

HOUSE OF ASSEMBLY

Thursday, 19 March 2015

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:32 and read prayers.

Bills

FREEDOM OF INFORMATION (OFFENCES) AMENDMENT BILL

Introduction and First Reading

Mr TARZIA (Hartley) (10:32): Obtained leave and introduced a bill for an act to amend the Freedom of Information Act 1991. Read a first time.

Second Reading

Mr TARZIA (Hartley) (10:33): I move:

That this bill be now read a second time.

This is a bill that will make it illegal for a government minister or their staff from giving improper directions or influence to a government agency that has been served with a freedom of information request. The bill amends part 2 of the act and makes it an offence for a person to give improper directions or influence with respect of an agency's decision to release documents regarding a freedom of information application. This bill will also make it an offence for an accredited FOI officer if they fail to report to the Office for Public Integrity a suspicion that an improper direction or improper influence was given.

The necessity of this bill comes from former ombudsman Richard Bingham's report which he tabled in the parliament last year—I believe last June. Mr Bingham was scathing to say the least of the way the current freedom of information system operates and suggested many improvements.

This bill is the result of recommendation 26 of Mr Bingham's report, which recommended, as a matter of urgency, that the act should create offences of improperly directing or influencing a decision or determination under the act, which should be uniform across all government agencies and which codifies requirements for common principles. One would think they would be common principles of government: accountable government, responsible government, transparent government, and communications between ministerial offices and agency FOI officers in relation to all applications. As the act stands currently, there is no penalty for ministers and their staff who unduly influence the release of important documents that have been requested in the public interest.

In May Mr Bingham said that the Ombudsman had completed an audit of 12 government agencies during the year and made a number of findings. Some of his feedback is quite scathing. For example, I note that he says:

It is common practice across all the agencies to provide copies of FOI applications' determinations, draft or otherwise, and documents to their minister to get the green light prior to finalisation of access requests. While the act permits a minister to direct their agencies' determination, evidence provided to the audit strongly suggests that ministerial or political influence is brought to bear on agencies' FOI officers.

And he goes on. More detail regarding allegations of political interference is set out in the Ombudsman's report.

The Ombudsman is an independent officer appointed by this government. He does not have political interests I would not have thought: he is an independent officer doing an independent job. It seems that at the moment the Attorney is more interested in convincing his cabinet colleagues that he should make himself part of the bench rather than providing good, open and accountable government to the people of South Australia.

This government wants to talk about a bold vision, a bold legislative setting. I do not always listen to Fresh FM, but I heard the son of a former member for Hartley on the radio, and he interviewed the Premier. I was listening and the Premier said that if he hears a good idea he will

adopt it. Only the bubonic plague was a bigger destroyer of jobs and investment across the world than this 13-year-old government. Only the bubonic plague has destroyed more investment and jobs than has this government. It is about accountability.

Members interjecting:

Mr TARZIA: It is from Paul Keating. I am humble enough that, if I see a good line, be it federal or state, I am not afraid to quote good ideas or good lines from the other side. That is what I am asking as a humble servant of the parliament.

The Hon. T.R. Kenyon interjecting:

Mr TARZIA: What was that, he was a good Catholic, member for Newland—is that what you said?

The Hon. T.R. Kenyon interjecting:

Mr TARZIA: I am humble enough to spot good ideas. That is what this is: this is a good idea that an independent officer, the Ombudsman, has made. He has made 33 recommendations (33 obviously has many connotations). But 33 recommendations, and how many has this government adopted? How many recommendations has it adopted? Zero! They have adopted zero!

In all seriousness, we are becoming the laughing-stock of our interstate colleagues, of the profession and of other parliaments around the world that are improving the FOI system. We saw recently the toil and the tussle that even some of our best journalists go through in relation to discovery. I remember there was an article by Daniel Wills regarding freedom of information requests in relation to SA Water. Even our best journalists have covered, and discovered the government's aversion to transparency, in a series of articles last year.

This bill is a test for the government. Is it serious about providing accountability to government, restoring trust with the community about their activities? There are scathing recommendations by an independent officer, and it is completely arrogant for the government to simply ignore them. I plead with the government, like I did last year, in this private member's bill. I urged the Minister for Regional Development and also urged the Minister for Investment and Trade to support the bill, to use their independence. They have a second bite at this cherry.

I also ask members of the government to support the two main amendments that I am making: first, to make it an offence for a person to give improper directions or influence in respect of an agency's decision regarding an FOI application to have access to a document, and, second, to make it an offence if an accredited FOI officer fails to report to the Office for Public Integrity a suspicion that such a direction has been given.

Since there have been 33 recommendations made by the Ombudsman, in order to give the government more credibility, I think it should have the courage, the honesty and the transparency to at least put some of these independent recommendations into law. It is only accountable and right to do so.

One day, hopefully in the not too distant future, we may be in government. We on this side of the chamber may be in government. I can understand why the government is perhaps a bit averse to putting these amendments in, but let me say this: these rules will certainly still stand for us. That is what it is about. Find a good idea; if it's a good idea, then run with it. We are here to do a job. We are here to be a transparent parliament, a transparent government.

An honourable member interjecting:

Mr TARZIA: What have you got to hide? Exactly right. What have you got to hide? With those remarks, I commend this bill to the house and look forward to discussing it at length with the Attorney and his government and anyone else who is interested.

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

STATUTES AMENDMENT (RIGHTS OF FOSTER PARENTS AND GUARDIANS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 February 2015.)

Mr KNOLL (Schubert) (10:42): I rise today to support the bill that the member for Hammond has brought to this place. I congratulate him on his tireless efforts in this area. It is a very worthwhile and important exercise that he has undertaken, and he has undertaken it in a manner that is befitting of this place. He is seeking to negotiate a good outcome for foster carer families all across the state.

Grief is a difficult process. In his bill, the member for Hammond seeks a way for us in this place to show compassion, and that is something that we are not often able to do. We deal in the abstract, we deal in the macro, we deal in the absolute. We often pass laws that might benefit some people but disadvantage others, but we do so in the knowledge that what we are doing is fair, just and right. I think with this piece of legislation we have found a way to have a common-sense suggestion that can help the law show compassion in what is a very difficult area.

I can only imagine the grief that Monica Perrett and her family went through, and the grief that all foster parents go through in situations such as the one Monica found herself in. Someone who is willing to put themselves forward as a carer to look after children who are not their own, to give of themselves to try to make another child's life better in what is often extremely difficult circumstances, or where the child has experienced extremely difficult circumstances, is extremely admirable. For me, that only heightens the importance of a law like this. When the law obstructs somebody who gives of themselves in this way from being able to honour the death of their foster son is not good enough, and it is something that we here can fix.

Being a foster carer is extremely difficult. We need to do more to support them. They are valuable, and this is an opportunity for us to show that they are valuable, and I do not think that we can let this opportunity go. Again, on that score, it is fantastic that the member for Hammond has brought this back after the proroguing of the parliament.

We have had debates over the past years, especially when we look back at crises in Families SA and when we look at the rate of children being taken away from their parents. I have heard the Premier speak on radio on a number of occasions, and we even had questions in this house this week, about whether it is right to take a child away from their family. I think we all agree and we are bipartisan in understanding that the best thing for a child is to be at home with their family, except where it is not the best choice, and finding that line between having children stay with their birth parents or having to be placed in foster care or some other sort of institutional care is a very difficult thing.

I hark back to an article Tom Richardson wrote last year in InDaily on this subject. It was one of his Friday commentary pieces. Often, Tom deals with the hurly-burly of politics and likes to give both sides a good whack, but in this case I think he summed up the mood of the parliament, and I think he summed up the mood of all South Australians in his article where he talked about the agonising choices governments need to make and the fact that we are all united in wanting to find a better solution, or find what is often the least worst solution, in this way.

Foster carers, can I say, do a great job and, if done properly, it is a form of care that is preferred to institutional care. Where the parents are not able to look after the child, they can still find themselves in a loving and caring environment as opposed to being looked after by carers on eight-hour three shifts a day rotations. We need to do more to help them, and again this bill is exactly the type of thing we should be doing.

What I would like to do also is congratulate some of the foster care organisations in my electorate that do great work. First and foremost, I would like to congratulate Lutheran Community Care. Helen Lockwood and the team from Lutheran Community Care, which has a very strong presence in the Barossa Valley, are fantastic. I was lucky enough to go to their volunteers' thank you lunch last year and learn more about the great work they do.

Lutheran Community Care has approximately 35 carers in the Barossa, ranging from Gawler to Nuriootpa, and they have 60 to 70 kids in care in the Barossa Valley, of whom two are Indigenous. However, there are no Indigenous carers. Lutheran Community Care organises that carers have regular support groups so that they can look to each other to deal with the challenges together, and Lutheran Community Care has two support workers who support these carers in what they do.

In my maiden speech, I talked about community spirit and community-based service delivery as being a great model for service delivery of these types of services across the state. Lutheran Community Care was definitely one of the organisations I had in my mind when I made those statements, and I stand by them. I place on record my thanks for the great work they do. There are a number of other foster care agencies that cover the Barossa, from the Aboriginal Family Support Services to Anglicare SA and UnitingCare Wesley, and I would like to thank them, too, for the work they do in my electorate. I understand that it is difficult, and that it is hard and often heartbreaking, but it is beautiful to see that there are people in a community willing to give of themselves in this way.

We in here sometimes have to deal with the worst of humanity when we deal with criminal legislation and trying to deal with biker gangs, the scourge of drug use in our society, the scourge of domestic violence in our society, but it is nice to be able to acknowledge those on the other side of the coin, who are actually doing great and beautiful work in our community to make sure that it is safe and a better place to live, and to help children to have a better chance in life so that they can go on and be fulfilled and complete members of our society. This is a case where we on this side of the house can help those families who will be affected by this and where we can help do the government's work for them.

In this place, we are lucky enough to have a sage, wise man in the member for Newland. He is an extremely intelligent man and extremely capable, and he said to me that private members' time is a time when we can help the government to do their work. Private members' time is for smaller pieces of legislation that may not have the same priority as when we are dealing with government time and government bills, but it is a time when we can deal with these pieces of legislation. Certainly, I think Finn's Law is exactly the type of legislation the member was talking about.

I understand that this bill is still in negotiation with the government and that we have had a change of minister, from the member for Wright to the member for Port Adelaide. I understand that the member for Hammond is working very closely with the minister and her department to look at this. On that score, can I plead with the minister and say that this is an important and worthwhile cause and that I urge her in the strongest terms to take this up and work with us so that we as a parliament can be thought of better by our communities and that we as a parliament can be seen to be showing compassion to those who do so much to help us out in the wider sphere.

There are times as a parliament when we behave less than admirably, but this is an opportunity for us to also be a parliament that does good work, and I think this piece of legislation is very worthy of support for those reasons. I urge the minister to come on board and see the common-sense values of this. I look forward to a positive resolution and, hopefully, a unanimous vote on the floor of this house for this legislation.

Ms SANDERSON (Adelaide) (10:51): I commend the member for Hammond for bringing this bill to parliament. As the shadow minister for families and child protection, I have a particular interest in the welfare not only of children under the guardianship of the minister but of all children.

I would like, firstly, to put on the record what a wonderful job our foster carers do—and it is such a difficult job. One of my friends is a foster carer and now has her 15th child. It is actually the first child without a physical or mental disability she has had in her care, so foster carers are not only caring for children but they are caring for children with complex needs that are often difficult. They feel that they are not being supported well by the current government, and there is a lot more that needs to be done to support foster carers.

We know that a family setting, such as foster care or kinship care, is the best type of care if the child cannot be with their own family for some reason, so we do need to do all we can to encourage foster carers and to really support them and look after them to do the very important job they do. Unfortunately from the Productivity Commission reports out recently, South Australia is 7 per cent lower than the national average and the worst of all states at having children in a family setting, and it has a higher use of residential care.

Recent studies released from the University of Adelaide show that children in residential care, as opposed to foster care or kinship care, are 12 times more likely to be offenders and caught for offending in the future, so we know that foster carers and kinship carers are incredibly important. More must be done to support them and to encourage more into the system. Perhaps we could look

at having training and ongoing training that is available to them and having qualifications that are a part of their training so that when the children in their care grow up they have qualifications to work as youth workers or in Families SA or with places like Anglicare or UnitingCare.

According to last year's budget papers, there were 2,678 children living in out-of-home care for the year ending 2012-13, with an expected figure of 2,954 as of the 2014-15 financial year, which is coming up very soon. The number is ever increasing and things need to be addressed to reduce this number and ensure that more children and families are supported so that fewer children are entering this system because it is a broken system with no winners.

Of the 2,678 children in out-of-home care in the 2012-13 year, 44.9 per cent (1,194) were living with relatives or kin, which is great. Hopefully, that number will continue to increase because we know that that is the preferred option for children who cannot, for many different reasons, live with their own family. There were 1,124 (41.9 per cent) who were living in foster care, and 360 (13.44 per cent) who were in residential care. As the Guardian for Children and Young People wrote several years ago in a report, we need to be moving away from residential care, closing down the large facilities and moving more people into a family setting, which means we must support our foster carers.

We know that we had 2,245 children who were on 18-year guardianship of the minister orders, so these are not short-term things, and we do need to look at our adoption laws. For children who know that, for their entire childhood, they are going to be under the guardianship of the minister, we need to consider whether adoption should be an alternative to give them safety and stability in a permanent, loving family. I would just like to end my comments by saying how important foster carers are, and I commend the member for Hammond for bringing this important bill to the house.

Mr WINGARD (Mitchell) (10:56): I will be brief, but I would like to rise and speak in support of this bill put forward by the member for Hammond and commend all the other members who have spoken on this. Foster caring is vital to our community, and I really commend the member for Hammond for bringing forward a common-sense bill to try to help out people like Monica Perrett in this situation and support them for the efforts they have put in to be foster parents, as we know how important this is.

Foster parenting is a big commitment. It is disappointing to see the treatment Monica Perrett has received from the former minister. I hope the new minister is more understanding and can work with the member for Hammond to pass this bill. I know there are others on the other side of the chamber who have known the frustration of dealing with the department and working in this area. For foster parents, and those working with foster children, it can be very frustrating.

It is a sensitive area, I understand that, but I think it is really important that the people who make the effort and make the commitment to become a foster parent are supported by the department and by the associated minister. In a process like the one Ms Monica Perrett has gone through, I think it is important that the department and minister help foster parents in this tragic time and help them with their grieving process, especially considering, as I said, the commitment that foster parents make to our community and to young people, especially in South Australia.

Foster parents need to be commended for the efforts they put in. When you think about the commitment someone has to make, I certainly commend anyone who takes on this role in our community. Vulnerable children need all the care, love and support that we can muster as a community.

When you look at the skills you must have to be a foster parent, common sense is one, patience and understanding are other things, along with maturity, flexibility, great interpersonal skills and a willingness to learn. An ability to work with the child and their family, if they still have engagement with their family, is very important and is really tough to do. I think this is just a great time to reflect on how tough being a foster carer is in our community. The work you have to do, the compassion you have to show, really is absolutely outstanding.

I know a number of people who have taken on this role and I again commend them for doing so. They really put in a lot of their time and effort. If you were to try to actually scale it, value it and put a monetary figure on it, it is nigh on impossible to do. The time and effort you have to put in, the

24-hour care, the mental power that you put into worrying about children, whether they are your own or, in this case, a foster child, really is invaluable. The work that foster carers do is something the child can never pay back and something the government can never pay back but it is vital to our community.

I was lucky when I was growing up. My mother took in a foster child. She was asked to do so, and she was not in a brilliant place herself being a single parent raising two boys. She did a marvellous job with this young girl Tammy. It was a delight to have her in our family and in our lives. When I look back now, I would like to believe that my brother and I played some role—my mother played a much larger role—as siblings to her for a short period of time, to help her mother get through a tough situation. The local social worker in Kingscote came to my mum and asked her to help out, and she did a really great job.

You hope that the work you did, the time you put in and the effort you made has an impact on that person down the track. I know Tammy is doing well. I touched base with her not so long ago and she is doing really well in life now, which is great. That is not to say that anything we did or anything my mother did caused that to happen—she may well have had great success all the same, but you hope that you have some input.

Having had that personal experience and to see what Monica Perrett has been through, it is really important, as the member for Schubert said, that as a community we show compassion and common sense, and that we do look at this bill and ask: is there a way that we can support these people who put so much back into our community?

In closing, I would again like to commend the bill to the house, and I also hope that members on the other side see the merits and values in this, because of the great work that foster carers do in our community. I also encourage anyone that has the inclination, the passion, the time and the commitment to consider being a foster parent, because there are many children out there in need.

As I said, it is not something that necessarily happens for the entire life of the child. Mind you, it still can be, but you can do it for a short term, and take the time to help out a parent who is struggling a little bit and maybe needs to get themselves back on track before they can take full-time care of their own child. There are many ways to help out with foster care, and I think it is really important, with this bill and with foster care in general, that we get behind and support foster parents in South Australia.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:01): I rise to support the Statutes Amendment (Rights of Foster Parents and Guardians) Bill. The bill was introduced by the member for Hammond (and I commend him for doing so) to take up what is clearly inequity in the circumstances of a foster mother who, at a time when she was collecting an award for her services to the care of children, had her three-month-old charge die, and then was not welcomed into the funeral arrangements.

