hospital sold out from under their feet and told to go and line up at the Flinders Medical Centre and hope like hell they can get in, or turn up at The Queen Elizabeth Hospital because the spouse has said, 'Well, you've got diabetes, you've woken up with a headache, but it could be a stroke because you carry a comorbidity which might suggest that, so we better rush to get the paramedics out here, or I'll take you across The Queen Elizabeth Hospital, and just take a lucky dip that they will not divert us back to Lyell McEwin or to the new Royal Adelaide Hospital.' And, of course, the new Royal Adelaide Hospital is not even open yet; in fact, the person who is in charge of that—

*Mr Knoll interjecting:*

**Ms CHAPMAN:** —apparently has just defected today; they have resigned, so they have left—

**The DEPUTY SPEAKER:** I remind the member for Schubert he's on his second warning.

*Members interjecting:*

**Ms CHAPMAN:** So, for a while those people in the western suburbs not only have to get into the Lyell McEwin, but they of course might try to get into the new hospital—

*Mr Gardner interjecting:*

**The DEPUTY SPEAKER:** I haven't called him to order.

**Mr Gardner:** They're screaming like banshees.

**The DEPUTY SPEAKER:** Excuse me, I didn't call him to order. I reminded him what was on the book. It is very disrespectful.

**Ms CHAPMAN:** Thank you, Deputy Speaker. At the moment, they might be expecting to go to the brand-new hospital on the corner of Port Road and North Terrace. Well, good luck! That is a couple of years away. Of course, we do not even know yet the full extent of services that are going to be provided there, because that is all still a secret. We still have question marks over a number of services that are going to be provided there. We are assuming there is still going to be a helipad, there is still going to be some kind of acute services, and we are told it will be 24/7 ICU-supported emergency department. Great! In the meantime, where are they going to go? They have to go down the other end of North Terrace. So, let us assume you live in Woodville, and you wake up in the middle of the night, say to your wife, 'I am feeling a bit crook, I better go down to the emergency department'—

**The Hon. J.M. RANKINE:** Point of order.

**The DEPUTY SPEAKER:** Order! Do you have a point of order, member for Wright?

*Ms Chapman interjecting:*

**The DEPUTY SPEAKER:** Just a minute!

**The Hon. J.M. RANKINE:** As interesting as it may be to the member for Bragg to talk incessantly about Transforming Health, that is irrelevant to the bill at hand. We are talking about the abolition of boards and committees, not Transforming Health.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! For goodness sake, it's like being in a chook house. I will listen very carefully to what you say. Continue, deputy leader.

**Ms CHAPMAN:** I am concerned that the member for Wright either has not been listening or not understood that I am discussing the government's proposal to abolish the Health Performance Council.

**The DEPUTY SPEAKER:** I am listening.

**Ms CHAPMAN:** Thank you, Madam Deputy Speaker.

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

**The DEPUTY SPEAKER:** Order!

**Ms CHAPMAN:** In the meantime, where are the people going to go? They are going to have to go down the other end of North Terrace into a private car parking facility—

**The Hon. J.M. RANKINE:** Point of order.

**The DEPUTY SPEAKER:** You have a point of order, member for Wright?

**The Hon. J.M. RANKINE:** Point of order: the member for Bragg has gone straight back to the Transforming Health proposal, not the abolition of boards and committees.

**Ms Chapman:** She has already ruled.

**The Hon. J.M. RANKINE:** No, she never.

**The DEPUTY SPEAKER:** It is the custom of the house, sadly, to allow quite a bit of leeway, so I am sure the member for Bragg—the deputy leader—will continue to get to the nub of it. I am sure she is going to move along. That is not going to be the only topic she speaks on this afternoon.

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

**The DEPUTY SPEAKER:** If you are not happy, we will call in the Speaker and he can give a ruling.

**Ms CHAPMAN:** That is not going to end well.

*Members interjecting:*

**The DEPUTY SPEAKER:** Not necessary? Okay. No laughing. Excuse me, but there has been a ruling in Canberra on audible laughter and I will use Speaker Bishop's precedent if necessary. Let us keep going with the debate and move along.

**Ms CHAPMAN:** When the government decides it is going to have this change, which I have given an example of, what we want to be able to do is find out what the Health Performance Council says about that. At the moment, what happens if that couple living in Woodville bypass The Queen Elizabeth Hospital because they think they could possibly be in a situation of having a stroke or needing some help and go across to the Lyell McEwin only to hear, 'Sorry, we are a bit busy—go into the Royal Adelaide.' Okay, lucky break—they get a spot in between everyone else lined up and then the wife says, 'Okay, look it's 2 o'clock in the morning—I'll go and park the car.'

What happens in three or four hours' time? Hopefully, the husband is alive; he has been treated in the emergency department, perhaps gets admitted. She might attend with him. Then three or four hours later she goes out and gets her bill for the parking—which is like the French national debt—and then has to go home. Then, of course, next day she comes back again and has to pay for parking again. Then, of course, she has to wash his pyjamas, so she comes back the next day and has to pay for parking again. I make this point—

**The Hon. J.M. RANKINE:** Point of order.

**The DEPUTY SPEAKER:** The member for Wright has a point of order.

**The Hon. J.M. RANKINE:** It is factually incorrect—

**The DEPUTY SPEAKER:** It is factually incorrect—

**The Hon. J.M. RANKINE:** —to say someone taken to the emergency department—

**The DEPUTY SPEAKER:** It is factually incorrect—

**The Hon. J.M. RANKINE:** —of a public hospital—

**The DEPUTY SPEAKER:** —but I am not sure what point of order—

**The Hon. J.M. RANKINE:** —is charged—

**The DEPUTY SPEAKER:** Order!

**The Hon. J.M. RANKINE:** —a parking fine.

**The DEPUTY SPEAKER:** I am not sure what point—

*An honourable member interjecting:*

**The DEPUTY SPEAKER:** Order! I am not sure what point of order prevents factual incorrectness.

*Members interjecting:*

**The DEPUTY SPEAKER:** Just sit down!

*Members interjecting:*

**The DEPUTY SPEAKER:** If I hear another word, I will have to leave the chamber. You are all on two ticks. I would be very careful—there is no purpose in it. We have noted it is not a point of order, but factual incorrectness is to be avoided, one would think.