Sadly, the time of death sometimes brings forward circumstances where we find deficiencies in the law. This is common, for example, with de facto partners, including same-sex couples. Families decide, for whatever reason, as the legal blood next of kin, that they want to exclude the partners—they do not like them; they never liked that son or daughter-in-law, or whatever the reasons are. It can be very difficult in some relationships that we do not legally recognise at such a sad time as a death.

I commend the member for Hammond for bringing this to our attention. This family in particular, and others who have invested their love, care, and indeed finances on many occasions, to children in these circumstances need to have some recognition. I understand the discretion of how this is managed will remain with the Registrar of Births, Deaths and Marriages, and we understand how that can occur, to the extent that it allows some flexibility.

In relation to foster carers generally, my concern is that, as the shadow minister has pointed out, there is increasing demand for the care of children outside of their own family arrangements. Sometimes it is due to marital breakdowns, sometimes it is poverty, or the absence of a parent due to death, imprisonment, or moving interstate. There are lots of reasons why children are sometimes left in a circumstance where they are without care or adequate supervision. The state needs to take responsibility; they have a legal obligation to do so.

Foster care has always been an area of care which this side of the house has supported. In fact, I personally think the Department for Communities and Social Inclusion has a very important regulatory role, and I think this government's determination to take on the management and provision of service in the foster care arena actually puts it in a conflict of interest. I think that is one of the problems. We have had inquiry after inquiry in this area. That has exacerbated the problem. Under the watch of the now Premier as the minister, he supervised a period where he insisted that all residential care go out of the NGO and private sector and come into the government's hands, because it needed to clearly have a role of integrity, a level of accountability.

We see what has happened with that: it is clearly inadequate and there have been problems. We have had institutional departmental supervised providers or employees who have been tied up in the most disgraceful neglect situations and abuse situations under the Families SA banner with child protection. What has been the problem?

Also under his watch, he oversaw the rate at which foster carers are paid. Let's face it: none of these people do it for the money because it is not very much to supplement the household, but instead of having some reasonable remuneration, he introduced a new regime where you have a base amount and then a voucher refund arrangement.

I am not sure how that is currently operating but I know that at the time it was not well received by the foster care community because, if you have a child who has high needs—say, a teenager who has high needs as a result of behavioural issues and the like—then they do need reasonable remuneration. To have to go down to the department and produce your voucher to get a refund for your chemist bill is just an outrage. I think that was an insult and I am disappointed that that was introduced by this government.

The second area of blatant neglect is the refusal by the government to give decent support to foster parents who take the care of children who are born to heroin addict mothers and usually foster parents in this category are women. In South Australia, we have on average a baby a week born to a heroin addict mother and they, understandably, are often born with an addiction. They need to go onto pethidine injections. They are put into foster care. The mothers are sometimes still in hospital or are unable to properly care for this child, so this newborn baby is put into foster care.

We have had cases where the baby arrives with the pack of injections, because clearly they are addicted and they need to have these injections (I think they are morphine, but anyway, they are a derivative for the purposes of the treatment) and that might be a six or eight week program. The carers require instruction and training to deal with these babies of high need, but the lack of actual support, advice or explanation to foster carers in these circumstances has been appalling. I certainly hope it is improving.

I have not had any recent cases come to me, but I am very concerned that they are left out on their own and they are left with children who are often highly broken as a result of the circumstances from which they have come. They may have been living long term in a homeless situation, often impoverished, without reasonable care or discipline or supervision, and their attendance at school, their access to even a reasonable diet—these are all things that surround those children that leave them very scarred.

If they have been sexually abused on top of it, then imagine having to try to place a 13 or 14-year-old child in foster care with a family who may have other siblings in the household and are trying to manage a child with all the difficulties that he or she might face. Full marks to foster carers. Thank you for what they do. I hope they will continue to offer the service to these children, that they will have the government work with them rather than withdrawing areas of support and that we can continue to offer this as the best alternative for children who do not have access to their natural parents for that purpose.

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

Motions

MURRAY BRIDGE RACING CLUB

Mr PEDERICK (Hammond) (11:09): I move:

That this house urges the state government to recognise the importance of the Murray Bridge Racing Club Gifford Hill development and to achieve a policy that—

- (a) commits funding to enable the completion of the project;
- (b) supports the Murraylands community to grow jobs and enhance regional investment; and
- (c) provides state-of-the-art facilities for thoroughbred racing in South Australia and supports a vital industry.

The Murray Bridge Racing Club Gifford Hill redevelopment is one of the most exciting projects underway in regional South Australia. However, the state government has chosen to ignore the potential of this project. Not only is this an important project for the racing industry locally and statewide but the development will provide significant economic flow-on effects for Murray Bridge and surrounding areas.

The project has stalled due to the lack of confidence from banks in regional projects, which is the exact reason this government must provide funding support to grow jobs, stimulate regional economic activity, reinvigorate our economy, improve infrastructure and support our regional communities. This project has been ongoing for over 10 years and the Labor government has provided little or no support, other than a visit from the Minister for Recreation and Sport and the Minister for Regional Development.

By way of background, by May 2005 the Murray Bridge Racing Club decided to embark on building a strategic direction and announced plans for the relocation of its facilities to a new site at Gifford Hill. The Gifford Hill redevelopment is a joint venture project between the Murray Bridge Racing Club, private investors and Thoroughbred Racing SA, situated on the outskirts of Murray Bridge on approximately 800 acres of freehold land.

The existing Murray Bridge Racing Club site in the heart of Murray Bridge will provide prime space for Newbridge, a Rural City of Murray Bridge proposal, which includes plans for housing development, a proposed sporting complex and an extension of the neighbouring Murray Bridge golf course. The Gifford Hill project will include a new state-of-the-art racecourse with an all-weather track, associated equine facilities and a modern multipurpose function centre.

The Murray Bridge Racing Club has support from the federal Coalition, Thoroughbred Racing SA, the Rural City of Murray Bridge, Regional Development Australia and has all relevant planning approvals. The only support it does not have is from the state government.

The Murray Bridge Racing Club has been racing at its current site in the heart of Murray Bridge for 100 years, celebrating its centenary recently.

The Hon. T.R. Kenyon: And it was supposed to be self-funding.

The DEPUTY SPEAKER: Member for Newland!

Mr PEDERICK: The club operates as one of the key provincial racetracks and a major training facility in South Australia. The decision to relocate operations was based on a number of key factors. The Murray Bridge Racing Club recognised that the reliance on traditional streams of revenue from gambling turnover was trending flat. In addition to this, provincial racing was not a focus of the racing industry plan for South Australia.

Firstly, the club's current infrastructure is adequate but is aged. The horse stables and associated infrastructure, the racing and training tracks, and the public and member facilities are all in need of upgrades and reconstruction. It has been estimated that it would cost \$25 million to undertake the necessary upgrades to these facilities and racing would cease while various works are undertaken. The Murray Bridge Racing Club has declared that this is not an option.

With these important factors in mind and club members supporting the move, the Murray Bridge Racing Club embarked on a visionary project and purchased 800 hectares of land adjoining the South-Eastern Freeway and the Rural City of Murray Bridge. Of the 800 hectares, 340 hectares will be used to develop a multifaceted racing facility and a new home for the Murray Bridge Racing Club, which will grow and provide a number of benefits to the South Australian thoroughbred racing industry, including:

- providing a state-of-the-art racing and training complex for the South Australian industry, which will secure racing all year round on safe all-weather surfaces, which will reduce loss to the industry—this will be by the installation of a pro-ride track inside the outer grassed surface;
- creating investment attraction into South Australia;
- providing an affordable industry entry point for new entrants;
- taking pressure off Morphettville South Australian Jockey Club from a training perspective;
- providing a high level of biosecurity management for the horse population within;
- supporting industry traineeships;
- reducing the costs to industry representatives by providing the best possible facilities within easy access to the majority of horses training and racing in South Australia; and
- potential to hold events without restrictions of urban encroachment, such as night racing.

The remaining 460 hectares has gained approval for subdivision and will make way for housing and land development opportunities, which include visions for a new school.

In a report provided by Regional Development Australia, the construction of the housing estate alone will create over 170 jobs and produce approximately \$18.1 million of total gross regional product per year over 25 years.

The importance of the project is not simply restricted to Gifford Hill. The Rural City of Murray Bridge is in full support of the plans of the Murray Bridge Racing Club to relocate and developed a future plan for Murray Bridge as a result. The future plan includes a proposal called Newbridge, and the Gifford Hill project underpins this initiative. Newbridge is designed to support expected growth for Murray Bridge over the next 20 years and will be developed on the current existing Murray Bridge Racing Club site. The projects that will be enabled by the completion of Gifford Hill and commencement of Newbridge include:

- an upgrade of the Murray Bridge Golf Club to a par 71 competition standard by extension of fairways into the existing Murray Bridge Racing Club land;
- the possible relocation and major redevelopment of the sporting complex of the oval and facilities for football, netball, cricket, swimming, basketball and other sports to the existing Murray Bridge Racing Club land;
- a homemaker bulky goods precinct for Murray Bridge at the current sports oval on Adelaide Road that will be relocated and meet the standards of a complex for a population of 35,000 people;
- conferencing and convention facilities for Murray Bridge and the region; and
- the attraction of a four to five-star motel complex currently not available in the region.

In addition to this:

- housing and land development opportunities will assist the projected population growth of an extra 20,000 people; and
- the project will provide extremely important employment opportunities which will greatly aid the current unemployment rate of Murray Bridge which is over 10 per cent.

The Gifford Hill project is estimated to cost between \$36 million and \$40 million. Roughly \$18 million to \$20 million has been spent so far, which has included the laying of the track which can be seen when you fly over Murray Bridge to Melbourne. A commonwealth grant of \$5 million has been promised to the Gifford Hill project, and this was announced by the federal Coalition in March 2014 in the lead-up to the state election. If this grant does come through, it will assist funding the

development of the multipurpose function facility which is lacking in Murray Bridge and benefit the wider regional community.

With the \$20 million that has been spent, and a further \$5 million available from the federal government, you do not need to be an Einstein to realise there is a shortfall in funding causing the project to stall. As mentioned, this project has stalled due to funding from banks being pulled and general confidence in regional projects, due to economic uncertainty under Labor, and Labor's overall lack of support for the racing industry in South Australia.

The state Liberals recognised in 2014 the importance of this project—and still recognise the importance of this project—and in the run-up to the state election in 2014 pledged \$15 million to the Murray Bridge Racing Club for the completion of the project which would kickstart the development. I call on the government to provide funding assistance so that regional job creation and potential economic activity can be realised. To go through the numbers, a report produced by Econsearch, entitled 'Economic impact assessment of Murray Bridge construction projects', found in relation to Gifford Hill:

- upgrading the racing complex: around \$36 million over two years and likely to produce 118 jobs per year over two years;
- trainer houses and stable blocks: \$20 million of activity—40 houses and stables at an average cost of \$500,000 each over five years and 27 jobs per year over five years; and
- a housing estate of \$644 million—3,500 houses at an average cost of \$184,000—over 25 years and 170 jobs per year over 25 years.

This did not include other potential commercial developments. In regard to the Newbridge site, the current site of the Murray Bridge Racing Club:

- a sporting and golf complex: \$12 million of investment over two years and 39 jobs over two years;
- a housing estate of \$55 million—300 houses at an average cost of \$184,000 over eight years, which will give 47 jobs per year over the eight years; and
- a motel and retail precinct: \$28 million over eight years and 21 jobs per year over eight years.

The benefits that will come directly from the Gifford Hill development include: the creation of 4,000 new homes in Murray Bridge, 1,000 jobs, a new state-of-the-art racecourse with an all-weather track and associated training and equine facilities, plans for a new private school facility, a new sporting precinct, a redeveloped championship level golf course, a new bulky goods precinct, and confidence in an important regional area.

I have met countless times with the Murray Bridge Racing Club, private investors, Thoroughbred Racing SA, Regional Development Australia and the Rural City of Murray Bridge. I invited the Minister for Recreation and Sport to attend a race meeting and visit the Gifford Hill redevelopment, and I must admit that he has done that—he has gone to the development. I have written to federal ministers and worked closely with the federal member for Barker. I have also written to ministers Koutsantonis and Bignell and to Premier Weatherill.

I would like to congratulate the commitment and work of the Murray Bridge Racing Club chairman, Reg Nolan, and his secretary, John Buhagiar; Regional Development Australia Murraylands and Riverland chair, Brenton Lewis, who also happens to be the mayor of the Rural City of Murray Bridge since the recent local government elections; and members of the private investment group. I would also like to thank the Rural City of Murray Bridge's former mayor, Allan Arbon, and its chief executive officer, Peter Bond, for their valuable contribution.

This project does need assistance and it must become a priority of this government. Currently, in the building program, as things move along steadily, as some funding is released, \$1 million is allocated to start building horse stalls. In the program for later on this year, obviously running rails will need to be erected. Barrier trials are in the program to be run later on this year. I

believe that, certainly that over the 25 to 35-year lifetime of a project like this and possibly longer, there will be \$1 billion of investment.

Some of this investment, as we talk about the federal funding, hinges on the commitment of the state government to come through with the goods, with the \$25 million from the River Murray regional diversification fund. The problem is that we have a bit of to and fro between the federal government and the state government. This was a funding commitment made by the former Labor federal government and picked up by the new Coalition government. As I indicated earlier, there was a \$5 million commitment from this fund, the Murray-Darling Basin Regional Economic Diversification Program, for this project.

I note that, in a meeting I had recently with minister Brock and the Premier, I was given a letter written to Warren Truss, the Minister for Infrastructure and Regional Development. The government firmly believes that there is an issue with horizontal fiscal equalisation and that GST is applicable to this fund. In regard to that letter, in a letter back from the assistant minister, Jamie Briggs, the member for Mayo, states that he is advised that the 'horizontal fiscal equalisation calculations will be substantially less' than the government claims because all basin states are receiving this funding and that he understands that the Australian government Treasury has conveyed this information to the South Australian Treasury.

I urge the state Labor government to get on board, check out exactly what funding is available for this project and stop playing games over this diversification funding because the government are trying to tell us that it will reduce from \$25 million overall for the state to \$4 million if the GST component is to be taken into account. I commend the motion.

Mr WHETSTONE (Chaffey) (11:24): I too rise to support the member for Hammond's motion. The Gifford Hill project has been in the planning stages for about 10 years. It is a project that I think is worthy of my standing up and giving a little bit of an overview of how I see it. As the member for a neighbouring electorate, I am very envious of a facility like this being on the drawing board and to be able to bring it to fruition is something I am sure the member for Hammond is very passionate about and has been working towards. He has been pestering all on this side of the house for a number of years to talk about it and give it support, and that is what I am here to do today.

The Gifford Hill concept is about a \$40 million project. Obviously, it would be enhanced by the racecourse, the convention centre and an accommodation village of about 60 community allotments. I think it is every country member's dream to have a project like this on the table and to see it come to fruition. It really would be something to behold.

Obviously, it would stimulate economic growth in Murray Bridge. It has been backed by the Murray Bridge council, Thoroughbred Racing SA, the RDA, the federal government and the South Australian Liberal Party. As I spoke about in a grievance yesterday, the current South Australian government is not prepared to back this project, and I will give a little bit more detail as I walk you through my contribution. Again, as I have said, the jobs, the growth and the racing would almost bring a new era to that precinct at Murray Bridge.

All these projects rely on funding. They cannot just happen on their own. Private enterprise needs assistance. Normally, it needs planning assistance and it needs government stimulation. As I said, in 2014, the leader of the South Australian Liberal Party committed \$5 million to the project and it was also supported by a previous federal Labor government. It was on a list of 21 projects between Murraylands and the Riverland that would be part of the Murray-Darling Basin Regional Economic Diversification Program announced in 2012. Those 21 projects were put under this \$25 million bucket of funding. There was \$100 million overall shared between the four basin states and the \$25 million was going to be shared between river communities and they were dealing with the economic adjustment after the implementation of the Murray-Darling Basin Plan.

Sadly, the original announcement in November 2012 was made in caretaker mode, which meant there was not a budget line allocated to that funding. It was an election announcement. It was taken in goodwill that the federal government was going to put up this funding out of the infrastructure bucket of money. It was funding that came from regional development. It did not come from the water department and it did not come from the budget of nearly \$12 billion in the federal government's water and environment department. It was new money. It was not just money that was being tipped

back into communities after those communities had given up their economic base, which is, obviously, water.

Yesterday, I listened to the Premier give an answer when I queried whether he was concerned about this money being taken off the table. He completely skewed off at another angle. He was talking about this money coming out of the environment department. Well, it does not: it comes from the infrastructure department as a sideline to regional development. I think it is critically important that the government of the day in South Australia recognises the importance of what this money is about, that is, to support projects such as Gifford Hill. It was also there to support another 20 projects that were there to—

Mr PICTON: Point of order, Madam Deputy Speaker.

The DEPUTY SPEAKER: Member for Chaffey, the member for Kurna has a point of order.

Mr PICTON: Point of order: I am wondering whether the member can return to the substance of the motion.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr WHETSTONE: Just listen.

Mr Pederick: Chuck him out.

The DEPUTY SPEAKER: Order!

An honourable member interjecting:

The DEPUTY SPEAKER: Order! In light of the member for Bright's speech yesterday, I remind the house—

An honourable member interjecting:

The DEPUTY SPEAKER: No. Unfortunately, he's drawn attention to the standards or lack of—

Members interjecting:

The DEPUTY SPEAKER: Order! When I am on my feet, no-one speaks.

Mr Whetstone: Exactly. Don't speak.

The DEPUTY SPEAKER: And that's you, member for Chaffey; you're warned. As I said, standing order 144 charges me to control the business of the house in decorum and dignity, and I ask all members to cooperate in ensuring that the business of the house happens in that sort of fashion. There is no point of order. Member for Chaffey.

Mr WHETSTONE: Thank you, madam. I will get back to the substance of support around the Gifford Hill project, and that is the funding stream. The funding stream obviously is very important to these projects coming to fruition—and, again, we are talking about this \$25 million bucket of money that comes from the infrastructure department within the federal government. I have met with not only the Minister for Regional Development but also the Premier, and they gave me their take on why they would not be accepting it. That is all about the GST component on that \$25 million. I have been to Canberra, and I have met with the relevant minister with that money, and they say that it is an absolute furphy.

I did ask the minister yesterday, but was answered by the Treasurer and then by the Premier, to justify how that \$21 million component of GST is calculated so that we can justify the argument they are putting to the federal government. I think that is critically important around why the state government is not accepting the \$25 million. That \$25 million, of course, levers money into the Gifford Hill project. That federal money is sitting there idle, not being used, not being spent, while the other three states are spending their money. They have signed up, they have taken their \$25 million—New South Wales was \$27 million—they are using it, they are putting it to good use. It is of economic benefit to their state. Yet here in South Australia, we have the Premier playing games.

I think that we have said enough on the funding, and we will look at the Gifford Hill precinct. I think that it needs government support. It has been shown by industry, and it has been shown by Regional Development Australia, the council and the South Australian Liberal Party that they will support this project. I call on this state government to come up and support the project, support the funding, get on with it and use that money as a stimulus for our economic base. Everyone knows in South Australia that the economy is flagging. It is all government spending. We are seeing little private expenditure at the moment trying to stimulate the economy in South Australia, yet we are seeing political games. The Premier is more concerned about using taxpayers' money on a campaign promoting himself than he is about getting real outcomes.

If I can go back to the racing industry around Gifford Hill, obviously it is a very important industry. It generates over \$400 million per annum and it has real economic benefits. It is not just about the racing but it is the flow-on—it is the training, the education and the tourism. It really does have a flow-on effect. It sustains an employment base of nearly 3,700 South Australians; it provides \$224 million per annum to household incomes; it generates a GST of \$19 million per annum; and it generates over \$300 million per annum in direct expenditure, with more than 40 per cent of this expenditure occurring in regional areas.

This is a regional area. The Gifford Hill project is something that could be a crown in country racing. I commend this project. It does need government stimulus. We need to get over the political games that are being played around the funding. Just a few stats with regard to racing:

- in South Australia it is second to AFL in terms of attendance, over 515,000 attending racing in 2011-12;
- there are 13,900 members and members' guests of racing clubs throughout South Australia;
- the racing industry engages more than 1,240 volunteers; and
- there are 42 racing clubs operating and 38 racetracks throughout South Australia.

So that is a great example of what Gifford Hill could be a part of, a great industry and an industry that is a great economic driver here in South Australia. Let us face it, South Australia needs all the economic activity it can get. There are 161 charities and community organisations that are assisted by racing clubs. I will continue my remarks at another time.

Time expired.

Mr KNOLL (Schubert) (11:35): I also rise to support this motion. The member for Hammond is on a roll this morning, taking up the legacy of the great late Dr Bob Such, in using private members' time for very worthy causes. Before I talk about the Gifford Hill project, what it would entail and what it would mean for the neighbouring electorate to Schubert, which is the electorate of Hammond, for the benefit of the house I will explain where Hammond is, where Gifford Hill is, and where Murray Bridge is.

In South Australia our major watercourse is the River Murray. It runs across the state and heads down from the Riverland to the Murraylands—which is where it enters my electorate—and down through Swan Reach, Walker Flat and then down to Mannum. From Mannum it then heads down further to Murray Bridge. That beautiful watercourse then runs all the way down to the Murray mouth. It is very much the lifeblood of regional South Australia. We rely on the River Murray for a great many industries, and about 50 per cent of its water is used to produce what I would argue are the best grapes in the world, in the Barossa Valley; they come from the River Murray.

I point this out because perhaps the house does not always understand things that are a bit too far away from North Terrace. Any discussion of Murray Bridge entails a discussion of the river, and any discussion of the river must talk about the broader economic development applications for the entire region, which is entirely pertinent to this debate.

The Gifford Hill project is a joint venture between developers Burke Urban and the Murray Bridge Racing Club, and was first announced in June 2010. The original plans called for more than 3,500 residential allotments to be mapped around the state-of-the-art racetrack, but it has since been stalled for want of a vision by the government. Since being announced, Burke Urban itself has

invested more than \$15 million in Gifford Hill, \$8 million of which has been spent on the racecourse and the race tunnel; there is a state-of-the-art racetrack and a tunnel so that the track does not need to be crossed. I am told they are going to start barrier races later in the year, and I look forward to an invitation for the member for Hammond to come and have a look.

It has been noted by the federal government that South Australia is the only state that has failed to constructively negotiate a project agreement, and I would like to go to comments from the federal government. The office of the federal Minister for Infrastructure and Regional Development put out a release saying:

The Australian government has committed \$25 million through the Murray Darling Basin Economic Diversification Programme in order to assist South Australian regional communities to adjust to the Murray-Darling Basin Plan.

Connecting all the dots here, at the start of my speech I talked about how important the River Murray is to South Australia and to regional South Australia, and these funds seek to help enhance that. The release continues:

Funding can only be delivered once each relevant State Government has signed a Project Agreement confirming their commitment to the programme. The South Australian Government is the only jurisdiction which has failed to constructively negotiate a Project Agreement accepting their share of federal funding. In fact other states are already delivering their allocation on agreed projects.

We have now written to Minister Geoff Brock on three separate occasions seeking the South Australian Government's commitment to this important programme. We are yet to receive a response seven months since the first letter was sent.

This press release was from October last year. Either way, seven months is still an unacceptably long period of time. What makes this even more remarkable is that there is no requirement for any matching state government funding; it is completely funded by the federal government. Regional communities are missing out because of Mr Brock and state Labor.

Yesterday, in this place, the Premier was talking about the Murray-Darling Basin Plan, and he was talking about this pocket of money. He was talking about how South Australians have done the heavy lifting when it comes to putting water back into the system in order to have a healthy river. We argued over the figures. Some may have suggested 4,000 gigalitres; some may have suggested 3,200. I think 2,700 gigalitres is probably about right.

Mr Whetstone: 2,750.

Mr KNOLL: I think 2,750 is about right. What was interesting in the Premier's speech was that he said that South Australia has done enough. South Australia has already been through the pain. Our Riverland irrigators are amongst some of the most efficient in the country and the most efficient in the world.

If the South Australian regional communities along the river have done it so tough, why are we holding up this money? If the Premier was genuine in his outrage over South Australia already having done its bit, then why do we not get on and negotiate this agreement, so that that money can flow through to regional communities? It is a question that we still have not had answered satisfactorily. We have asked questions in good faith and have not been able to get a satisfactory answer.

This issue has some history and I would like to go back to a press release issued on Friday, 24 May 2013:

Following a recent visit to the Murray Bridge Racing Club (MBRC), Liberal Member for Hammond, Adrian Pederick, has supported the MBRC Gifford Hill development and is calling on the SA Government to do the same.

Some would say that this is the Barossa hospital of the Murraylands region.

Mr Pederick: Let's hope it's not that long.

Mr KNOLL: Twenty-two years and counting, member for Hammond. The press release continued:

'I invited Minister Bignell [Minister for Agriculture] to meet with MBRC so he could gain a full and proper understanding of what the club is trying to achieve...

'I was pleased the Minister accepted the invitation and whilst the discussion was positive, the Weatherill Labor Government needs to realise what a huge opportunity this is for the Murraylands region,' said Mr Pederick.

Again on this score, we can say that the member for Hammond is trying to be constructive in his dealings with this government to get good outcomes for his community. All we need is a willing partner on the other side to complete the deal.

On Monday 24 April 2014, the state Liberals, in understanding that previous speakers had talked about the importance of the racing industry to South Australia, were calling on the government to support the South Australian racing industry. During the election, we as the state Liberals committed to providing the racing industry with \$300,000 a year to grow and employ more South Australians. Certainly, when we look at our jobless numbers and the pathetic jobs growth that we have had in South Australia since 2010, I would have thought that this is a very good and useful way to spend money.

The state Liberals also announced at the time \$15 million to kickstart the Gifford Hill development. There would be many involved in this project who were upset that we were not able to form government. The South Australian racing industry employs over 3,500 people—3,500 people—and generates \$401 million every year in economic benefits to our state. The racing industry is second only to the AFL in event attendance and is a much loved fixture in our sporting calendar.

Those numbers are extremely compelling. Again, it goes to the fact that this development is extremely worthwhile. It is extremely important and something that needs to get on and be completed in full so that it can deliver for the people of Hammond and for South Australia.

I would like to go back and have a look at some of the statistics around Murray Bridge. We talk about unemployment in this state, we talk about needing job opportunities in this state. At the time of the election last year, the unemployment in Murray Bridge was 8.7 per cent—8.7 per cent. The new jobs data figures were supposed to be out for regional areas this morning, but unfortunately we have not had them come through.

This project would create an extra 1,000 jobs. Imagine what those 1,000 jobs would do to the unemployment rate in Murray Bridge. It would completely revitalise a community, a community that is extremely reliant on a couple of big players for its jobs. We are extremely grateful and thankful that Thomas Foods is a strong company that is increasingly employing more and more South Australians, but the more reliant on single large employers a community becomes, the more at risk it becomes. We have seen that with Port Pirie and the smelter and how important that smelter is to the community.

Economic diversification is extremely important for our regional communities and this Gifford Hill development very much seeks to help do that. If I look at the total number of jobs created by this government since 2010, surely these 1,000 jobs would help to add to it in an extremely significant way, and the best bit of all—it would not cost them any money. The feds are willing to stump up the cash and all the state government has to do is get on and be a constructive partner working together to finalise the agreement.

As a government, the Labor Party needs to understand that there are places beyond marginal seats in Adelaide, and if we are to help rebuild this state we need to start thinking more about our regional communities.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the next speaker, I would like to acknowledge in the gallery the presence of a group from the South Australian young Kurdish community and welcome them to our parliament this morning and hope they enjoy their time here with us.

Motions

MURRAY BRIDGE RACING CLUB

Debate resumed.

Mr VAN HOLST PELLEKAAN (Stuart) (11:45): I am very pleased to enthusiastically support the member for Hammond in this motion regarding the Gifford Hill redevelopment. He seeks that the government commits funding to complete the project, that the government achieves some policies that will support job growth and regional development in this area and helps the potential state-of-the-art facility to be completed.

This is a very important issue, and it is a very sad fact that in our state the racing industry gets not one dollar of government funding. I think that is a great shame because, regardless of what anybody thinks about the racing industry specifically, it is an exceptionally important industry for our state, and it contributes to our state economically incredibly strongly and, of course, for those who choose to participate socially, very importantly as well.

But even for an economic rationalist, just looking at the economic side of the racing industry should be enough for the government to understand that this is an incredibly important project in an incredibly important regional city in South Australia—Murray Bridge. Murray Bridge has a lot to offer and lots of positives, but it also has plenty of challenges, so a project like this that would contribute significant economic and social benefits would be at least as welcome there as anywhere else.

This project has been proposed, supported, developed, nurtured and grown over many years by the Murray Bridge Racing Club, and they have worked incredibly hard to get it to the stage where it is. I know that Regional Development Australia Murraylands and Riverland has also contributed largely, as have many other people and organisations in the Murray Bridge area. They have done the hard work, and they have got themselves this far already. They have done a tremendous job, and this is a project that deserves government support.

The racing industry is one of the largest employment contributing sectors in Australia—a fact not many people would know—and the member for Schubert quoted 3,500 jobs, I think, in racing in South Australia. That is big enough in itself, but that is just direct employment—and 3,500 people is nearly two Holdens, if I have my numbers about right, in terms of direct employment. If you put that in context, why on earth would the government not want to support the racing industry?

This is a really productive new development but, when it comes to employment, it is important to consider all the flow-on jobs, all the hospitality jobs and all the jobs tied up with the equine industry, with transport, with vets and with strappers. There is a huge diversity of employment within and outside the direct employment the racing industry offers our state. When it comes to the actual participation in the industry, you would not find anywhere in Australia a more welcoming, open-hearted industry than racing.

The great benefit of participation in the racing industry is that you get to do it at whatever level you want to do it. Whether you are a person who has the capacity to own shares or own horses or whether you want to be a jockey or a trainer and actively involved at that sort of level, or whether you want to be a person who goes along and enjoys what the industry has to offer, you get to do it on your own terms and the racing industry welcomes you to do that.

You can get dressed up in the finest clothes you could possibly imagine or you can go in neat casual clothes. You can drink or not drink, eat or not eat, gamble or not gamble. You can be a man or a woman, young or old, Aboriginal or non-Aboriginal. You can be any type of person, the racing industry will make you welcome at their track to participate however you would like to. You would be welcome to come through the gates and just watch, or you are welcome to own 50 horses, if you want, and pay to have them trained, pay to have them raced and take your chances that way, or, as many people do, anywhere in between.

That is the strength of racing and that is why it is such a critically important contributor to our economy and, very importantly, to city and country. It is a very important contributor to regional development. That is why this project is so important because it would give a very significant boost to the South Australian region between Adelaide and Victoria, not just Murray Bridge. They have done their sums; the Murray Bridge Racing Club and RDA have done a very thorough analysis. This is not going to hurt the Mount Gambier Racing Club; this is going to help the Mount Gambier Racing Club. This is not going to hurt the SAJC; this is going to help the South Australian Jockey Club and Morphettville. This will significantly upgrade the offer in that important part of the state where people from Adelaide can easily travel to take their horses, to participate or just to watch and enjoy. People

from Victoria would go to Murray Bridge to race or to watch. So, they have thought this through very carefully.

The government may not want to change its stance on financially supporting the racing industry in South Australia, but I join with the member for Hammond and my colleagues in asking the government to fulfil its commitment to support regional South Australia, to fulfil its commitment to support regional communities in South Australia. The government, the Premier, the member for Frome the Minister for Regional Development should all be 100 per cent behind this project, whether they are interested in racing or not. This will be a highly successful regional development program and even if they only want to consider it purely from an economic cost benefit analysis, the numbers stack up. I strongly support the motion.

Dr McFETRIDGE (Morphett) (11:53): I rise to strongly support the motion by the member for Hammond. This house knows that my background was as a veterinarian before I came into this place, but I started out in a racehorse practice. I have seen firsthand the impact on the lives, the industry and the economy of this nation of horseracing. The development at Murray Bridge is just another brick in the wall of building a much bigger and better industry, not only nationally but also in South Australia and the regions. That is why the government needs to get behind this project, it needs to get behind the Murray Bridge Racing Club, heed this motion, heed what has been said in this place already about the funding and make sure that this project comes about.

As I have said, I have seen the impact on racing. I encourage people in this place to go to Thoroughbred Racing SA's website and have a look at the Economic, Social and Community Benefits of the South Australian Racing Industry Report. It covers the three main codes: the gallops, harness and the dogs, and I will go through some of the stats. It is quite a comprehensive document, 70-odd pages. It is very comprehensive, and I will go through that in a few moments. The most important thing that members in this place need to understand is that in South Australia we are looking for every opportunity to build our local economy, where jobs cannot go overseas and where industries will attract people here, if possible.

This is where I come back to one of my little hobbyhorses (no pun intended) and that is the experience industry. The experience industry is one of the biggest industries that we have in South Australia and it is made up of sport and recreation, tourism, and the performing and visual arts. We have just had the Fringe, the Festival of Arts and WOMAD and their fantastic contribution to South Australia and the economy.

The racing industry in South Australia, thoroughbred racing in particular, is a part of that experience industry. People will come for the experience. We have two billion people to our north who are looking for that experience, whether it is horseracing or whether it is looking at some of the fabulous other opportunities there are in South Australia. That is why it is important that we look at every opportunity to increase the availability of accessing that experience, by coming to South Australia, whether it is coming to Adelaide for the Adelaide Cup or whether it is going to Murray Bridge for the Murray Bridge Cup or whether it is going to Penong for the Penong Cup, which I think was run last week on the West Coast. It is very important that we recognise these opportunities: do not let them drift on by.