**An honourable member:** There is an obligation to tell the truth.

**The DEPUTY SPEAKER:** Well, you know what you want to do if you want to call some sort of a procedural thing and expose it—otherwise we will all sit here and listen to her in silence and hope she will finish shortly.

**Ms CHAPMAN:** Thank you, Madam Deputy Speaker. Just in case any of the members misheard what I said—

**The DEPUTY SPEAKER:** No, we all heard it. Move on, please.

**Ms CHAPMAN:** Well, no—I will make a personal explanation, if you like; if there is any allegation that I said that the person who is going to the emergency department would be left with a parking fee or fine, that is not what I said at all.

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

**Ms CHAPMAN:** Perhaps the member for Wright would like—

**The DEPUTY SPEAKER:** No. I would like you, deputy leader, to ignore her—as I am ignoring her, and other interjections in the chamber—and move on with your speech.

**Ms CHAPMAN:** If, in fact, that family will get a better, safer, quicker, cheaper service under the new structure, then I will go for it—that is the first thing. What I would like to hear is what would the Health Performance Council say about it, because even in that four-yearly report they say that the people of the western suburbs are the oldest and sickest and poorest people in South Australia's metropolitan area. They have a high level of chronic disease and they would be better served by having a 24-hour emergency department in the Lyell McEwin and the Royal Adelaide, and closing down The QEH and selling off, altogether, the Repat Hospital. If that is what they think, I would be very interested to hear it because at the moment, on the face of it, unlike the member for Waite, I am far from satisfied—

**The DEPUTY SPEAKER:** Which member?

**Ms CHAPMAN:** The member for Waite—

**The DEPUTY SPEAKER:** Alright.

**Ms CHAPMAN:** —who I was quoting as saying, Madam Deputy Speaker:

(Health minister) Jack Snelling made a good case to me (that) the reforms he's proposing are good for veterans' health and health for the aged...I'm confident they'll all be better off through the health reform offering.

**Mr Knoll:** Someone just forgot to tell the veterans.

**The DEPUTY SPEAKER:** Order, member for Schubert!

**Ms CHAPMAN:** All I do is make the point that I value the work that has been done by the Health Performance Council. They are an independent body and I would like to hear what they have got to say. I can tell you, Madam Deputy Speaker, as I do the rest of the house, that if we find, when the minister finally does come clean with that report and tables it in this parliament, that there is no mention whatsoever of the basis upon which new work has to be done in the terms of what the government has announced in Transforming Health, I will be shouting it from the rooftops.

I will be asking, 'Why do the people of the south-west have to lose their local hospital in the Repat Hospital and why should the people in the west lose the amenity and services they currently have at The Queen Elizabeth Hospital? Why should that happen?' If I find that, in fact, when that report is finally tabled in this house, the Health Performance Council has not even been asked, I will be dumbfounded. I suppose I should not be surprised, but if I find that the Minister for Health has not even asked the one independent body that they have appointed to give independent advice to the minister about what needs to be done, then I just wonder what we are all doing here, because the government will do whatever they want, whenever they make up stuff as to why they might need to transform.

I do not know whether or not the one group that holds the body of the data, and currently at least has the right to access that data in the health department is cooperating or giving all that information as required—and I do not have any reason to suggest not—but if there is a problem and we have 500 people a year dying from avoidable deaths in hospitals (which just about makes me choke), then why has something not been happening about it already and will this reform actually change that?



So far it is a quantum leap between an admission that 500 people a year are dying in our hospitals who should not be—allegedly because of the structure of our health services—and that this new model is going to fix it. It is a quantum leap and I tell you I have not made this leap. I do not have the same faith that apparently the member for Waite has in this compelling case, or 'good case' he says, that has been put by the Minister for Health to him. I am not at all happy about the government coming in here with this bill and saying, 'Of the 400-odd boards that we have looked at and reviewed there are 56 or 57 that we want to get rid of and this is one of them.' I will not support a bill which includes the abolition of the Health Performance Council and I think it is a disgrace that the government should even ask us to do that.

**The DEPUTY SPEAKER:** Member for Schubert. Lucky you are still here, isn't it? Lucky you are still here.

**Mr KNOLL (Schubert) (17:03):** That's right. I rise today to speak on the Statutes Amendment (Boards and Committees—Abolition and Reform) Bill 2015. Obviously a bill that was considered in the last session but, unfortunately, did not get over the line, and so here we are once again, as am I. Obviously there are portions of the bill that we do not mind on this side of the house, but there are a few boards and committees that we feel are worth keeping and do not feel that the government has really made the case for getting rid of them.

The one which I would like to speak about in particular is the South Australian Tourism Commission. The South Australian Tourism Commission has had many achievements and, indeed, today in the house during question time the minister tried to suggest that SATC did not have that much to do with bringing events to South Australia, but it is interesting that SATC think that they have had something to do with it because it is reported in their annual report that they helped to bring the 2014 Australian National Masters Rowing Championships, the 2014 Australian All Schools Championships and the Schools Knockout, the 2015 Pacific School Games, the 2016 Club Crew World Championships dragon boating and Peter Brooks production, *The Suit*, secured exclusively for Adelaide.

Obviously we have had the relaunching of Tasting Australia under the new direction of Simon Bryant, Mr Paul Henry, who has done a lot of good work in the Barossa, and the great and venerable Maggie Beer, who has done so much for the South Australian brand in food and wine.

The SATC has a very strong history. Its goal is to increase tourism expenditure in South Australia to a potential \$8 billion by 2020. Can I say that, on this side of the house, we all sincerely hope that they get there because it would be fantastic to see growth in the private sector. It would be fantastic to see employment numbers go up anywhere but in the Public Service. The tourism industry directly employs more than 30,000 people in some 18,000 businesses. This is three times more than either the mining or defence industries, which shows how important it is to South Australia. It is a shame that this government wants to get rid of the SATC.

I have been extremely grateful to the SATC for the work they have done for my electorate and my community. The Barossa Be Consumed campaign has won so many awards across the world but, more than that, the mark of the ad is not the fact that the Warsaw Film, Art and Tourism Festival liked it, that the Berlin Golden City Gate tourism awards liked it, that Cannes Corporate Media and TV Awards liked it, or that the Riga Tourfilm Festival, the Zagreb Tourfilm Festival, the Baku International Tourism Film Festival or the International Tourism Film Festival in Bulgaria liked it.

They all thought it was a pretty good ad, but what really matters is the fact that it worked. What really matters is the fact that it has helped to bring greater visitation to the Barossa. It has helped to increase the number of overnight stays and it has helped to increase the amount of money being spent in cellar doors. On this score and maybe this score only, I would like to congratulate the minister for telling us in estimates last year that we had secured extra funding in this 12 months for a continuation of that ad. This is fantastic work that the SATC has done.

Some of the key achievements of the SATC, from their annual report, are around supporting the development of premium tourism experiences across the state, investing in tourism infrastructure projects critical to attracting high-yield travellers, and cruise developments, with 28 cruise ship arrivals in 2013-14, including 19 at Port Adelaide, seven on Kangaroo Island and two in the beautiful

electorate of Flinders at Port Lincoln. It has helped with aviation development and it has helped with international marketing.

I would like to congratulate the board members of the SATC for their hard work and for all their efforts in helping to make our tourism industry truly great, because it is a fantastic arm of the South Australian economy. It needs to be fostered, but what it really needs is a strong, industry-led voice that has real credence and real influence around the table. It is on that score that I would like to say it deserves to be kept.

I have heard the minister speak previously about why we should get rid of the board. In broad terms, he said, 'Why do I have to have a tourism board when, for instance, there is no board for the defence industry or the mining industry? Why is it that I have to put up with these pesky industry people when other ministers do not have to?'

Could I say that this is an industry of small operators and they need to work together to bring people to South Australia. It is not the case that the tourism industry can work as a disparate group of people. They need to come together to have consistent branding. We are talking about a lot of small operators. There are lots of mum-and-dad operators operating single B&Bs, and small tour services offering unique and special small experiences for tourists who come here, so it is extremely important that we work together in a collegiate way and in a way that has industry buy in. That is certainly something that the SATC does when you look at the calibre of the people who sit on that board.

There is a central communications role that brings together the collective efforts of the industry, and the government has a strong role in funding this. This role is played by the SATC—the South Australian Tourism Commission. To abolish the board and replace it with a more toothless alternative takes away the buy in and support of industry. We need to have an organisation that has teeth and real credence when it sits at the table.

Certainly, the minister has expressed a number of reservations about the SATC because he obviously wants to get rid of it, but if we are successful in keeping the SATC, one thing I would really like to see is an increase in regional representation. I know that under the new model there would have been increased regional representation, but the two things are not mutually exclusive. There are ways in which the South Australian Tourism Commission can have a stronger regional voice, and that is something I would be pushing for and strongly suggesting.

We will agree with much of what this bill puts forth in relation to the 57 boards and committees, or whatever the number is they are looking to get rid of, but there are a number we would love to keep, and the South Australian Tourism Commission Board is certainly one of them. In addition to what I have just outlined, this is also the overwhelming view of my electorate and the tourism operators within my electorate.

When this bill came forward last year, I undertook to go out and visit major and smaller tourism operators in my electorate to get their feedback. Their voice was extremely clear: almost without exception, they wanted to keep the commission. The only criticism they had of it was, first, that it needs more money (but, then again, that is a charge we could put against all things: we always need more money to be able to do more and help bring more tourists to our regions), and the only other criticism they had was about regional representation. But, certainly, that is not an excuse, in and of itself, to get rid of the commission.

As governments, we can think that we know best and, as governments, we can think that we are somehow privy to more and better information, and that means the decisions that government makes are not necessarily the same as those industries make. I see this in a lot of industries where there is a government-industry nexus and industry organisations. What is good for industry is good for government. Surely, we are all on the same page. All tourism operators want is increased visitation and more dollars spent in the tourism industry, and that is good for government because that is where the revenue comes from. That is where the taxes come from that we get to spend on all sorts of other beautiful things.

We have goal congruence in that way, so this idea that somehow we are not all working towards the same goal is wrong. Surely, we would trust those on the ground—those who are dealing day upon day with visitors who come and express their delight and frustration with certain things. I

know in my electorate that local transport options is one issue that we are dealing with to try to improve. I know that increased translation of signs and marketing collateral into Chinese and Mandarin is extremely important, and it is something that we are working on locally.

We get that feedback by being on the ground, and we get that feedback by dealing day to day with tourism operators. This then feeds back through industry voices, through industry bodies, who all talk to each other, and we get together and hash out issues. Certainly, I have been involved in a number of networking events where I have been able to get that sort of feedback firsthand, and that feeds through to organisations like the South Australian Tourism Commission. For those reasons, I think it is extremely important that we keep it.

The second area of boards and committees I would like to discuss is where we are looking at changes (some will say technical changes) to the way that our health advisory councils work. I know there was quite a bit of angst amongst my local HACs about the changes this bill has in store for them. Largely, I think we are okay but, as with these things, the proof is always in the pudding and in the eating, and we will wait and see what happens from here.

We are certainly also extremely concerned about the abolition of the Health Performance Council. I think, Deputy Speaker, with the latitude that you spoke of earlier, it is another opportunity for me to talk about health services in my electorate—very specifically, the push by my community since the very heady days of the early 1990s (1992, 1993) when I was but a mere boy. In fact, I think at that time I may have been travelling in Germany. My community first mooted at that time that they needed a new hospital. It is something that has had consensus in my community for over 20 years, and I will not stop until this hospital is delivered.