We are talking about nuclear power in this state at the moment. Let us understand that this state was started on horsepower and it is continuing on horsepower in the racing industry. We need to recognise that, we need to value it, and we need to make sure that we are encouraging it, not just in Adelaide or at Morphettville—which is in my electorate of Morphett, and I am very proud of that fact and very proud to have the seat of the industry there with the many trainers, owners and breeders who live in my electorate as well as work there—but the number of regional communities that are involved and affected and economically benefiting from the racing industry is huge.

I will just go back to the Economic, Social and Community Benefits of the South Australian Racing Industry Report prepared in June 2013 (so it is probably even better than that now) for Thoroughbred Racing SA. In its overview it points out that there is an average of two race meetings every day in South Australia providing entertainment and employment for South Australian residents. There are 42 racing clubs, 38 racetracks and 773 race meetings with 6,752 races. This report was

back in 2013; I think it has actually increased since then. The number of foals and pups bred and delivered each year is about 1,380. The number of horses and greyhounds in training is 5,315.

It is a huge industry, an industry that cannot leave South Australia. It is here, the jobs are here, the economic benefits are here and we need to recognise that fact—not just in Adelaide but, in this case, the Gifford Hill project at Murray Bridge really needs to be included in our planning and development. The South Australian racing industry engages more than 1,240 volunteers and assists over 160 charitable organisations. The racing clubs offer services for families right across South Australia: 96 per cent of families across South Australia have some benefit from the work that racing clubs do through volunteer organisations and general economic impact. It is a very important industry and I encourage members in this place to recognise the industry. Go and read for yourselves the Economic and Social Community Benefits of the South Australian Racing Industry. It is worth the read.

The background on this particular project has been gone through by other members in this place. The need to not allow an opportunity like this to pass us is absolutely imperative in South Australia. When you have a government that is looking at everything possible to raise money and improve the economy in South Australia, do not forget horsepower—not just nuclear power, let's remember horsepower. The economic impacts on the Rural City of Murray Bridge, the region around there and the benefits for all South Australians is something that we need to put right up there and, as a parliament, we need to come together in a bipartisan way and look at what is going to be good for all South Australians.

Where are the long-term benefits? What are the long-term solutions to our long-term problems? Providing this sort of opportunity is one of them. I encourage members in this place to support the motion to support the racing industry in South Australia, whether that is thoroughbred racing, harness racing or greyhound racing. We know that greyhound racing have their problems at the moment, but certainly thoroughbred racing is something that Murray Bridge through the racing club will go ahead if it is given the opportunity. Here is an opportunity, so let's embrace it.

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

KURDISH COMMUNITY

Mrs VLAHOS (Taylor) (12:00): I move:

That this house—

- (a) supports the Kurdish people who have contributed positively to South Australia's multicultural community;
- (b) notes that 16 March 2015 marks the 27th anniversary of the genocidal chemical attack by the Iraqi dictator, Saddam Hussein, on Halabja in the Kurdish region of Iraq;
- (c) acknowledges the Kurdish people's culturally inclusive, secular and democratic values; and
- (d) recognises the Kurdish actions against ISIS and religious extremism in their homeland.

I rise today to support what is a relatively unknown story of a strong and thriving community in South Australia, the Kurds. For those who are not familiar, Kurdistan is a region that encompasses parts of Turkey, Syria, Iraq and Iran.

Following World War I, the 1920 Treaty of Sèvres made provision for the Kurds in this region to be granted their own national state; however, this has never eventuated because of the Treaty of Lausanne which established modern Turkish boundaries. It is understood that there are approximately 20 to 30 million Kurds in this region today.

According to the latest ABS 2011 census data, there are 728 people in South Australia recording themselves as having at least one Kurdish ancestor. We should recognise and acknowledge the complexity of the background of our Kurdish South Australians. They are a very strong community. The Kurdish story is one of struggle, resilience, bravery, equality of gender, courage, cultural persecution and gross acts of genocide.

From 1974 to 1991 more than 4,000 villages were destroyed. Mass killings by the Iraqi Baathists were brutal and took place between 1983 and 1991, culminating in the horrible al-Anfal campaign which included an attack using chemical weapons on Halabja, killing 5,000 people. Many

of the people who find their way to our nation today and our state have been affected by this conflict. More recently, only a few months ago, the Kurds suffered further genocide in Shingal with the UN stating that 7,000 Kurdish Yazidi were thought to be killed by ISIS and also in the onslaught of ISIS on Kobani.

Despite the catastrophic and inhumane acts directed toward the Kurdish people, they have achieved a self-governing region where they can develop their rich culture and human capital. Development in the Kurdistan region in Iraq has been extraordinary since liberation, spurred by a highly secure environment and a proven track record of investment. New construction has sprouted, along with improved electricity supply, new universities and opportunities for a better life for all, and this is regardless of gender or religion.

The Kurdistan region today is far different from when it started functioning autonomously in 1991. Today the Kurdish people have built a government where none had existed before. They are now in their seventh cabinet, and it is a multiparty democratic system to be praised in this region. It now encompasses ministries and departments that are all concerned with every sector of society and the economy. With this achievement, the Kurdish people are now striving to ensure that it is the right size—not too large, not too small—and to ensure that they have the right people in the right positions with their Vision 2020 document.

The Kurdish community in South Australia have overcome significant disruption in their livelihoods and have taken extraordinary steps to normalise their commitment to building a peaceful life here in Australia but also a peaceful and inclusive region in Iraq. This is testament to the resilience of the Kurdish people, many of whom have made South Australia their home.

On 16 March 2015, let us never forget the innocent lives that were tragically lost as a result of the barbaric attack on the Kurdish people. The Kurdish peshmerga forces are on the front line battling ISIS and are bravely continuing to advance and recapture territory held by Islamic State in the northern part of Iraq known as Mount Sinjar. They are truly heroic men and women doing this for us and their nation. It is important that we note that the Kurdish forces involve men and women fighting on the front line against ISIS.

Reports from journalists write that Peshmerga forces have been able to regain control over the majority of areas that have been under ISIS control. A sense of unity between local Kurdish people and those living internationally has increased. Through every disaster the Kurds have united in the region and within the diaspora around the world to strengthen their cause.

I put on the record two particular female Kurdish leaders who have inspired me and serve as a centre of hope with community members. To date the most decorated and internationally recognised female Kurdish leader is Leyla Zana. Mrs Zana was the first Kurdish woman to be elected to the Turkish parliament in 1991, and has been nominated twice for the Nobel Peace Prize. Closer to home the Kurdish community here is strong, with recognition in South Australia of the state finalist of the Young Australian of the Year 2014, Ms Tara Fatehi, who is in the gallery today. I welcome Tara and also the community members who are with her in the youth group.

Tara Fatehi fled her homeland at the age of three. She is a young PhD student studying medicine and also gives back to the community by volunteering her time with the Kurdish community. Among many achievements, Tara founded the Adelaide Kurdish Youth Society with her friends, with the aim of helping her community to promote its rich heritage and culture, and to forge strong ties in their new land, Australia.

She co-founded the Kurdistan Health Project, and is the Australian ambassador for youth-led charities such as the WHAM Project and Vision Libraries, which aim to create the largest English library in South Kurdistan and Iraq. Tara, and other members of the local Kurdish community: I look forward to celebrating Newroz with you on Friday night. On 21 May we will gather, with many other Kurdish community members, to celebrate new year or Newroz. Every year a fire is lit on Newroz Eve to mark the coming of the new year. The fire night is a symbolic event that symbolises the coming of the new year, the coming of spring in Kurdistan, an age of growth and regeneration, and also the revolution and struggle of the Kurdish people and their resilience.

This chamber is a symbol of our rich democratic history and of democracy that lives and thrives in South Australia. It is an appropriate venue for us to recognise the struggle of the Kurdish people today. I support this motion and acknowledge the Kurdish community, who value democracy, actively fight for it to grow and enrich our world, and contribute a rich tapestry of multiculturalism in our state.

Mr PISONI (Unley) (12:07): I stand also to support the motion. I congratulate the member for Taylor on bringing the motion to the parliament. It is so important in remembering that South Australia has become a very culturally rich, economically successful state because of the fact that we have opened our doors to people from all over the world who are either economic refugees or are escaping tyranny, persecution and chaos in their own lands. We have been a very successful model of encouraging people to share what they have when they come to South Australia and to participate in our community.

I know that the Kurdish community is no different. I congratulate them on the contribution they have also made to South Australia, a lot different, of course, from what it was like many years ago for those coming to Australia from non-English speaking parts of the world, or parts of the world where people looked a little bit different. I know that immediately after the war those coming from southern Europe looked that little bit different, did not speak English, and it was very difficult for them to participate in the community, the Italian and Greek communities in particular.

There is no doubt that they broke down many barriers, because it did not take long before the very Anglo community that was South Australia immediately after the war realised the contribution that the new migrants were making. Every new wave of migrants who have come to South Australia, regardless of their reasons for leaving their homelands, have come to start new and successful lives and to contribute to the South Australian community, and we welcome and encourage that and we are very pleased to see that happen.

This motion not only congratulates the Kurdish community for its contribution to multicultural South Australia but also notes that 16 March 2015 marks the 27th anniversary of the genocidal chemical attack by the Iraqi dictator Saddam Hussein on Halabja in the Kurdish region of Iraq. I remember seeing that on the television screen and I just could not believe that one human being could do what Saddam Hussein was doing through his army to another group. It was also known as the Halabja massacre. It was, of course, a genocide committed against the Kurds by Saddam Hussein's regime, a genocidal attack perpetrated on the Kurdish people on 16 March 1988, in the closing days of the Iraq-Iran war in southern Kurdistan.

The attack killed as many as 5,000 and injured 7,000 to 10,000 mainly civilians. It tragically remains the largest chemical weapon attack directed against a civilian population. Iraqi jets indiscriminately bombed civilian neighbourhoods with mustard gas and nerve agents and, when the Iraqi military re-took the town, they callously examined their handiwork in protective suits to gauge its effectiveness. I think we all remember seeing the footage in the media.

The attack was one incident in a campaign over many years by Hussein's regime to repress the Kurdish population using conventional and chemical weapons. Of course, we know that it is not just the Hussein regime that committed atrocities on the Kurdish population; the Kurdish people have been fighting with the Turks and the Iranians for many, many years. The Halabja chemical attack was one of the largest and most recent of attacks. We now see the Kurds fighting ISIS. The Kurds find themselves at this time once again battling oppression and repression in the form of the ISIS terrorist organisation—which currently infests large parts of Iraq and Syria—whose brutal and mindless violence is currently a blight on the region, which many Kurds are actively and bravely resisting.

This motion acknowledges and recognises the Kurdish actions against ISIS and religious extremism in their homeland. There has been a lot of media attention on about 20 or so Australians who have joined ISIS to assist them with their murderous campaign through the Middle East, but of course one Australian lost their life fighting ISIS with the Kurds, and we remember that person here today as well.

The opposition supports this motion and congratulates the member for Taylor and the Kurdish community. I think it is important that communities do remember the significant atrocities

that have happened so that we can make sure they are not repeated. It also helps us to have an understanding of the history of those communities. In Australia we are very isolated. We live a very sheltered life here, but many Australians who have come from other countries were not born in those circumstances. It is important that we learn from people's experiences, as well as their community's and their ancestors' experiences, so that we can identify signs and prevent those situations from happening again. If we do not learn from history, then it is a wasted opportunity. I congratulate the Kurdish community in South Australia. I recognise the massacres that happened on 16 March 1988 and support the motion.

Mr PENGILLY (Finniss) (12:14): I also rise to support this very good motion of the member for Taylor. I am very pleased to get up and support it. I guess particularly what came to mind was paragraph (b) of the member for Taylor's motion, regarding the chemical attack. I think anyone who was cognisant of what was going on over there at the time was appalled by what happened, with the pictures that came across in the media and on TV at the time.

It was an appalling atrocity perpetrated by Saddam Hussein's people, his troops, against the Kurd people, and it certainly heightened my awareness of what was going on over there. It seems to me that the turmoil and ongoing ferocity against each other in the Middle East have gone on all my life and well before that. I really do not know where it will end; however, it really struck a chord with me and I remember it extremely well.

As has been stated in here, the Kurdish people are particularly strong, resilient people. They are, as the member for Taylor said, spread through several countries. It is a failing of the human race, I think, that from time to time groups of people seemingly have no land they can call their own—Kurdistan, for example, and bits and pieces of the Kurdish community are spread throughout all those countries. I am delighted by the Kurdish population who reside in South Australia and the input they have into the state.

On a personal basis, I have been dealing with a Kurdish family inside the last 12 months over a matter, which I will not go into here because I do not want to and it is not appropriate. I have found them to be a very humble people, very much family orientated and very kind, generous and friendly. Indeed, I have asked them to come into the house for a meal at some stage, which they may or may not do. I am pleased, as I said, that the member for Taylor put this motion up to the house, and there is absolutely no question that we will be supporting it.

They are culturally different, as are many culturally different groups that have come into Australia. My own background and that of others in here—Irish, Scottish, Welsh, Cornish—are all different cultures, but we all meld into becoming one Australia. There is no question in my mind that the Kurdish people who have come to Australia, and South Australia particularly, have melded into the Australian way of life and provide a considerable amount of input, which will increase over the years, into the way this state and nation develops.

I have also watched recently where the Kurdish people have stood up against ISIS and all that it stands for, and I think that is significant. It has received a considerable amount of media attention, and they are actually winning, which I think is even better because I find ISIS and everything it stands for abhorrent. It is a blight on their way of life and it is a blight on religious freedom and tolerance, whatever your religion may be. The sooner ISIS is taken out of business the better; whether or not it will happen or not in my lifetime I am not quite sure. I do not want to go on, but I am pleased that the member for Taylor has put this motion up, and I have great pleasure in supporting it.

Dr McFETRIDGE (Morphett) (12:19): I rise to support the motion put by the member for Taylor. I will go through it point by point:

- (a) supports the Kurdish people who have contributed positively to South Australia's multicultural community;

I say that with all my heart because I arrived here as a ten-pound Pom as a tiny little kid, and I was very lucky. I was not speaking English at the time (I was not speaking much at all at the time), my wife arrived as a young Dutch girl not speaking any English, and we were part of the invisible migrants, and we blended in to what was then white Australia. I grew up at Salisbury with a lot of

Italians and Greeks, and I was exposed to their cultures, their families, their extended families and their fabulous food.

As we have developed in South Australia, we have embraced people from all over the world, and the Kurdish people are just one of those—and haven't they made such a difference to South Australia, haven't they benefited South Australia. When we go to citizenship ceremonies and we go through the oaths, the allegiances and the affirmations, the important part for me is to remind all the new citizens that they do not have to forget where they have come from.

It is that part of becoming an Australian citizen—recognising and remembering your past, your culture and your connections—that makes South Australia what it is. Whether it be the Scottish Caledonian Society or the Kurdish groups, they are to be valued by South Australia and they are to be valued by this nation because they make Australia what it is and they certainly make South Australia a much better place. I congratulate the Kurdish groups in South Australia on contributing in a positive way to South Australia. The second paragraph of the motion states:

- (b) notes that 16 March 2015 marks the 27th anniversary of the genocidal chemical attack by the Iraqi dictator, Saddam Hussein, on Halabja in the Kurdish region of Iraq;

I was in Jordan in the early nineties after the first war and spent a number of weeks over there dealing with the Iraqis, trying to strike some deals with trade. It was very difficult and it was very dangerous; in fact, when we were about to travel to Baghdad, hours before we were due to leave we were warned not to go there—and this was after being told by Australian officials where safe houses were and given other indications on how we should travel—because of some of the goings-on and because some of the people we were going to see had actually been arrested by Saddam Hussein. The reality and the brutality of that regime came right to my face then and was brought right to the fore.

You can only imagine what it must have been like as a person living in that region to live through the attacks and the atrocities, particularly for the Kurdish people who have struggled for many years to establish a homeland after the artificial separation of those regions by, once again, white Europeans. The Kurdish people have really shown their resilience, resistance and courage to have continued on to this day, as stated in paragraph (d) of the member's motion, that is, their continued fight against ISIS. They have fought against the Iraqis and Saddam Hussein's regime, they have fought to establish their own homelands, and they are continuing that fight.

When we see in the media coming out of there the grit and determination of the soldiers to protect their communities and to drive out the people of ISIS so that they can achieve at least some hope of a decent future—something we accept in South Australia as being just a part of everyday life—we see how far removed that is from what we have here. We need to give our support both in this place and, if we can, through aid organisations (I have nothing to do with foreign affairs or the military) to do what we can to make sure that the Kurdish soldiers who are fighting are given our support to do not only what needs to be done but what should be done.

The role of the Kurdish people in becoming part of South Australia, part of this nation, and part of each and every community we are involved in, is something we should all be proud of. This is the sort of motion that comes to this house quite regularly on a Thursday morning and is spoken to by both sides in a bipartisan manner—and so it should be.

This is why I am very proud to be a part of the South Australian parliament, to be privileged enough to be a representative of the electorate of Morphett and to stand here and do the right thing; that is, to support every South Australian, particularly when you understand where they have come from, what they have been through and what they are trying to achieve. I strongly support this motion, and I urge other members of this place to support it.

Mrs VLAHOS (Taylor) (12:25): Given the significance of the anniversaries that the community are experiencing this week and the active struggle they are undertaking to protect their culture and their democratic rights in their regions, I think it is wonderful to have the support of both sides of the house in passing this motion today. I commend it to the house, and I thank the members of the community who made the effort to come in today and to see democracy in action. Welcome, and more power to you and your community.

Motion carried.

DOWN SYNDROME

Mrs VLAHOS (Taylor) (12:26): I move:

That this house—

- (a) recognises that 21 March 2015 is World Down Syndrome Day;
- (b) congratulates Down Syndrome International on the 10th anniversary of World Down Syndrome Day; and
- (c) acknowledges the continuing work of the Down Syndrome Society of South Australia in their support of families and carers of those living with Down syndrome.

I would like today to speak about something that is dear to my heart. It is to recognise that we are approaching 21 March 2015, which is World Down Syndrome Day. The motion aims to congratulate Down Syndrome International on the 10th anniversary of World Down Syndrome Day and acknowledge the continuing work the Down Syndrome Society of South Australia provides to support families and carers living with Down syndrome.

It is important that this government supports this motion because this is an important time for the Down community in South Australia, as living with Down syndrome has increasingly become a story of choices and opportunities and enjoying a full life with equal rights and the support of their family and community. The day is designed as a way of raising awareness about the potential of people with Down syndrome, highlighting the challenges many people with Down syndrome have faced and providing self advocates with a global platform to speak for themselves with lived experience in this condition.

The focus of this year's 2015 World Down Syndrome Day is 'My Opportunities, My Choices—Enjoying Full and Equal Rights and the Role of Families'. Down syndrome does not discriminate. It crosses all ethnic and social groups. There are approximately 13,000 people in Australia with Down syndrome and almost 1,000 of those people live in South Australia.

Research has shown that the likelihood of a parent having a child with Down syndrome increases with older mothers. While the likelihood of a woman under 30 having a Down syndrome child is less than one in 1,000, this increases as you age to one in 400 at 35, and one in 60 at 42. This is why prenatal testing is encouraged for all women over the age of 35, so that they can adequately prepare for the child's special needs.

Certainly, as a person who had her children later in life, I went through the prenatal screening for my second child, and I almost did not achieve a pregnancy there. I went through this screening process on the day of my birthday. Seeing the odds come up on the screen, and then having a scan that said my son had a likelihood of one in 79 of having Down syndrome, is one of the reasons why I am particularly passionate about this, because it places a whole plethora of Pandora box choices that you might not ever want to have made in front of you, but you have to think about the livelihood of the person that you are caring for forever and the good quality of life that person could have in our society in a just world.

People with Down syndrome have some level of intellectual disability, a number of characteristic physical features and often a range of health conditions and developmental challenges. This does not stop people with Down syndrome striving for a fulfilling, successful life and being the best they can be at whatever career or life choice they make in the world. The abilities, needs and choices of each individual with Down syndrome are unique and varied, just as they are in the rest of the community, and equally valid.

For instance, *American Horror Story* actress Jamie Brewer recently became the first woman with Down syndrome to walk the runway in the New York Fashion Week, and I think that is a fantastic achievement. She is taking part in a role model program that is changing the way we look at things. 'Role Models Not Runway Models' is a campaign to change the way we look at beauty. Jamie was also elected to the State of Texas ARC Board at the age of 19, and is now a disability activist.

There are many other similar success stories of people living with Down syndrome enjoying a fulfilling life and leading examples to others. For many things, they are shaped by their family's experiences, by their cultural, environmental, and social factors. Down syndrome people have the

right and the choices that many of us in society take for granted, but they still have to fight along side prejudice about their condition.

I wish to acknowledge the critical and enduring role families play in supporting, empowering, teaching and advocating for their family members with Down syndrome. The next step is for the broader community to continue a cultural shift towards full inclusion of everybody. This is gradually being realised through drivers such as the United Nations Convention on the Rights of Persons with Disabilities, and the National Disability Strategy.

The current supports available through the state government and non-government disability services providers and the future National Disability Insurance Scheme further facilitate opportunities for people with Down syndrome to live independently, pursue and hold down employment, be connected socially and within their community, and have healthy, fulfilling lives and relationships.

I wish to acknowledge the continuing work of the Down Syndrome Society of South Australia for all they do in facilitating these opportunities for people with Down syndrome. They truly put their hearts into their hands and lead the community with this, they lead their families so strongly, and they embrace diversity. Well done to you. The state government, through the Department for Communities and Social Inclusion, has also created an enduring partnership with this organisation and appreciates the positive and special work they do with their families and the community in general.

The 10th anniversary of World Syndrome Day on 21 March 2015 provides an opportunity for us to recognise that people with Down syndrome are entitled to the same rights, choices and opportunities as the rest of us. It also provides a point of time to say thank you to the many loving family members and carers, aunts, uncles and extended family members who support their child, sibling or friends with Down syndrome to lead a worthwhile, fulfilling and well-lived life.

Dr McFETRIDGE (Morphett) (12:32): I rise to support this motion from the member for Taylor. The incidence of disabilities in Australia is becoming more recognised. The NDIS provides a new world for people with disabilities, and certainly amongst the tens of thousands of Australians who have a disability there are many people who have Down syndrome.

I first became aware of Down syndrome (or trisomy 21, as it was then put to me) when I was a student teacher many years ago at Western Teachers College, studying educational psychology and some special education topics. By 'syndrome', we mean that it is not like the measles or catching a cold; it is a collection of clinical signs and manifestations, and it can manifest in many ways. I will talk about that in a little while.

The fact that Down syndrome is an in-born error of genetics is something that we need to recognise. People who have children that are born with Down syndrome should feel completely blameless. It is just one of those things that happens. There is nothing you can do to prevent it. There is no lifestyle you can live to reduce your risk. It is just one of those things that happens.

Unfortunately, we do not yet know how to prevent Down syndrome occurring, and there is no evidence to show that the age of the father is an indicator of the prevalence of Down syndrome, or an indicator as to whether the child will have Down syndrome; it is the age of the mother. As the mother gets older, the incidence does increase quite significantly.

As to the actual manifestation of Down syndrome, trisomy 21, we all have 46 chromosomes in 23 pairs numbered from 1 to 23, and we have a pair of chromosome 21, and with Down syndrome there is an error that occurs at conception where, when the conceptus or fertilised egg divides, each cell has three chromosomes 21, so it is known as trisomy 21. Then that goes on to manifest in what we see as the physical and mental attributes of a person with Down syndrome, and they can vary quite widely. The IQ levels, the abilities and the looks can vary quite widely.

To see how we have come from looking at people with Down syndrome and describing them as Mongoloids and Downies and that sort of thing to now recognising that they are a very valuable part of our society, and always should have been—how times change and I think very much for the better.

The need to recognise and support people with Down syndrome is only part of the whole issue we are facing in South Australia, or nationally, but particularly here in South Australia and this

parliament. Part of our job as members of parliament is to support those organisations, particularly the NGOs and the volunteers—there are thousands of them out there, supporting people with disability—who in this particular case are supporting people with Down syndrome, and their families, because without the family support the cost alone would be horrendous to bear, never mind the impact on the people with Down syndrome.

I have obviously had a fair bit of exposure to people with Down syndrome through having Minda in my electorate for many years. It is just on the outer boundary now; I have had to let it go to the member for Bright, but I still have a lot to do with them. They are undergoing redevelopments on the campus to improve the facilities that are available, and one of the facilities they are developing at Minda is an aged-care facility for people with disabilities. People with Down syndrome used to live to 20 or 30 years of age if they were lucky, but because of modern medications and advancements, we are able to give people with Down syndrome a much better quality of life, so that they are now living into their 50s and 60s. Having the new facilities at Minda to provide aged care for them is a very good thing.

I have had parents come to see me through my shadow ministry with disabilities and communities and social inclusion who are very worried about the future of their children, with all sorts of disabilities but, particularly, in some cases, Down syndrome. They are worried about what their future is going to be. With the NDIS, we have raised expectations, so we need to make sure we do deliver, but I hope we are able to solve a lot of those problems and calm a lot of those fears. Also, through assisting organisations like Minda and Down Syndrome South Australia, we can make sure that those parents of people with Down syndrome are given support and can have the confidence that their family members will be looked after.

Down Syndrome SA is an amazing organisation. They undertake a range of support activities for families of people with Down syndrome and those individuals with Down syndrome. They have networking events (parents to parents and parents to other services and agencies), early intervention programs and ongoing support for parents and families of people with Down syndrome. They run transition support programs for children moving from early intervention to their local preschools and schools, which is a very important transition period for families and a very stressful time, so it is great to see the work that Down Syndrome SA is doing.

Down Syndrome SA's work with family support and advocacy is something that is a vital part of making sure that not only people with Down syndrome but their families are given the support and the courage to go on and make sure that their family members achieve everything that we expect they should be able to achieve in South Australia in 2015. That includes the extended families, including their grandparents. I do not know how many people in this place are grandparents, but I am a grandparent. I am going to Grandies' Day at my grandson's school tomorrow. I am looking forward to that with great enthusiasm.

Down Syndrome SA also continues with life education. The life education program promotes life skills for people with Down syndrome who have left school. They start with the youngsters right through to those who have left school. It is an important part of recognising that people with Down syndrome now can contribute in many ways to our society, and Down Syndrome SA are doing a terrific job. They are setting goals for the individuals and they are helping them achieve those goals. Whether they are getting into work or gaining life skills, it is all part of that program.

I was lucky enough to be at Government House when there were some presentations by the former governor, Hon. Kevin Scarce, to people from Down Syndrome SA, recognising their work, particularly the volunteers. I was lucky enough to be there to see a demonstration from the dance group Dance Down. Dance Down is an amazing group of young people with Down syndrome. They put on a short segment for us in Government House to show off a routine they did at the World Down Syndrome Congress in South Africa. They did a dance called, 'Things you didn't know about me'. I understand that this was the highlight of the congress gala dinner on the last evening. Having seen the little bit we saw at Government House, I can imagine that it would have been an amazing event not only for the families and the people there but particularly for the young dancers.

The other very emotional part of being a member of parliament can be when you get to interact with people with intellectual and other disabilities and see what they are achieving. I have

been involved with the Special Olympics organisation for a number of years now. When you see those youngsters, some of whom have Down syndrome, returning from their Special Olympics events, particularly if they have won medals, it is an amazing thing. Congratulations to Down Syndrome SA. I support the motion.

Mr TARZIA (Hartley) (12:42): I commend the member for Taylor for her motion today. I know that this cause and other great causes are dear to her heart and it is fantastic that she has raised this issue in this place. I also recognise that 21 March 2015 is World Down Syndrome Day and congratulate Down Syndrome International on the 10th anniversary of World Down Syndrome Day. I also acknowledge the continuing work of the Down Syndrome Society of South Australia in their support of families and carers of those living with Down syndrome.

As we have heard, Down syndrome (also known as trisomy 21) occurs, in most cases, at the point of conception, where a baby is conceived with an extra number 21 chromosome. We have also heard that it is not caused by anything that parents might or might not do. It is said that the condition affects approximately one in 1,150 live births in Australia. Down syndrome is the most common single identified cause of intellectual disability. The severity of its effects on physical and intellectual functioning varies widely amongst different individuals. People who are born with Down syndrome share some common features, but they also may inherit many of their own family's characteristics.

It is said that children born with Down syndrome have an increased risk of developing a wide range of ongoing medical and health problems, including hearing problems, vision impairment problems, respiratory illness, thyroid malfunction, heart defects, gastro, hypotonia, musculoskeletal issues, skin conditions, leukaemia, epilepsy and also Alzheimer's disease. These health issues often impair their physical and intellectual development.

It is pleasing to at least see that over the last 30 years, the average life expectancy of a person with Down syndrome has definitely increased from less than 30 years of age to today where we see that people with this syndrome are living well into their 60s. I have a second cousin who is in her 40s and has this syndrome, and it is pleasing that, whilst the medical advancements have not come anywhere near as far as we would like, at least people with this disability are living longer and longer.

It is said we know how Down syndrome occurs but it is not known why it happens. That is where we as humans are trying to fight for equality, to make sure that people with this syndrome have the dignity they deserve and try to improve their overall health; try to assist those people who live with this disability to move forward. We are called to do what we can to improve outcomes for these people, and I absolutely commend the continuing work of the Down Syndrome Society who work very hard ensuring that people retain their dignity and attain the best quality of life whilst living with this syndrome. I understand that a test for Down syndrome can be carried out before a baby is born. However, Down syndrome is usually first recognised at birth and confirmed by a blood test. It was named after Dr John Langdon Down, who first described it.

World Down Syndrome Day is a global awareness day and it has been officially observed by the United Nations since 2012. Each year, the voice of people with Down syndrome—and those who live and work with them—grows louder. Obviously, there is still so much we can do, and this motion is testament to our calling to do what we can and encourage our friends, and the communities we represent, to choose their own activities and events to help raise not only awareness of Down syndrome, but also to fundraise for the cause and educate people about how those with Down syndrome play a vital role in our lives and the communities around us. This is a wonderful cause, and I commend the member for Taylor for raising the motion, and I commend it to the house.

Mr KNOLL (Schubert) (12:47): I thank the member for Taylor for bringing the motion to the house. It is extremely worthwhile, and I thank all the other speakers who have already spoken to it. The previous speakers have canvassed what Down syndrome is and its growing population in Australia. In paying homage to this motion, I will talk about some of the good work that is done in my electorate in this area.

I am pleased to say that the first learning disability-led film festival in the Southern Hemisphere—the Sit Down Shutup and Watch Film and New Media Festival—was held in my electorate last October. This inaugural festival was held in the Angaston Town Hall—a good

300 metres from my house. Unfortunately, I was not able to get along to it, but the festival screened digital art and films written and directed by people with a learning disability, and there were 43 film entries from across Australia and overseas. The aim of the festival was to give people with a disability a voice by creating their own digital arts and film culture. It is an extremely worthwhile project and one in Schubert's very own backyard that I am extremely proud of.

Perhaps the most pre-eminent organisation in my electorate that looks after people who have a disability is Barossa Enterprises, and it is a model that is extremely worthwhile. In fact, in the Barossa we have education and career pathways that are able to give people with Down syndrome—amongst other disabilities—good quality care and good quality satisfaction in their lives through being able to give them meaningful employment. Tanunda Primary School has a unit that deals with special needs children, including those with Down syndrome, and it does an extremely good job of it. I was lucky enough to go there for their anniversary earlier in the year and have a discussion with the students. You could see how the entire school community cared for those who needed care and help. It is amazing how far, as a society, we have progressed, to the positive culture around helping those in need as opposed to issues of bullying and stigma, and it is beautiful that we have the next generation coming through.

Once these children have graduated from Tanunda Primary School, they go on to do their high school education at Nuriootpa High School, which is an institution that has now grown to have 980 students from my electorate, and I can safely say that they need a bit of extra space. When I visited, the principal was showing me where he needed to put extra students. The high school campus has two units, as they call them; it is two lots of 20 students. They have one purpose-built unit that is enclosed. Some of the kids who they are dealing with are severely disabled to the point where they need to make sure that the environment is safe, that they cannot escape and run onto the road, and things like that. They have two separate units, but they would dearly like to take the second unit and have a purpose-built facility built for it so that they are able to return the unit to a classroom.

They do a fantastic job. I have met and interacted with the teachers there. When I was at Nuri high school's graduation ceremony last year, a number of the kids from the unit graduated. To see the way in which those kids interacted with their peers was extremely heart warming. It was not a culture of pity, it was not a culture of anything other than celebrating the beautiful and kind spirit of the kids who are part of the unit. You could tell that there was a real camaraderie between the students. We talk a lot in this place about changing culture, and hopefully the Down next generations will have a different attitude towards these things.

Once these kids from Nuri high have completed their secondary school education, a lot of them go on to get employment with Barossa Enterprises, which I was lucky enough to visit last year. To give you a bit of background, Barossa Enterprises was established in 1978 and it has offices in Nuriootpa and Clare. It is committed to providing and securing opportunities for people with a disability to work and live within the community. As I said, I was there in November last year. Barossa Enterprises sells three main products.

The first is 'community lifestyle connexions', where it offers tenancy support, recreational activities and crisis transition accommodation for the people who work at Barossa Enterprises. It has supported employment services and helps to develop training and career goals for those with a disability and individual plans. Also, as part of that section of the business, they have a community garden. I was quite excited to tour the community garden, because I was in awe of what these guys were able to do compared to the meagre efforts of my wife and I in our garden. They grow so much fresh produce that they then try to use in the canteen to feed the guys. It gives them a really strong understanding of where their food comes from and it helps provide a more holistic approach to helping these people.

Perhaps the biggest part of the business is 'woodwerx'. This is where the real employment opportunity is within Barossa Enterprises. Barossa Enterprises creates wine boxes, crates and pallets for the wine and fruit industry. Every time you get one of those special fancy bottles—a normal 750ml, a magnum, or something bigger—Barossa Enterprises are the ones that build the boxes. These are not your cheap plywood types of boxes. These are beautiful pieces of art that are stamped

and embossed, and they come in all manner of shapes and sizes, with hinges and finishes. To see the way these things are made is quite awe inspiring.