We have been having discussions about the performance of our health system in recent weeks, and we have talked about the Repat Hospital and the fact that the Repat Hospital is slated for closure because it is an old building and it is not up to date. In fact, I think that the member for Waite made as much of an admission today in a media report, where he basically said, 'Well, the building is pretty run down. It is the oldest of the hospitals we are talking about,' which is indeed true because Transforming Health does not deal with regional hospitals. Well, can I say that my Tanunda Hospital was built in 1955, but my Angaston Hospital, which is the more major facility in my electorate, was built in 1910. So, if we are looking at upgrading facilities—if we are looking at saying that the modern performance of our health care—

**Mr Pederick:** The ghost of Ivan speaks.

**Mr KNOLL:** That's right. If we are looking at the performance of our health system, something I know that the Health Performance Council is in charge of looking at, and if we are talking about aged facilities, I have a hospital with its 105<sup>th</sup> anniversary, and it looks every day of its 105 years.

**Ms Chapman:** It's older than the Repat.

**Mr KNOLL:** It is well older, and that is precisely my point, deputy leader.

**The DEPUTY SPEAKER:** May I remind all members that it is unparliamentary to interject and unparliamentary to respond to interjections.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! The member for Schubert is entitled to be heard in silence. The member for Schubert.

**Mr KNOLL:** So, the beautiful, graceful old beast that is the Angaston Hospital, feeling all of its 105 years as it creaks and groans and tries to do its best, along with some very dedicated local staff, to deliver quality health care in the Barossa, really needs some help—and on that score, every single opportunity I get to raise that issue in this house, I will continue to take. Certainly, the ghost of Ivan Venning is alive and well. On this score, he was 100 per cent right, and he will continue to be right, and the members for Schubert in—

**The DEPUTY SPEAKER:** Speak as one.

**Mr KNOLL:** We do—on a whole variety of issues—and will continue to make that case in this place. If members opposite want to stop hearing about the push for a new Barossa health facility, just fund it. I will praise the government.

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Order!

*An honourable member interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr KNOLL:** Deputy Speaker, I would love nothing more than to invite the Treasurer and the Premier to come up and cut that beautiful ribbon.

**The DEPUTY SPEAKER:** Here's another schnitzel night coming.

**Mr KNOLL:** That's right. We could go down to the Brauhaus Hotel on the main street of Angaston, just up from my house. I would be more than happy to host members opposite in my house. I will pull—

**The DEPUTY SPEAKER:** The clock is ticking, member for Schubert. You have substantive points to make; you might want to move on.

**Mr KNOLL:** I will pull out the finest reds.

**An honourable member:** Is your cellar as good as Ivan's?

**Mr KNOLL:** It takes time to build a cellar of that quality and quantity, but I will put on the best. I make this case: if a new Barossa health facility is funded, I can suggest that Grange will be on the table. I would put Hill of Grace on the table—whatever it takes. I would be willing to put portions of my soul on the table to get this facility for my community. My soul is for sale to the highest bidder, and a beautiful 40-bed facility is all that it is going to cost.

With that, I will conclude my remarks, and I thank you for the opportunity to speak on this. Hopefully, on these very few boards and committees where we disagree with the government, the government can see sense and we can pass this legislation in amended form to the betterment of South Australia.

**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) (17:18):** I rise to talk through the view on this side of the chamber about the South Australian Tourism Commission and why we would look to get rid of the board, and it is not a reflection on anyone who is on the board at the moment, it is just about the structure.

I spoke with my opposite number, David Ridgway in another place, late last year, and we went through a lot of the things we were doing, and I have to say that there was a lot of agreement about getting rid of the Motor Sport Board and bringing that in under the South Australian Tourism Commission because we run the world's best bike race outside of the Tour de France so we can continue to run a great car race—and also bringing the Entertainment Centre and the Convention Centre boards together. So, we found a lot of agreement there, and I want to thank those on the other side for coming with us on that part of the journey.

I think that we had a fair bit of agreement, too, in talking to the opposition's spokesperson, in that some of our views were quite well aligned. In fact, I thought that he came back to us on a few other committees and boards around some of the ones in agriculture, but he did not come back on tourism and I probably made the mistake of taking that as your side being in support.

Having said that, I would like to go through some of the reasons behind our decision to put this forward as a board that we would get rid of. One of the first things is that there is about \$200,000 worth of board fees which are paid, which is money we could spend on marketing the state. Every spare dollar that we have, we throw it at marketing the regions and marketing the state both here, interstate and overseas. We would free up that money.

*Mr Knoll interjecting:*

**The DEPUTY SPEAKER:** Do you want to leave the room, member for Schubert?

**The Hon. L.W.K. BIGNELL:** I think there is some sort of misconception about how the board actually operates, so if I can go through a few of the things there. I get to read the board papers after each monthly meeting, and I have to say that the board has often acted in isolation to what the government as a whole is trying to achieve, and one of the examples I will give is to do with when we built the Adelaide Oval and obviously spent a lot of taxpayers' money there.

One of the things we really wanted to do was make sure that we got as many people as possible coming here from interstate to fill the hotel rooms. The first season of AFL football was going to be in 2014, so in 2013 at the start of that season I met with Collingwood, Carlton, Brisbane, Geelong—the teams that will bring corporate Australia into South Australia and bring their fans. One of my messages was I did not want all these AFL clubs turning up here and not bringing their fans with them and then deciding, 'This is the best stadium in Australia,' which we now know it is. We looked forward as a government, and that was something the Premier spoke to me about, as did minister Koutsantonis when he was minister for infrastructure, and we did that as a collaborative thing.

By the first week of October in 2013, we had the commercial managers of all AFL clubs here in South Australia. We took them for a look around the Oval; they were blown away by it. We took them down to McLaren Vale to show that we have the Barossa, Adelaide Hills and McLaren Vale all within easy reach so that when you bring your corporates over you can show them a good time as well as taking them to a great game of footy.

The board papers show that, some time after that event in October, close to the start of the football season, someone on the board said, 'We should look at getting the AFL clubs to come over and make sure they bring their people with them.' Because we had been concentrating as a government, and we did not just see things through the prism of the tourism board but as the government as a whole, we were already all over that.