I was lucky enough that Karina Piro, who works in marketing, and Garry Veldt, the CEO, showed me around the floor. As you walk around, you can see that this is not make work employment. These people are creating a beautiful product. They are competing in the marketplace on equal terms with other commercial businesses, and they are able to survive.

The support of the Barossa wine community in supporting this business is fantastic. They are some of the biggest names in wine that you will see and hear about, from Henschke to Peter Lehmann. The whole gamut uses this business and service and the beautiful products that they create. They also make wood pallets and crates that are used in the fruit and vegetable industry. These guys have pride in the work that they do and, also, their strong commitment to health and safety and strong commitment to producing quality articles is really quite inspiring and I would like to thank them very much for their work.

I would also like to take a few seconds to talk about Riding for the Disabled. It is located on the Angaston-Nuriootpa road (which is, again, probably a couple of kilometres from my house) and they do work with people with Down syndrome. Riding for the Disabled helps to develop fitness and concentration in a social atmosphere, and develop muscle tone for those with a disability. Again, it helps to provide another avenue to provide a fulfilling, meaningful and normal life to people with a disability. On this score, I am extremely proud of my electorate and community for coming together and providing solid, strong pathways for well over 100 people with Down syndrome in my community, and I commend them for their efforts.

Mr GARDNER (Morialta) (12:56): I am very pleased to speak on this motion acknowledging the continuing work of the Down Syndrome Society of South Australia and Down Syndrome International on the 10th anniversary of World Down Syndrome Day. I do so for three primary reasons. As shadow disability minister for a period of time, I particularly appreciated the engagements and interactions I had with the Down Syndrome Society of South Australia. I know they work very hard to deliver services and assistance to children with Down syndrome as well as families of children with Down syndrome and, indeed, adults with Down syndrome. They provide services and effective advocacy on behalf of that group.

Secondly, having staff in my employment who have been family members of children with Down syndrome has brought to my attention (not having any family members with Down syndrome) the challenges that can be faced, and they are itemised succinctly by Down Syndrome International, which particularly drew attention to the challenges that children and adults with Down syndrome often face, as follows: being abandoned, subjected to abuse and segregated from their communities; being discriminated against and treated unequally in education systems; being discriminated against and having health conditions misdiagnosed by health systems; limited opportunities to live independently, work and be fully included in the community; a lack of control over the right to marry and have relationships and families; and limited opportunities to vote, participate in public advocacy or be elected to public office.

Sometimes I think there are some people who, unfortunately, through carelessness, perhaps, do not even refer to children and adults with Down syndrome as people first—as children or as adults—but just talk about the issue of Down syndrome itself. I have enjoyed meeting and knowing the children and adults with Down syndrome whom I have encountered, and I think on World Down Syndrome Day the challenges they face are worth reflecting on in our positions here. I commend the mover of the motion for bringing it to the attention of the house and I am sure that all members will join us in supporting this motion right now.

Motion carried.

Sitting suspended from 12:59 to 14:00.

*Petitions***VIRGINIA POLICE STATION**

Mrs VLAHOS (Taylor): Presented a petition signed by 278 residents of South Australia requesting the house to urge the government to ask South Australia Police to investigate options to open a police station in Virginia.

*Parliamentary Procedure***ANSWERS TABLED**

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

*Ministerial Statement***COMMISSIONER OF POLICE**

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: I am pleased to confirm that earlier today the government announced the appointment of Mr Grant Stevens to the position of South Australian Commissioner of Police for an initial term of five years. Deputy Commissioner Stevens is a distinguished 33-year veteran of the South Australian police force and will begin his tenure on 21 July, when the current commissioner, Gary Burns, retires.

Deputy Commissioner Stevens joined SAPOL in 1982 when he was just 17 years of age. Since then, he has worked in many areas of policing, including criminal investigation, child exploitation, illicit drugs, organised crime, counterterrorism, intelligence, emergency rescue and search, state communications and emergency management. This wealth of experience at both the strategic and operational levels and the quality of his character see Deputy Commissioner Stevens commanding great respect both in South Australia and at a national level.

Mr Stevens is also an active member of the community through roles, including being chair of the Mitcham school governing council. He is a proven leader who has the respect and trust of SAPOL staff, partner agencies, business and the South Australian public. The community can be assured that he is absolutely the right person for this role.

Following Commissioner Burns' decision to retire, a selection panel was formed, consisting of the Commissioner for Public Sector Employment, Erma Ranieri, Tasmanian police commissioner Darren Hine, and Chief Executive of the Attorney-General's Department, Rick Persse. SAPOL has an excellent leadership team, and the panel was asked to consider whether an internal appointment was appropriate. The panel invited Mr Stevens to apply for the commissioner's position. Following an extensive and thorough process, they were unanimous in their view that he be recommended for the role.

I welcome the recommendation of the panel and congratulate Mr Stevens on his appointment. I look forward to working with him, and I am certain that his appointment will be welcomed by both sides of the house, as I know it is. I should also take this time to thank Commissioner Burns for his service to the South Australian public.

Honourable members: Hear, hear!

The Hon. J.W. WEATHERILL: I have been working closely with Commissioner Burns since his appointment in 2012, and he has provided me with great support, loyalty and honest advice. There is no doubt that he has been a magnificent leader of our police force. Mr Burns has said that it is business as usual until he retires on 20 July, and there will be time to acknowledge his service in this place in the near future.

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:04): On indulgence, sir.

The SPEAKER: On indulgence, yes, leader.

Mr MARSHALL: Thank you. On behalf of Her Majesty's Loyal Opposition, I welcome the Premier's announcement of the appointment of Grant Stevens to the position of South Australian Commissioner of Police for the next five years. We believe this is an excellent appointment and we look forward to working with the commissioner. We also, like the Premier, acknowledge the outstanding service of the retiring commissioner, Commissioner Burns, and we commend him for his service to the people of South Australia.

NUCLEAR FUEL CYCLE ROYAL COMMISSION

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:05): I seek leave to make another ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Earlier today, the Governor formally appointed former governor Kevin Scarce as royal commissioner and released final terms of reference for our royal commission into the nuclear fuel cycle. This marks the formal commencement of the royal commission. The royal commission will look into the production of nuclear energy as well as the enrichment of uranium and waste storage. It will not look into withdrawing from uranium mining or nuclear use for military defence purposes.

The process so far has been informed by a mostly mature debate within the community, and I want to emphasise to members that there will be many more opportunities for people to have their say during this process. The terms of reference for the commission were shaped by extensive consultation through a four-week period, with more than 1,000 submissions received from the community. Consultation on the terms of reference has been just the beginning. I understand that the commissioner will soon provide further information about how this important process will be conducted over the coming year.

Consultation has led to minor changes to the draft terms of reference and includes placing further emphasis on learning lessons from past experiences relating to environmental impacts. A further change seeks to address the potential for the development of related industries and any adverse impacts on other sectors. A total of 785 mailed submissions were received giving feedback on the draft terms of reference, whilst a further 300 comments were issued online. These submissions will be provided to the royal commissioner for his consideration.

Today is a significant moment in our state's history. The royal commission will provide a thorough investigation of the nuclear fuel cycle and its feasibility in South Australia. This is an opportunity for our state to maturely and rationally consider economic opportunities that have the power to shape our future. The royal commission has been asked to report to the government by 6 May 2016.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: I call the Treasurer to order.

Mr Marshall interjecting:

The SPEAKER: I call the leader to order.

Mr Pisoni interjecting:

The SPEAKER: I call the member for Unley to order. Deputy Premier.

RIVERBANK PRECINCT

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) (14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.R. RAU: This past weekend the state government announced an exciting development in respect of the Festival Plaza precinct to transform an underutilised space into the

jewel in Adelaide's riverbank crown. Today, the SkyCity Entertainment Group, the owner of the Adelaide Casino, announced that it too has agreed key commercial terms with the Walker Corporation for the exclusive lease of 750 of the 1,560 spaces in the car park.

Ms Redmond: The whole thing stinks.

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

The Hon. J.R. RAU: A little more than a year ago, in the lead-up to the 2014 state election, the government was criticised in some circles for its plan to keep building South Australia. The government had committed to a comprehensive program of infrastructure development: the Adelaide Oval, the duplication of the Liberal legacy one-way freeway, the new Royal Adelaide Hospital, just to name a few. It was derided as false economy. It was suggested that, because cranes were operating at government construction sites, the jobs created were somehow less important than ones created on private construction sites. Today's announcement is yet more evidence of the way public investment in infrastructure supports private investment.

Members interjecting:

The Hon. J.R. RAU: In any event, as I was saying, and I will say it again, today's announcement is yet more evidence of the way public investment in infrastructure—

Members interjecting:

The SPEAKER: I warn the member for Heysen for the first time and I call to order the members for Hartley, Mount Gambier, Schubert and Newland. In fact, I warn the member for Newland for the first time; he picked up an earlier caution by the Deputy Speaker. Deputy Premier.

The Hon. J.R. RAU: I am attempting to provide some good news to the parliament and I am finding it very difficult with the noise. Anyway, as I was saying, today's announcement is yet more evidence of the way public investment in infrastructure supports private investment.

Mr Marshall: It has been held up for years and years.

The SPEAKER: The leader is warned for the first time.

The Hon. J.R. RAU: The Festival Plaza redevelopment is unlocking substantial private investment. Of the \$610 million announced to be invested, the vast majority—that is, \$430 million—will come from the private sector. Every dollar of public money invested in this project will lead to more than \$2 of private investment with potential for significant further private investment in the precinct.

Ms Chapman interjecting:

The Hon. J.R. RAU: It's like a noise at the back there somewhere. The Riverbank Authority will maintain oversight of the design and rollout of the public realm, the activation of the site during construction and the management of the plaza and surrounds once construction is complete. The Festival Plaza announcement shows what can be achieved when government works with the private sector. By backing this project, by having a vision of what Adelaide can become, we have unlocked significant private investment in the state.

Ms Chapman: That's what Patrick Conlon said 10 years ago.

The SPEAKER: I call the deputy leader to order.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: I warn the Treasurer for the first time.

Parliamentary Procedure

PAPERS

The following paper was laid on the table:

By the Minister for Education and Child Development (Hon. S.E. Close)—

Maralinga Lands Unnamed Conservation Park Board—Annual Report 2013-14

*Question Time***EMPLOYMENT FIGURES**

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:11): My question is to the Premier. Will the Premier admit our state is headed towards a dangerous jobs crisis, given mining jobs are down 22 per cent and construction jobs are down 15 per cent in the past year?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:11): Yes, and that is why we are transforming the South Australian economy. That is why we decided at the last election to keep building South Australia. That is why at the last election we said we would step up and take the lead in transforming the South Australian economy. I don't understand why those opposite think that repeating the nature of the challenge in increasingly louder and scornful language actually advances the public policy debate.

We are the only party which is out there with positive ideas for the future of South Australia. I did enjoy how every single time we advanced an idea, it was met with, 'This is just a distraction.' Then the next idea we come up with, it is, 'This is just a distraction,' and then the next idea, 'This is a distraction.' Although on one of them they said, 'No, it was our idea, but it's still a distraction.' This is the laziest, most bereft of ideas opposition we have ever seen in this state's history. They simply do not have—

Members interjecting:

Mr GARDNER: A point of order, Mr Speaker: 98 will do.

The SPEAKER: 98, debate? Well, before I rule on that I call to order the members for Kavel, Stuart, Hammond, Flinders and Hartley. I warn for the first time the deputy leader, the member for Mount Gambier and the member for Unley, and I warn the leader for the second and final time. Of course, the Premier is not responsible to the house for the opposition; however, he was sorely provoked by the interjections. Premier.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. What we do need is a sense of unity in South Australia, so in this sense the opposition is relevant. They are relevant to the things that we need to do to transform and modernise the South Australian economy. They have a role in this place to generate ideas, they have a role in these houses of parliament to pass the legislation necessary for us to achieve this transformation of the South Australian economy.

We agree with you that there is a challenge. Just join with us in meeting the challenge. Advance a single positive idea which is directed at meeting the challenge—just one—if even in your own interests. Tell those people who run you that bundling you up in a sack and putting you in the boot and trying to smuggle you across the border at the last state election didn't work.

The SPEAKER: Could the Premier return to the substance of the question. The Premier has finished.

Members interjecting:

The SPEAKER: I warn the deputy leader for the second and final time, and I call to order the member for Morialta. Leader.

MINING EMPLOYMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:14): Does the Premier stand by his commitment to the people of South Australia made in October last year to create 5,000 new jobs in the mining sector by November 2017?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:15): There is no doubt that the mining sector, the resources industry, is under immense pressure. That pressure is being brought to bear by international forces. I have to say: how much worse would it have been had the opposition, who had no mining policy, been elected at the

last election? What would they have said to the investors in the oil and gas sector had premier Marshall been elected—

Mr PISONI: Point of order: the minister has no responsibility for what may or may not have been Liberal Party policy at the last election.

The SPEAKER: No, I wouldn't use the word 'responsibility', but it is licit for the Treasurer to canvass what opposition policy was on the record in the past if he can make it relevant to the question, which is the loss of jobs in the mining sector.

Mr GARDNER: Sir, the Treasurer, who is on a warning, is not supposed to be using people's surnames.

The SPEAKER: I'm sorry, I was listening to the Leader of the Opposition.

Mr GARDNER: Sir, previously you have warned many members for using surnames rather than electorate. The Treasurer is on one warning and he shouldn't be using people's surnames.

The SPEAKER: I warn the Treasurer about that. It does lead unnecessarily to quarrels.

The Hon. A. KOUTSANTONIS: Yes, sir. As frightening as premier Marshall sounds I apologise to the house—

The SPEAKER: I warn the Treasurer for the second and final time—

The Hon. A. KOUTSANTONIS: Thank you, sir.

The SPEAKER: —because I just cautioned the Treasurer—

The Hon. A. KOUTSANTONIS: Yes, sir.

The SPEAKER: —on not using surnames.

The Hon. A. KOUTSANTONIS: Yes, sir.

The SPEAKER: It is against standing orders, it is against the historic practice of the house, and he immediately got to his feet and did so.

The Hon. A. KOUTSANTONIS: Yes, I apologise, sir, wholeheartedly. There is no doubt that companies like Santos, Beach Energy, BHP and OZ Minerals are doing it tough, but they have a government that is unashamedly pro mining, unashamedly right behind them, unashamedly standing right alongside them.

According to the Commonwealth Grants Commission, we have one of the lowest tax efforts in the resources area. Why? We want to incentivise mining. We have what is recognised internationally as a set of the best regulatory frameworks for the resources industry almost anywhere in the world. We are exceptionally proud of that reputation, and we will not do anything to damage that reputation.

Yes, we are investing in the resources industry—the Plan for Accelerating Exploration, and partnering with those resources companies to go and unlock that next discovery, that next Carrapateena, that next Olympic Dam and the next Cooper Basin. We are out there with them, standing alongside them, but what we do not do is say what they are doing is dangerous. What we are not doing—

Mr MARSHALL: The minister is failing to answer the substance of the question, which is about the government's commitment.

The SPEAKER: I disagree with the Leader of the Opposition. The Treasurer is addressing the question of employment in the mining sector and how it might be grown and how it might contract if certain policy settings occur.

Mr MARSHALL: That wasn't the question. The question was specifically about a government commitment and whether the government was standing by the commitment.

The SPEAKER: I think it is somewhat churlish to say that in the course of his answer the minister cannot traverse the question of what leads to growth in the mining sector and what leads to contraction in the mining sector. Treasurer.

The Hon. A. KOUTSANTONIS: This government puts its money where its mouth is. We stand by our commitment to the resources sector. We stand by our commitments to the oil and gas sector and we stand by them; in fact, we are investing in the next stage of the Drill Core Library. A lot of members might not understand the importance of things like drill core libraries, but they are the mapping rooms to find that next discovery.

Remember this, Mr Speaker: it was through our Drill Core Library at Glenside that we discovered Olympic Dam. It was through our Drill Core Library that we discovered the Cooper Basin. It is through the investments that we are making through PACE that we discovered Carrapateena. We are investing in infrastructure that helps build the resources industry. In fact, it is so successful that the Western Australian government is copying us, the Queensland government is copying us, and the New South Wales government is copying us. We are the leaders—

Members interjecting:

The Hon. A. KOUTSANTONIS: We are the leaders, Mr Speaker. Yesterday, I informed the house of the Northern Territory's Hawke inquiry into oil and gas. We hear, referred to time and time again, that the example of the best exemplar of investigating in the resources industry is the South Australian Labor government. We have invested in the next generation of the State Drill Core Library, a further \$4 million in the Mining and Petroleum Services Centre of Excellence to address industry priorities and drive performance and productivity, further building on our \$6 million commitment announced in the 2013-14 budget—a further \$4 million for PACE.