One of the other things that the board put up was to have a brand for the South Australian Tourism Commission. The CE came to me and said, 'This is the SATC brand that the SATC Board has signed off on.' I said, 'We have just launched six weeks ago the state brand,' and we had spent a lot of government money on that state brand that we all know with the open door and the red map of Australia. It is a great brand and as tourism it is one of the most outward looking government departments. We, as a government, expected that tourism would be using that logo. Here I was presented with something that the board had signed off on. I asked how much that cost—\$150,000. That was \$150,000 to come up with something which did not align with what the government as a whole was doing. When we look at the brand, we worked closely with the opposition on that as well because we wanted everyone to be singing off the same hymn sheet.

The reason that the SATC Board wanted their own brand was because they thought the SATC was not getting enough recognition from other government departments, so it was like an ego thing with a government department saying, 'We give images that we take to other government departments to use and we do not get any credit for that.' I just see that as \$150,000 that we could have spent in marketing South Australia.

Another example is the Word Adelaide Festival. This is one that my opposite number, the Hon. Mr Ridgway, attacks us on quite regularly. It is because it was a failure. It was something that I only knew about three or four days before they wanted me to launch it. I rang Chloe Fox, who was the minister assisting in the arts at that time. I said, 'I can't do this Word launch. Can you help me out and do it?' She said, 'What Word launch?' I said, 'It is a word festival. It is the arts. Can you do it for me?' She said, 'We do not know anything about it.'

We checked, and tourism—and this had been signed off before it got to me—had gone ahead and organised a major arts festival without actually talking to anyone in arts, whereas where you have a minister who deals directly with the department, you have those sorts of discussions. They are just a few examples. Again, it is no-one's fault as individuals: it is the fault of the system that has been in place for about 30 years.

One of the other things that is quite often levelled is that tourism is a really commercial portfolio, and I agree. The member for Schubert says that the majority of people are small to medium-sized businesses, and I totally agree with him. They are the people we want to get in and support, but the fact that you have a board does not necessarily make it any more commercial than if you just have the government working directly with the department. There is no other department where a minister has to go through a board to direct the CE of that department.

While tourism is a commercial product and a commercial industry, so is primary industries. When you look at PIRSA, 71 per cent of the funding that goes into PIRSA is actually funded by outside sources: federal government money or user pays in aquaculture and that sort of thing. If there was ever an argument for someone to have a board, it would probably be in the area of PIRSA. However, as we know, PIRSA works quite well with the minister and the department having a close affiliation with all the primary industry sectors right around the state. So it does not really work like that.

The board members told me that it was good to have a board because it gave me insulation, so that if something went wrong I could blame the board. I told them, 'Well, that never works, because the buck always stops with the minister.' If I am going to be responsible for mistakes and stuff-ups, I want them to be my mistakes and stuff-ups and not some decisions that are made without my involvement. I would urge people on the other side to think of that, because one day when you inhabit this side of the chamber and you are running government departments, you actually want to be able to leave your legacy and make decisions that are done in relation to every other department. We all need to work together. Education Adelaide is out there marketing education to students right throughout the world but in particular to Asia. We need to get those people coming down here. Historically, they have been doing it separately from tourism, yet they are both marketing bodies that we need to have working closely together.

That was the main view I had in developing this. It was not just an idea that I had; it came from talking to tourism operators right throughout the state. One of the big concerns they had was that regional tourism operators did not have a voice on the tourism board. You can go through the board and a lot of people have a lot of qualifications, but there are no small tourism operators on that board. One of the other problems we have had is that, when we have had tourism operators on there, too often they have had to leave the room because of potential conflicts of interest.

Consider someone like Jeff Ellison who used to be on the board. He is one of the smartest tourism operators anywhere in Australia. He has been elevated to the hall of fame of South Australian tourism operators and he is one of the smart people who you would want on a board. He was so frustrated that he left the board because he kept having to leave the room when all these discussions were being had that he thought could be a potential conflict of interest.

The set-up that we worked out after talking to a lot of people from industry was that we would not have a board that had more say than the minister. We did not want a board that did not work in with the wider government agenda and the public agenda. Instead of having the board that was paid \$200,000, we would have an industry panel that would meet every eight to 10 weeks. There would be no fees paid to these people because they are people we want because they already have the skin in the game. They are the ones, more than anyone else, who want tourism to be successful.

The idea of the industry panel was to have it co-chaired by the Minister for Tourism and the CE of the South Australian Tourism Commission. We would have an industry leader on there, and Jeff Ellison was the person who I would have put on there. We would have Adelaide Airport and Education Adelaide, which is the group that I said has been working in isolation, but I must say that things have improved recently. The regions are so under-represented in the message that comes directly to the leadership at tourism, through the board. Each region in South Australia has a tourism chair. My idea was to have the chair of chairs, who at the moment is the chair for Kangaroo Island, and then a second regional chair. My idea was to have it on a rotational basis: you could have the chair from the Riverland on at one time, the chair from the Murraylands on it the next time, and then the chair for Eyre Peninsula. They could come and see how the industry panel works and also give a presentation about what is important in their area, what they see are the latest trends, and where they need a hand.

Also on the industry panel we would have the South Australian Tourism Industry Council (SATIC), which does a very important job. They have a few hundred members, and we thought it would be good to have the CE on this industry panel. We also want to have the CE from the West Beach Trust, Kate Williams. Kate is on a national board (the Big 4 Holiday Parks Board) and she runs a pretty good tourism and sporting precinct at West Beach. We would also include the Adelaide Convention Bureau, and we would also have someone from the arts, and as well as someone from the Australian Hotels Association, who have a spot on the board at the moment.

We would include restaurant and catering, who do not have a spot on the board but still have a large interface, obviously, and an important role to play in the tourism sector. We would have the chair of the new Adelaide Entertainment and Convention Centre Board there, as we bring those two boards together, and the Australian Tourism Export Council. We would then have someone who is an expert in premium food and wine because we know tourism in this state is largely driven by food and wine.

I had a meeting with Mr Ridgway a couple of weeks ago when we learned that the opposition would be opposing this part of the abolition of boards and committees. I sat down with him again and said that I would be happy to have the opposition tourism spokesperson on this industry panel. I am not in here today to have a blue: I am here to try to have a constructive discussion.

Tourism is worth \$5.2 billion at the moment, and we want it to be worth \$8 billion by 2020. We are not going to do it by my going off and acting on my own, or the opposition acting on their own, or any tourism operators around the state, or the airport, or anyone else, acting on their own. I want to collaborate. I want to have a bipartisan approach to this, and that is what I said to Mr Ridgway. If that helped seal the deal and we could have him on the panel, I would be more than happy to do that.

That is the industry group wrapped up. We would then have someone from that industry panel—I was going to nominate Jeff Ellison for this role, given his expertise, his high standing in the tourism community and his marketing background as well—promotion of the state subcommittee, which is part of the economic development cabinet committee. You would then have a direct feed-in from what is happening in tourism straight into the Economic Development Cabinet Committee. That is one of the most important things we can have because that is where the decisions are made about where the priority spends are for government, and it also takes away a lot of that 'working in the silos', working in isolation.

That was the plan we outlined. I must say that it is easy, when you are not sitting in this role, to have an idea of how things work which is not necessarily accurate. It is also easy for lobby groups to get involved and write letters and emails. The two main groups that fought the abolition of the Tourism Commission Board were actually based in Sydney. What value they add to South Australia is beyond me. The way they went around it was not to come and have a discussion with me and sit down and go through what that industry panel would look like. I had conversations with their local people here, and local industry members, and had received support for this approach.

The Transport and Tourism Forum and the Australian Tourism Export Council, both out of Sydney, wrote to MPs saying that no other state in Australia had got rid of their tourism board. Argument does not sit with me. While it might be true that no other state or territory in Australia has got rid of their tourism boards, just because no other state has done it does not mean that it is not a good idea for us to do it. We are the only state that is phylloxera free. We are the only state that is fruit fly free. We are the only state with a container deposit system, where people are paid to bring back their cans and bottles and not dump them on the side of the road like we see when we go to other states. Sometimes, we can show great leadership as a state.

I do understand that the TTF and ATEC letters have carried a lot of weight with people in this debate. I would just like to point out to people on the other side, and to other people who might be looking at my views, that these are not views that I just came up with. I hit the ground running in January 2013 when I was made tourism minister, and the first thing I did was ring all the regional chairs because I knew that they had felt a disconnect, particularly with the board. I rang them straightaway, we talked through a lot of issues, and then I got out into the regions.

As most members from regional areas would know, we invited local members along to those forums and we talked about things and discussed things. This was all borne out of discussions with people at the coalface, those people in the regions who live, breathe and work and whose families rely on income coming through the door. They were the people who inspired me to come up with this industry panel approach.

I am not sure whether it is too late for you guys to go back to your party room and have another look at it, but I would be really pleased if you could. As I said a few moments ago, this is not something that I want to stand up here and play politics with. The industry is worth far too much to us and we all really need to chip in and make it grow. I do not think the board helps us to grow it. I do not necessarily think it presents an impediment, but there is a lag factor there: they meet once a month.

As we were talking about in question time today, if you get a chance to get in and bid for something, you want to be able to have that money or be able to make the decision to do that. We have a very competent team in the South Australian Tourism Commission executive and the staff members there as well. Look at Hitaf Rasheed and her team in major events. The fact that they put on the greatest bike race outside of France is a huge tick for her. Look at Emma Nicholls and the team in marketing and the ad they came up with, working with local producers for the Barossa, that has won all these awards. The board did not design that ad; the minister did not design that ad: it was actually the people in the creative part of the South Australian Tourism Commission who came up with that ad.

We have Nick Jones, who heads up Destination Development. The member for Schubert talked about the great figures in cruise visitation and all these new boats that we have here. Nick is the guy who, with his team, has gone out and built that year-on-year. That is worth \$12 million to the economy. Every time a cruise ship lands at Port Lincoln or Kangaroo Island, the people from that cruise ship pump \$200,000 into the local economy in one day. It is not the board doing that: it is the people we have employed in those positions who are doing that.

Look at Rodney Harrex, the new CE. He is coming up to his second year anniversary. He came in around the same time I did. He has great credentials in terms of his work with Tourism Australia. He has worked extensively in the US. He just had five years running Tourism Australia's operations in Europe, based in London. We have a great, very tight-knit team, that is really engaged with the local communities right around the state.

How much has the board got out into the regions? They have been to McLaren Vale, which is a commute that I do every day. They have been to the Adelaide Hills, again it is a commute. They went to Yorke Peninsula last year. They caught a bus up there in the morning and came back on the bus that night. The only time that I know of that the board has been away and stayed overnight was a trip to the Eyre Peninsula a couple of years ago.

I have encouraged them and I have mentioned this to the chair before, that I want to see the board. If there is going to be a board, I want to see it out there listening to the people at the coalface, the people whose livelihoods are on the line, the people who we need to work with day in and day out to help grow this business.

Again, I am not having a go at any individuals on the board. This is a system that has been in place for 30 years. I think not coming in and looking at how things have been done for years and asking the question: can things be done better is something that I do not want to do. I have responsibility for this portfolio. It is something that I am passionate about. Every morning when I wake up I think to myself: how can we make it better?

We engage with the private sector, we engage with people at the national level and at an international level, and with our team here in the South Australian Tourism Commission. If we are to get rid of the board, I will thank them all for their service over the years. I do not want this to reflect in any way on any members of the board, because they have all done a sterling job under the charter they have been given. However, I quite strongly think that there is a better way of doing this, and that is why we have put up this proposition. I look forward to hearing the contributions from those opposite and thank those who have already made contributions and for their recognition of the tourism industry.



**Mr PEDERICK (Hammond) (17:39):** I rise to speak to the Statutes Amendment (Boards and Committees—Abolition and Reform) Bill. As Liberals we recognise that streamlining the process of red tape can make things better, but it can also potentially cause some problems. We are certainly concerned about the Pastoral Board, the Health Performance Council, the Animal Welfare Advisory Committee and the South Australian tourism board all being abolished under this bill, and I will go into more detail later in my contribution.