Might I add that the opposition was silent on PACE at the last election; they were probably planning to abolish it with deferred royalties for the oil and gas sector. We are investing in unconventional gas—again, silence from the opposition on what their policies were on unconventional gas, other than an inquiry, because they say it is a dangerous process. We are investing \$4 million—\$4 million—in a brand new airstrip at Innamincka. Why? We want to waterproof the Cooper Basin to make sure the lines of communication and transport are always open. We are investing in jobs—

Members interjecting:

The SPEAKER: Alas, the minister's time has expired.

MINING INFRASTRUCTURE

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:21): My question is to the Premier. Can the Premier update the house on the plans to develop a further regional-based deep-sea port in South Australia?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:21): The original infrastructure boards that the government set up are working very closely with the Minister for Infrastructure. We are mapping opportunities with the people who will be making the private investment into new mines and new ports.

The reality is that commodity prices are down, and that is a factor of international prices dropping around the globe. Prices for copper have dropped, prices for iron ore have dropped and prices for oil have dropped. Everyone realises this, other than Her Majesty's Loyal Opposition. For whatever reason, I am not sure why the opposition do not understand that we will do no harm to the mining sector. What will do harm is to try to pre-empt what the market wants.

We are working with mining companies to identify the very best opportunities for them to expand their ports. We are working closely with the mining companies to try to understand where the best points are to try to get, as effectively as they can, their products to port. We want to make sure that the third-party access regime—

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: Just take your time—we want to make sure that the third-party access regime is in place. We want to make sure that before we invest taxpayers' money into a brand new deep-sea port, that those commodities actually have a market to go to.

We have seen what has happened in Whyalla with Arrium, who have seen a dramatic drop in the iron ore price. Is the opposition really calling on us now to invest in a deep-sea port on Eyre Peninsula for more iron ore? The reality is, Mr Speaker—

Mr Marshall: You have been talking about this for a decade!

The Hon. A. KOUTSANTONIS: The reality is, Mr Speaker, there is a great deal of capacity that is being opened up to third-party access at our existing iron ore exit points. We need to make sure, at Port Pirie and Whyalla, that those ports are making sure that they are at capacity, and that we are using our current infrastructure effectively and properly before we start investing into new infrastructure. We have got to do it properly. The opposition's theory of just building a deep-sea port that could lie idle while those mines are trying to find markets to go to is just silly!

Members interjecting:

The Hon. A. KOUTSANTONIS: What would we be saying to Arrium, who have now got surplus capacity at their port due to a lack of demand for their iron ore, that we are investing in a new deep-sea port somewhere else? What does that tell the people of Whyalla? What does that say to those workers in the iron ore mines in the Middleback Ranges? What does it say to them? Of course, it shows a lack of understanding again from the opposition about working with industry. We have to work with industry, sir—

Mr GARDNER: Point of order, sir. The question was for an update on the deep-sea port and the minister is now clearly debating.

The SPEAKER: I would like the Treasurer to perhaps move away from the opposition and a bit closer to the deep-sea port but, before he does so, I call to order the member for Mitchell, I warn for the first time the members for Stuart, Hammond, Hartley and Flinders, and I warn for the second and final time the member for Heysen. The member for Bright must be very upset with all of you. The Treasurer.

The Hon. A. KOUTSANTONIS: Yes, Mr Speaker. The key to developing a new deep-sea port in this state is to work with industry and we are working very closely with industry.

Mr Marshall: That's not what they say.

The Hon. A. KOUTSANTONIS: The Leader of the Opposition interjects, 'That's not what they say.' I do not know anyone in the resources industry who takes the Leader of the Opposition seriously.

Mr PISONI: Point of order, sir. It is against standing orders to respond to interjections.

The SPEAKER: Yes, it is, but the point of order is essentially bogus because, in fact, the leader did interject and, actually, I should remove the leader from the house if I followed the member for Unley's logic. I will not. I will simply warn the member for Unley for the second and final time. The Treasurer.

The Hon. A. KOUTSANTONIS: We are working very closely with industry, very closely with the proponents on Eyre Peninsula. For the information of the Leader of the Opposition, from discovery through to production often takes a decade. That is how long it takes to develop a mine. Approvals are one aspect: financing is another. I know that perhaps the resources industry is something foreign to the Leader of the Opposition, given his lack of policy on this issue other than perhaps—

Members interjecting:

The SPEAKER: I think the Treasurer has strayed enough. The Leader of the Opposition.

TIME ZONES

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:26): My question is to the Premier. Has the government undertaken any modelling to assess how many jobs will be created if we change time zones in South Australia?

Mr Pederick interjecting:

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

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs) (14:26): Excuse me, Mr Speaker, I am in shock. It has been October last year, I think, since the opposition has deigned to asked me a question but I am, of course, delighted to have the opportunity—

Members interjecting:

The SPEAKER: The minister will not taunt the opposition.

The Hon. M.L.J. HAMILTON-SMITH: Thank you for restraining me, Mr Speaker; I have to hold myself back. The government is taking on some tough chestnut issues and one of them—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Was that a cacophony of ideas and policy suggestions coming from opposite or was it just whingeing and carping and whining?

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Well, ask me a question. The government is in open consultation with the community until 10 April. The government has put no view forward at this point as to its position, but will do so after 10 April. We are completely open to receiving modelling, suggestions from the business community and ideas, from wherever they may come, about whether the state should go to Eastern Standard Time, whether it should go half an hour towards Western Australian time or whether there should be no change.

The nature of consultation is that you consult with people. You consult and then you decide, and what we are doing is consulting. After 10 April, the government will decide and it will come back to the house and to South Australians with a suggested plan of action. Then we can consult further and that will include—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Yes, yes. That will include economic information about the risks and opportunities, because if it is good for jobs and it is good for business and it is good for families, there may be a change. The government's—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: I like the way they ask a question and then answer their own questions with interjections; they are obviously hanging on every word. It may shock members opposite but, over here, there are some ideas and those ideas are finding their way forward into policy positions. Rest assured, Mr Speaker, the government will come forward with a policy position on time zones, and when it does a bill will come into the house and there will be yet a third round of consultation, and that's when every member opposite will have an opportunity to represent their districts in accordance with their conscience, or, of course, they can all take a group position and vote on party lines.

That's up to them, but I simply hope the people of the West Coast are listened to, that the people of the South-East are listened to, that the people of the Riverland are listened to, and that the business community and others in the city are listened to, because we are listening. I hope the opposition are listening. We can't wait to come forward with a position, but whether you like it or not we love to consult with the people of South Australia, we love to seek their advice before we firm up our views. But rest assured, you will get a position, it will be crystal clear, and then everyone will have to choose.

Members interjecting:

The SPEAKER: I warn for the second and final time the members for Hartley, Stuart and Mount Gambier. I warn a first time the members for Schubert and Morialta. I call the member for Chaffey to order and warn him a first time, and I call to order the member for Taylor. The deputy leader, the leader and the member for Unley have been bellowing across the chamber at the highest range in decibels from the beginning of question time. If one of them moves their lips out of order they'll be removed from the chamber. The deputy leader.

HAMPSTEAD REHABILITATION CENTRE

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:31): My question is to the Minister for Health. Can the minister advise how many property developers or other organisations have approached the government with interest in redeveloping the Hampstead rehabilitation site?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:31): I wouldn't know. I haven't had anyone speak to me in particular. I imagine Renewal SA would take responsibility for the process, but it certainly wouldn't be appropriate for me; but I have to say it is lovely to get a question from the deputy leader because I was worried that the leader was going to ask another question and ask me to perhaps provide a diagnosis on a nasty rash that seems to have happened.

REPATRIATION GENERAL HOSPITAL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:32): I have another question for the Minister for Health. Can the minister advise how many property developers or other organisations have approached the government with an interest in redeveloping the Repatriation General Hospital site?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:32): A couple of organisations have informally raised an interest with me, and I have made very clear to them that, with regard to future use of the Repat, a process will have to be put in place and that once the government's arrived at that process we will be happy to advise them of it. It has been a couple of organisations who have very informally spoken to me and simply raised an interest in the future of the site—nothing more than that.

REPATRIATION GENERAL HOSPITAL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:32): Supplementary to the Minister for Veterans' Affairs: have any organisations approached the minister in respect of the sale of the Repatriation General Hospital site?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs) (14:32): God, I'm in double shock, Mr Speaker: two questions in six months. I'm not sure I'm coping from overwork here, if I keep this up. Let me just start: the quick answer is no associations have approached me from the veterans' community about the sale of the Repat site at all.

Ms Chapman: Not any?

The Hon. M.L.J. HAMILTON-SMITH: Not to my recollection, no. I don't think I've had any contact from any associations about the sale of anything at the Repat site. As far as I know, the Repat site is not up for sale. Could I just make a simple point, because the thrust of the question is about veterans' health and the Repat site and its future. Let me just say this: I speak not only as the minister for veterans but as someone who was the shadow minister for health for some time and knows full well the immensity and enormity of the problems in managing the health system, with costs rising by 7 per cent to 8 per cent a year, with it consuming a third of the budget. I don't think there would be a member in this chamber who does not understand that there is a need to reform health. If you do not reform health—

Mr PENGILLY: Point of order.

The SPEAKER: Point of order, member for Finniss.

Mr PENGILLY: Sir, the question was not to do with the direction of Transforming Health. It was a straightforward question on potential buyers for the Repat.

The SPEAKER: Well, I'll listen carefully to what the minister has to say.

The Hon. M.L.J. HAMILTON-SMITH: Mr Speaker, on the Repat and veterans' health, my question was simply this, when I was aware that reform was mooted—and must I say it is courageous reform, because reform is always tough and it's been squibbed for years and finally we've got it—and that was: what's best for veterans health? What is going to be better for the health, physical and mental, of our veterans, and what is going to be best for the physical and mental health of the elderly and others? I was convinced when I saw the plan that the system was spread too thinly, covering nine hospitals, and that resources needed to be drawn into six hospitals so that we could provide better health care for veterans and for the community through six consolidated sites. That meant that the Repat, which was built in the 1940s, would need to be relocated.

The second point I asked was: were services being closed or relocated? If you look at the facts, as the Minister for Health has so eloquently explained, the services that are currently at the Repat are going to be relocated, not closed—and they are going to be relocated into brand-new facilities that are first class.

The SPEAKER: Minister, this is terribly cogent but it doesn't really address the question of the proposed sale.

The Hon. M.L.J. HAMILTON-SMITH: Let me get back to the Repat site, Mr Speaker. Veterans' leadership have generally said to me, 'If this is going to be better for veterans' health, then we are on side.'

Ms Chapman interjecting:

The Hon. M.L.J. HAMILTON-SMITH: I have talked to the RSL. My expectation, and my hope, for the Repat site is not that it will be 'sold' but that, apart from the fact that we might see (and that is up to veterans and clinicians) a renewed Ward 17 there with the \$15 million that the minister has provided (and I hope we will see it there but that is up to the experts), I hope we will see the chapel retained, the gardens retained, prosthetics retained and the private health facilities retained. I expect we will see the private health facilities possibly even expanded into some of the more modern spaces there. Personally, I would love to see some retirement homes there for veterans to use so that the character of the site is retained.

I think what we may well finish up with when this process reaches its conclusion is something at the Repat that we can be really proud of, as well as better and renewed facilities at Flinders and the other hospitals. I commend the minister for taking on the tough issue of health reform, including reform at the Repat. I think in our hearts every member in this chamber knows that, whoever was in government, it would be necessary. We have an obligation to spend the taxpayers' money wisely to deliver better health outcomes, and that is what the government is doing.

REPATRIATION GENERAL HOSPITAL

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:37): Supplementary, Mr Speaker: aside from the minister's hopes that there might be some reserve services kept at the Repat Hospital site, do you support its closure and will you vote against it, if the ultimate decision is to sell that site?

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs) (14:37): First, I am not the Minister for Health but I will contain my response to the issue of the Repat. I will simply say this: I will vote for whatever is best for veterans' health. I have been convinced that the health reform plans put forward by the minister, through cabinet, are in the best interests of veterans' health: and the fact is that they are. Do you know what the government is interested in? We are actually interested in the health of veterans and the health of the aged. We are not interested in playing politics.

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Quite seriously, I think that the way the opposition has handled this indicates they are more interested in the health of the Liberal Party than they are in veterans' health.

The SPEAKER: The minister is now debating the question.

Parliamentary Procedure

VISITORS

The SPEAKER: In that pause, could I welcome to parliament students from the Roma Mitchell Secondary College, who are guests of the member for Playford and Minister for Health. I would like to welcome representatives from the Australian Nursing and Midwifery Federation, who are guests of the member for Ashford. The member for Elder has two groups in today, the Spartans (the Pan-Laonian group) and the Islamic Society of South Australia.

Question Time

COUNCIL RATE CONCESSIONS

Mr GRIFFITHS (Goyder) (14:39): My question is to the Minister for Local Government. As the long-held position of the minister has been for an increase to pensioner concession payments on council rates (as evidenced by your private members' motion to the last parliament), what have you done over the last 12 months to progress this?

The SPEAKER: Actually, I haven't done anything. Treasurer.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:39): The Abbott Liberal government cut \$30 million per year—

The Hon. J.J. Snelling: How much?

The Hon. A. KOUTSANTONIS: \$30 million—breaking a national partnership that had been in place from prime minister Howard, prime minister Keating, broken by this current Prime Minister, and we stepped in for a year—we stepped in for a year to protect the most vulnerable in our community. We are running a campaign against the Abbott government and their cuts and, Mr Speaker, it is working. You can tell it's working. I ask members opposite to join our campaign. Do not let the Abbott government off the hook. They have made a cut that they promised they would not—

Members interjecting:

The SPEAKER: Treasurer, would you be seated. I will take the member for Goyder's point of order in a minute. If the member for Hartley utters another word he will be able to leave the chamber and have a look at each of those 16,000 signatures—

An honourable member: 1,600.

The SPEAKER: —1,600—in the comfort of his own office.

Mr GRIFFITHS: Point of order, sir: My question was directly to the Minister for Local Government about a long-held policy that he has had and I'm asking what that minister has done over the last 12 months to progress his policy. It's nothing about the actions of the Treasurer—

The SPEAKER: We'll see how the Treasurer can answer that question, which one would have thought was a little difficult, but let's see how he goes.

Mr Marshall interjecting:

The Hon. A. KOUTSANTONIS: Still in government, thanks to you. Thank you very much. Great job. We have done our very best to maintain our concessions, indeed increasing concessions to pensioners. The member for Frome was pivotal in making sure that that increase to pensioner concessions was delivered at the last state election, because this government, this side, made a commitment to our older Australians about increasing concessions for heating and cooling. We have

also stood up to the cuts made by Canberra. What are we doing to fight those cuts? We have stepped in for a year. What the opposition and their friends in Canberra want us to do is they want us—

Members interjecting:

The Hon. A. KOUTSANTONIS: Mr Speaker, I know—

The SPEAKER: Treasurer, you're not answering the question. The member for Hartley continues to interject, in defiance of my order. I suggest you both desist and we move on to something else.

Mr GRIFFITHS: Supplementary, sir.

The SPEAKER: Supplementary, member for Goyder.

COUNCIL RATE CONCESSIONS

Mr GRIFFITHS (Goyder) (14:42): Sir, this question is directed to the Minister for Local Government as it related to my initial question. Indeed, as the minister's agreement with the Premier for government to be formed included the need for review of local government pensioner concessions and council rates, how has he allowed that to be flagged to be cut completely from 1 July 2015?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:42): My agreement with the member for Frome permits him to advance all of the measures that he wishes to advance as an Independent member of parliament in the context of cabinet. Can I say that the member for Frome was pivotal. In a budget where we had \$898 million ripped out of us by the federal government, he played a pivotal role in ensuring that we stood up for pensioners and resisted this federal cut. Of course, it is intelligent for us to campaign against those cuts.

I know those opposite are fond of saying that around the nation all except Western Australia have actually accommodated these cuts, but remember: each of those states and territories, or almost every one of those states and territories, were facing state elections. They realised, because they were incumbent Liberal governments, that they didn't want to be tarred with the federal Liberal cut, so they were hardly going to stand up. We were in a much better position to stand up against these cuts than those poor old state Liberal governments, some of which were absentmindedly misplaced by their electors, according to the Prime Minister, at the last two most recent state elections.

So, this is the reason the pattern of changes has occurred across the nation. We're standing up. When I attend COAG on 17 April, we will be pressing again for the Prime Minister to resist those cuts. The member for Frome played a pivotal role. In a budget where we could barely afford it, we stepped in for one year to cover that \$30 million cut from the commonwealth.

We will have to consider our position after the federal budget. But all eyes should be on the federal budget. We are going to concentrate the attention of every federal and state member of parliament in South Australia on this crucial question. I must say that the federal members—and I know those opposite have very close, personal relationships with a number of federal members, including the member of Sturt, who has had a—

An honourable member interjecting:

The Hon. J.W. WEATHERILL: Well, he's had a big week.

An honourable member: He's a fixer.

The Hon. J.W. WEATHERILL: He is a fixer. Let's see whether he can fix this because this will be a test of his capacity to fix things. We will be inviting him to fix this little problem, otherwise the people of Sturt may fix him.

Mr Whetstone: You want him to fix your useless government.

Mr WILLIAMS: Supplementary, Mr Speaker.