I note that the government made their point in July last year that government boards and committees would be abolished to try to streamline decision making. The Premier in the second reading speech was trying to assure us that more South Australians will have the opportunity to be involved with any changes. We will have to see whether that happens or not.

Of the previous 429 boards and committees that are in the scope of this bill, the government have said that they will retain 90 of these outright and, of the remaining boards and committees, 107 will be abolished, 17 will be merged, and 62 are subject to other reform efforts that are underway. There are also another 120 boards and committees that the government are indicating should not be considered government boards and committees and they are reclassifying those, and their options for reform are still being considered for the remaining 33 boards and committees.

I think that shows that there a lot of things that we do not know on this side of the house in regards to a lot of these boards and committees—some being put on hold, some being put on review and there are some, we are told, that will be outright abolished under this reform. I think debate in committee will be for an extended period of time in regard to this bill.

In regard to this legislation, there are 43 pieces of legislation to abolish, merge or simplify 56 boards and committees. As I indicated before, some of the boards that the government are chasing are the South Australian Tourism Commission Board, Community Benefit South Australia Board, the Natural Resource Management Council and the Minister's Youth Council.

A lot of my concerns are in regard to a lot of the agriculture and forestry impacts that come about with this bill, and I think agriculture, sadly, in this place seems to be a poor cousin when it is actually the mainstay, I believe, of the economic future of this state. Whatever happens in this country and in this state, agriculture has always been there in the background doing the job, and at the moment currently supports around 25,000 jobs in this state and is heading towards \$20 billion annually in total economic output. So, I think we need to approach the reclassification or abolition of these boards in a very careful manner.

Just going through an implementation table that the government have supplied, it indicates that for the alpaca, goat and horse industry groups the aim is to abolish by June 2015; for the deer and the apiary industry advisory groups the aim is to abolish; and for the pig, cattle and sheep industry advisory groups the aim there is to delegate power to appoint members to a chief executive. Then we get to the South Australian Wine Industry Council, which is to be abolished; the Agribusiness Council—abolish; Aquaculture Advisory Committee—abolish; the Fisheries Council of South Australia—abolish; the Rock Lobster Fishery Management Advisory Committee—abolish; and the South Australian Forest Industry Advisory Board—abolish.

Just while I am talking about forests, we had the tourism minister speak eloquently about Adelaide Oval, paid for out of taxpayers' money, and yes it was. Much of the funds that went from the sale of the South-East forest went to the Adelaide Oval. Yes, the Adelaide Oval is a magnificent place to go and attend sport or other events, but I think it has come at a great cost to this state. We had an asset that was earning the government close on \$45 million per annum, yet the government decided that was a risk. If I was in business and if I was a farmer with a big enough property (and it would have to be a huge operation) and I was bringing in \$45 million a year, I do not think I would be getting rid of the asset, but anyway, perhaps I have a different mind as it relates to economics. Just in regard to—

*The Hon. T.R. Kenyon interjecting:*

**Mr PEDERICK:** Madam Deputy Speaker, the member for Newland is interjecting out of his seat.

**The DEPUTY SPEAKER:** Yes, and you're not taking any notice of him. I commend you, but not—

**Mr PEDERICK:** I'm just taking any notice. You sounded—

**The DEPUTY SPEAKER:** Order!

**Mr PEDERICK:** —very much like him.

*Members interjecting:*

**The DEPUTY SPEAKER:** If I could just remind everybody, the Treasurer is on one warning and the member for Newland is only on a call to order, but I can change that very quickly. It was much better when you were all busy, so, keep busy, and we will listen to the member for Hammond in silence.

**Mr PEDERICK:** Thank you, Deputy Speaker, for your protection. What I want to speak about now is the South Australian Forestry Corporation Board. The deputy leader asked the Minister for Forests some questions about it last year in a briefing in November. It is interesting to note that the response to the deputy leader describes the action of the South Australian Forestry Corporation Act, and it prescribes a board of management under a charter co-signed by the Minister for Forests and the Minister for Finance.

It oversees the operations of the South Australian Forestry Corporation, and it obviously manages forest reserves proclaimed under the Forestry Act in the Mid North, Mount Lofty Ranges, Bundaleer, Wirrabara, Whyte Yarcowie, Leighton, Mount Crawford, Kuitpo and Second Valley, and forest reserves proclaimed in the South-East, namely, Cave Range, Penola, Mount Burr and Mount Gambier, the extent of which no longer contain any commercial plantations following the sale of harvesting rights to OneFortyOne Plantations Pty Ltd, and the forest lease to OneFortyOne Plantations Pty Ltd in the South-East and in western Victoria.

The response from the Minister for Forests to the deputy leader indicates that, in the Premier's final review of boards and committees, the board is being retained subject to further investigation while an alternative governance model is explored. That concerns me greatly. We were extremely concerned on this side of the house. We were against the sale of the forward rotations of the forests. What I am hearing from the South-East is that, in terms of the forestry that was sold to OneFortyOne Plantations, when the financial implications are better they can export log, that log is exported, and we are left with some of our mills—in fact, most of our mills—in the South-East not getting the quotas, which they are supposed to get, by 10 or 15 per cent. This is one of the effects of the forward sale of those forests. I hope that the government is having a very good look at the South Australian Forestry Corporation Board. In my thinking, that board should be retained.

I notice that the Phylloxera and Grape Industry Board of South Australia selection committee is to be abolished and replaced with a consultation-with-industry process and a nomination process to be developed within industry. When I first did a quick reading of this I thought the government was going to abolish the Phylloxera and Grape Industry Board, but, thankfully, that is not going to happen because we certainly need to keep up our phylloxera-free designation in South Australia. I do note that the Phylloxera and Grape Industry Board of South Australia will be a delegated appointment to the chief executive.

I note that the South Australian Citrus Industry Development Board has already been abolished. The Aquaculture Tenure Allocation Board will be retained. I realise that it is probably being kept because it works out the tenure and, I am assuming, the lease costs for people involved in the aquaculture industry. The South Australian River Murray Sustainability Program Steering Committee will be abolished when the project is completed.

The Genetically Modified Crop Advisory Committee will transfer the appointment power to the minister. As an individual and coming off the land, I find that interesting when we all know that the minister has a certain thought process in regard to genetically modified crops, yet I acknowledge that we have a world-leading plant accelerator at the Waite Institute at the University of Adelaide, where there is a lot of genetically modified crop work happening. I wonder about having a minister certainly stuck on one view of GM crops who will end up with the overall control of that issue.

I note that the Veterinary Surgeons Board of South Australia will be retained. The Rural Assistance Appeals Committee will be abolished after the present scheme expires. The Dairy Authority of South Australia will be retained. The South Australian Forestry Corporation Board Audit and Risk Committee is to be reclassified as non-government—it will be interesting to see where that turns up. The Meat Food Safety Advisory Committee will delegate power to appoint members to the chief executive.

A lot of my major concerns are about what is going to happen in regard to how we manage things in this state when a lot of these boards go, because my understanding about what is supposedly going in place—and it was certainly very raw when this bill was first proposed—is that there were no alternatives to what was going to happen. For instance, the Pastoral Board, a board that looks after the interests of most of this state, and certainly in light of stocking rates, animal welfare issues in the Far North on the pastoral lands and a whole range of issues relating to pastoral lessees which is a whole different kettle of fish to most of us on the internal farmlands or the suburban farmlands who farm with title. They have a different title arrangement with this station country and they do not work underneath a local government system in most of this area. It is 'out of area'.

You only have to see the difference between an 'out of area' part of Australia by driving through to Birdsville and heading just north of the South Australian border. You have basically been driving on a track to get to that border and then you hit a nicely graded road up to the South Australian border, or in the case of just out of Innamincka heading towards Brisbane, there is bitumen right to the border, about 24 kilometres from Innamincka in the Cooper Basin.

Some very real questions need to be asked. I know there have been some ongoing discussions and I would be very keen to hear the member for Stuart give his speech in this place because I know he has been involved in discussions on where this might head as far as maintaining governance over the pastoral lands of the state. I have a real fear about having that amount of country delegated to a minister without having local representation. I have a real fear that things could get out of control very quickly.

It is not just with the Pastoral Board but it is like this with a lot of these industry sectors. I have gone through the bill and I have gone through the expenditure clauses, and I have seen that a lot of the power will be put into the minister's hands. I note that the agriculture minister, the tourism minister, commented that he thought it would be a great thing if he could take control of tourism instead of having a tourism board, but will we end up with basically a dictatorship over these things? It concerns me that so much power will be directed through to the minister of the day, but as I indicated earlier in my contribution, I think a lot of this will be fleshed out at the committee stage.

Certainly with regard to animal welfare—and as a farmer by background I am absolutely concerned with animal welfare—and the government wanting to abolish the Animal Welfare Advisory Committee, we want to know what will be in place. Will it be a structure that stands up? Will it be something that looks after the animal welfare of our state and helps our pastoralists and our landowners in their production of animals?

There has been much talk about the tourism board, and we are certainly concerned on this side of the house about it being cut out of the equation, and it will be interesting when we go through the committee process. We have heard some of the commentary by the Minister for Tourism, but I think a whole lot more needs to be unpacked around that to convince me that it is better for the minister to have the final say.

The issue that is probably timely to discuss in light of what is happening with the government's Transforming Health arrangements at the moment is the abolition of the Health Performance Council. There are a lot of concerns at the moment about where people will be in relation to health performance and the services required for people and their health needs right across the state. I know a lot of the Transforming Health proposals are in regard to urban hospitals, with the declassifying of emergency wards and the shutdown of the Daw Park Repatriation Hospital, but they do have an impact on regional people because at any one time probably 30 per cent of the patients in urban hospitals are from the regions who have to come for more specialised care.

Certainly some of the things that are happening that are a bit quieter out in the regions are like those that happened out on the Fleurieu. The member for Finniss and I had a forum the other

day about the impacts on the Yankalilla community, the Goolwa community and the Victor Harbor community, since both Yankalilla and Goolwa will not have triage at their medical centres anymore. People will have to be transported further through to Victor Harbor, which could mean an extra 20 to 30 minutes, depending on the traffic, and could mean, I believe, a real difference between life and death for a patient.

Not only that, it is also what will happen with the triage for the patients in our nursing homes in Goolwa and other areas in the state if we do not have that medical service close, with doctors on hand to make the triage decisions. What I am concerned about in this whole debate on health is the delegation of who is going to make a decision on where people land when they have an accident or an illness. It looks to me as though there is going to have to be a list stapled on the back door of an ambulance so that people can go through the list and say, 'Oh, no, you're only this sick, we'll take you to this regional hospital. We may fit you in the surgery. That's not the thing we should be doing, but we don't think we need to transport you through to Victor Harbor, for instance, if there is someone at Goolwa needing a service.'

It is just mind blowing that a lot of the decision-making could be very much life and death, especially in regard to declassifying the emergency section of the Noarlunga Hospital, which we thought was going to be closed. If people are at the scene of an accident or have a serious illness—a stroke, for instance, was brought up today during question time—someone down the line is going to have to make a decision. I think this could have more ramifications for our volunteer ambulance people out in the bush and the regions. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 17:59 the house adjourned until Thursday 19 March 2015 at 10:30.

*Estimates Replies*

**JOBS GROWTH FORECAST**

In reply to **Mr PISONI (Unley)** (22 July 2014) (Estimates Committee B) (First Session).

**The Hon. G.E. GAGO (Minister for Employment, Higher Education and Skills, Minister for Science and Information Economy, Minister for the Status of Women, Minister for Business Services and Consumers):** I am advised:

The economic projections provided in the budget papers are derived by the Economic Analysis Division, Department of the Premier and Cabinet on behalf of the government.