The SPEAKER: The member for Chaffey is warned a second and final time. The member for MacKillop.

COUNCIL RATE CONCESSIONS

Mr WILLIAMS (MacKillop) (14:45): My question is supplementary to whoever wants to answer it. If the government is successful in its campaign and the federal government reinstates the \$30 million the government claims has been cut, what would be the implication on South Australia's GST payments?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:45): If the commonwealth government reinstates their national partnership, there will be no implications. I have to say that, if the member for MacKillop wants an in-depth briefing from Treasury on the implications of HFE, national partnerships are decided, one, by COAG agreements with premiers.

This particular agreement was negotiated, I think, in the 1990s by then former Liberal premiers. They negotiated a concession for South Australian pensioners from the commonwealth government, which the then Labor government I understand agreed to, but if I am incorrect I will get back to the house and correct that. That national partnership was honoured by prime ministers Hawke, Keating and Howard and honoured by treasurers at every single budget until the last commonwealth May budget.

What you have to ask yourself, Mr Speaker, is: how can a party that went to the election promising no changes to pensions or pensioner concessions make this change? It goes really to their moral fibre. Why would you attack the most vulnerable in our community and then complain when that cut is passed on and then complain when we dare to raise the cut itself? In fact, the outrage here is that we are daring to raise the issue that they made a cut to pensioners. When the Prime Minister was down in the South-East, he admitted to it. He said, 'I admit that we've cut pensioner concessions.'

Mr GARDNER: Point of order, sir, 98: the question was about the GST implications.

The SPEAKER: Would the Treasurer like to continue?

Mr van Holst Pellekaan interjecting:

The Hon. A. KOUTSANTONIS: Mr Speaker, the member for Stuart says that it was a silly question. I disagree; I think that all questions from the opposition are well researched and well thought out.

Mr VAN HOLST PELLEKAAN: A personal explanation, sir, if I may?

The SPEAKER: At the end of the Treasurer's answer.

The Hon. A. KOUTSANTONIS: If the member didn't say that, I apologise.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: No, I don't make things up. The issue of this pensioner concession cut by the commonwealth is not debated by the commonwealth. They admit that they have done it; in fact, they are proud of it. They boast about it in their budget. They talk about it, they admit it, and they want the state government to accept and fund the cut. The question is: why does the opposition want us to fund the cut? Why won't they stand with us and oppose the cut made by their friends in Canberra?

The SPEAKER: I think that the Treasurer has made his point and, if he finishes at that point, the member for Morialta's point of order will be otiose. The member for Goyder.

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (14:49): The question is again to the Minister for Local Government. With the implementation of marine park sanctuary zones from 1 October 2014, can the minister confirm whether he has been briefed on any preliminary findings about the economic impact statement that he required for his support of the government policy?

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (14:49): Yes, through minister Hunter—

Ms Bedford interjecting:

The SPEAKER: The member for Florey will not bully the opposition. She is called to order.

The Hon. G.G. BROCK: The three regional impact assessment statements are being undertaken at the moment. Michael O'Neil from SACES is at this stage going into the West Coast, Kangaroo Island and also Port Wakefield areas, and I am having regular briefings through minister Hunter's department on a monthly basis.

Mr GRIFFITHS: Supplementary, if I may, sir.

The SPEAKER: Member for Goyder.

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (14:50): Given the regular briefings that you have been provided with, is there any necessity at this stage for you to have taken action, and if so, what is it?

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (14:50): At this particular point, I am still waiting for the response to come back through the Goyder Institute and also through the SACES, and there is no necessity at this particular point, to my information, to take any action.

Ms Chapman interjecting:

The SPEAKER: Did I hear the deputy leader?

Members interjecting:

The SPEAKER: I am weary of the scapegoating of the member for Kavel. The member for Goyder.

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (14:50): Minister, at this particular point, given that it has been nearly six months since the implementation of it, have you put some time frames in place for you to get some information that will allow you to assess what has occurred?

The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (14:51): The information will be coming back through the relevant two agencies, through minister Hunter's office and, as the Minister for Fisheries indicated a minute ago, we had a meeting with the fisheries—what was the department?

The Hon. L.W.K. Bignell: We had Fisheries and we had some of the fishing groups come in to see us.

The Hon. G.G. BROCK: Yes, we had some fishing groups come in to see us this week and give us an update on some other opportunities, and I am happy to share that with the shadow minister at a relevant point in time. Certainly, at this particular point, we are waiting for that information to come back from the visit this week.

Mr GRIFFITHS: A further supplementary, sir.

The SPEAKER: Supplementary.

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (14:51): Given that the minister referred to 'opportunities' in the last part of that answer, does the minister therefore have any information on the impact on regional tourism and regional job opportunities and whether there are families who have had to leave their area to move to other parts of South Australia to take up fishing grounds?

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) (14:52): As the Minister for Fisheries and the Minister for Tourism, we haven't had any

people come to us, certainly in the tourism sector, saying that they are being hit in an adverse way by the marine parks introduction. All the fisheries I have spoken with have said, 'Look, we have to have a date and a time to bring these changes in.'

I know there were people who were scared of change, and we wanted to make sure whether it was just the fear of change or were there some real concerns out there and they would only become evident as the marine parks came into being. We have had some feedback from many of the fisheries and we will continue to discuss the future with those fisheries. As the Minister for Regional Development indicated, we had a meeting as recently as this week with some of the scale fishers from up in the Port Wakefield area. I am heading out fishing with them in a couple of weeks' time just to get a real firsthand look at it.

I have been out on a crayfish fishing boat down at Robe, I have been out on a prawn boat and I have been out on a crab boat. This is the thing to do—actually get out there and have the conversations and work with them. That wall of noise that was there and the campaign that was run, I think when we boil it all down we can actually have a sensible conversation about it and plug holes where they need to be plugged, fix things where they need to be fixed. I think a lot of the emotion and the passion has gone out of it. Where there are concerns, as a government we will listen to those concerns and bring in whatever measures need to be brought in.

MARINE PARK SANCTUARY ZONES

Mr GRIFFITHS (Goyder) (14:53): Supplementary question: can I ask the Minister for Fisheries when he goes to Port Wakefield, as he referred to in his answer, and goes fishing with Bart Butson, as I know is about to occur, if he might ask Bart what is happening to his brother and his family, who have to move to Eyre Peninsula to go fishing now because he has no grounds left to fish from?

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) (14:54): I thank the member for the question. I actually met with Bart this week. We were going to go out fishing a couple of weeks ago, but it came up a bit windy and none of the boats could get out.

Ms Chapman: Where's the minister? Gone fishing.

The SPEAKER: The member for Bragg will leave the chamber for half an hour.

The honourable member for Bragg having withdrawn from the chamber:

The Hon. L.W.K. BIGNELL: As the Minister for Fisheries I think it is important to go fishing and to be there face to face with the people who are out there earning their livelihood. They know the conditions the best, they know what to do for the future of the fisheries the best. As I have said to them, when you are out on the boats for 12 hours, you have a captive audience. You cannot say, 'I have to rush off to my next meeting.' You are in there and you are listening to their concerns, listening to their ideas for the future, and I think it is a good place to be fishing when you are the Minister for Fisheries.

TOUR DOWN UNDER

Ms COOK (Fisher) (14:55): My question is to the Minister for Tourism. Can the minister inform the house about the economic benefit of the 2015 Santos Tour Down Under?

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) (14:55): Figures just in from McGregor Tan, the research company that each year does the surveys with people who have come here for the Santos Tour Down Under, tell us that this had the biggest economic impact of any of the 17 Santos Tours Down Under so far, with an economic benefit to the state of \$47.9 million—that is \$2 million up on last year's event. It is interesting to go back to 2007 when the economic impact was \$11.5 million. Back then the attendance was 357,000; this year the attendance was a record 786,022. That is great news for the state and for all those people who are in the regions where the stages of the tour go through.

The editorial media coverage also climbed significantly, up nearly 25 million on last year, with 194 million. We had 37,370 event-specific visitors to the state, so 37,370 people came into the state and that is terrific. Not only is it a great economic boost for South Australia but it is also a terrific event for the people of South Australia, and I know that, being in the last week of the school holidays, if you have the kids running around under your feet, it is great to take them out to an event that is free, that promotes healthy living and adds so much colour and vibrancy. Indeed, what we have been doing is not just running a bike race, we are trying to improve on all the things around this great bike race.

This year we saw the introduction of family days. We have the Subaru Tour Tracker which was downloaded by about 21,000 people which allowed people anywhere in the world to follow the race live so that you could actually see the different positions of all the competitors in the race. This event is not only great for South Australia in terms of that week of festivities, but it showcases our wonderful wine regions, our hills and our beaches to a worldwide audience that is huge.

One of the new events that we had this year was the Santos Women's Tour. I would like to thank the member for Ashford for her continual commitment and urging us to make sure that we have more women's racing as part of the Santos Tour Down Under. Like the member for Ashford, I am also a keen advocate for women's sport. It was great to see the Santos Women's Tour here, particularly the finish at Victoria Park where they had a crowd of about 4,000. Congratulations to the winner of that race, Valentina Scandolaro, from the Orica-AIS team. She was certainly delighted with the welcome that she received here in South Australia.

Getting back to the people who line the route and cheer on all these riders, including Cadel Evans in his last race, I should mention people like the Serjeant-at-Arms, David, and his partner, Kim, and their friends Julie and Leigh, who I know were down there on the esplanade at Port Willunga with their 'Farewell Cadel' signs. Those sorts of scenes were repeated right around South Australia. This is an event that is dear to the hearts of all South Australians. We are in there working hard on our relationships with the world governing body, the UCI. The head of the Tour de France, Christian Prudhomme, is a very good friend of ours and we will continue to work with them to make sure that the future of the Santos Tour Down Under, which we have in the bag for next year, continues well on past 2017.

NATIONAL DAY OF ACTION AGAINST BULLYING AND VIOLENCE

Mrs VLAHOS (Taylor) (14:59): My question is to the Minister for Education and Child Development. Can the minister inform the house about how schools will observe the 2015 National Day of Action Against Bullying and Violence and ensure strategies are in place to address schoolyard bullying all year round?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:00): I think every parent who sends their child off to school, particularly at the very beginning of their school life, has a passing thought at the very least about concerns of the experience of bullying. We know that when bullying occurs, particularly when it occurs in a serious, persistent and sustained way, it can have an absolutely devastating effect on the development of the child in question emotionally as well as academically. I am sure bullying has existed forever, but for some time now society has named it and has increasingly provided students and young people in particular with some of the tools to respond, manage and deal with their circumstances, to know that it is unacceptable, to have a name for it, and to have strategies to deal with it.

Tomorrow the Bullying. No Way! organisation has organised a national day of action and what that means is that across the state schools will be holding events that will draw people's attention to bullying. I want to stress that although a national day of action is very important and I personally look forward very much to going out to Urrbrae high school tomorrow to see the events that they are participating in, this is very much more than one day a year or a one-off event.

The Bullying. No Way! program, which exists under the Australian Education Council and is the collective effort of all of the states and territories, is a curriculum-based approach that enables schools with their bullying policies to make real and tangible differences to students' understanding of bullying and their capacity to respond to them. What we will see tomorrow are assemblies, art

shows, film shows, workshops and generally mechanisms that enable students to talk about bullying, as I said, the importance of being able to name it, and the importance of being able to give students strategies to manage.

I know from my own experience that one of the most important strategies is to empower those who witness bullying who are neither the bully nor the one being bullied but are aware of it. Empowering students to stand by their classmates and prevent it happening is extremely powerful and effective, in my experience. We also know, however, that bullying is changing. The taunting and the experience in the classroom remain a feature of bullying, but now that we have the wonderful world of the internet we are now confronting cyberbullying.

While we have been addressing that for some time—and I know organisations like the Carly Ryan Foundation, which is a terrific organisation, has been providing support to schools on cyberbullying and the dangers of the internet—we are now in a position to make available to all schools a cybersmart program that will assist them in talking to students about how to manage the complex world of social media and the kind of bullying that does not stop at the school gate, the experience that cannot be controlled only when teachers are there but can come home and into the bedrooms of our students who are possessed with these devices that link them to the world.

I thank the member for Taylor for her question. I know how very much she cares, as every parent and every member of parliament cares, about these strategies, and I urge and expect every member of parliament to be paying attention to the national day of action against bullying tomorrow.

SEXUAL ORIENTATION DISCRIMINATION

Ms BEDFORD (Florey) (15:03): My question is to the Minister for Communities and Social Inclusion. How is the government supporting community organisations to increase acceptance of LGBTIQ people and communities in South Australia?

The SPEAKER: Could the member for Florey just tell me what that abbreviation stands for?

Ms BEDFORD: Sir, it stands for lesbian, gay, bisexual, transgender, intersex and queer people.

The SPEAKER: Thank you.

Ms BEDFORD: I am sure you didn't know that, did you?

The SPEAKER: No, I didn't. I knew some of the letters and not others.

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) (15:04): Can I thank the member for Florey for her question; I know she is a passionate advocate for equality and acceptance. We know that many people in our community are subject to discrimination, prejudice and vilification because of their sex, sexuality or gender identity, and we acknowledge the devastating impact this can have on people's health and wellbeing. That is why, last year, our government launched the South Australian Strategy for the Inclusion of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer People 2014-16.

The strategy establishes a framework to promote an inclusive South Australia, a community where diversity is both valued and celebrated. To support this work, I recently announced the successful recipients of the LGBTIQ Grants Program, which offered \$50,000 in funding to support projects which promote the principles of the strategy, but also implements our vision of creating a society where all people feel safe and accepted.

Funding supports projects which increase acceptance of LGBTIQ people and communities, reduce the levels of discrimination experienced by LGBTIQ people and increase the capacity of community organisations. I am pleased about the diverse range of projects which were recommended for funding, and I want to make particular mention of the important work of Community House Port Lincoln, which I know the member for Flinders has a close association with, who have been keen to promoting acceptance and inclusion of LGBTIQ people in their local community.

I understand the centre, which has 'A Place for Everyone' as its motto, has provided a meeting space for the local Eyre Peninsula LGBTIQ community to develop their own local strategic

plan, in alignment with the state government's inclusion strategy. This has led to the formation of the L2Q on the EP Advisory Committee, and the committee is one organisation which will receive funding through this program to erect a rainbow flag—a symbolic act that promotes awareness and celebrates diversity in their local community.

I would like to take this opportunity to acknowledge Ms Linda Davies, manager of Community House Port Lincoln, and Mr Travis Rogers for their hard work and commend them on their efforts. I would like to particularly acknowledge Travis, who was a member of the Rainbow Advisory Council. We appreciate his time and commitment to the council.

Improving outcomes and increasing opportunities for LGBTIQ people is critical to achieving an inclusive society, which in turn enhances the wellbeing and prosperity of our whole state. Our government is committed to building a society where everyone feels safe and where diversity is valued and celebrated.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcomed earlier members of the Pan-Laonian group and the Islamic Society of South Australia, who are guests of the member for Elder, but they have now arrived, so I acknowledge their presence in parliament.

Question Time

TICKET SCALPING

Mr WHETSTONE (Chaffey) (15:08): My question is to the Minister for Recreation and Sport. Minister, how many warnings, fines or prosecutions have been handed out for ticket scalping since the Major Events Act was introduced?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:08): None, sir. The reason for that is there has not been evidence of people actually engaging in scalping. People have put up ads on Gumtree and on eBay offering tickets for many times more than the face value. When they are spotted on Gumtree and eBay they are taken down. So, they might be up there for an hour or something like that, but the transaction will not proceed. There is nothing to prosecute if a transaction has not taken place.

We work closely, as does the promoter of various events, and the Cricket World Cup was a good example of that—the ICC would be monitoring eBay and Gumtree, and if any of those sites were running ads where people were going well above the odds, then those ads would be taken down. Any promoter of any event is in the same boat and in the same position to do that.

There was a fair bit of misreporting around the scalping issue in relation to the India v Pakistan game. There were people saying that tickets were changing hands for thousands of dollars down at the ground. I was down there and I had a couple of spare tickets to give away, as did other people, and we could not give them away, so I do not think there would have been many mugs willing to pay thousands of thousands of dollars for tickets when they had people like me offering them for free. A lot of other people were down there offering them for face value.

An honourable member interjecting:

The Hon. L.W.K. BIGNELL: It is true. I was down there. I was actually at the game. I walked around for a good hour before the game. I was talking to the media from India—

Mr Whetstone: The same tickets were on the website for over 24 hours.

The Hon. L.W.K. BIGNELL: Well, I don't think they were and, when we talked to eBay and Gumtree and the ICC, they said they were watching the websites very closely and pulling those tickets down. I must say that there were a lot of tickets on there, but they were within that 10 per cent threshold. If you have bought a \$60 ticket and you want to sell it for \$66, you are allowed to do that. Why would you pay \$2,000 or \$3,000 or \$1 million for a ticket when there are other tickets on there for \$66 or \$120 and they are within that threshold?

I kept going onto the website and there were plenty of tickets there. For one reason or another, people had bought tickets to the World Cup. They might have bought them in Victoria or in New South Wales and then, for one reason or another, they could not actually make the trip to South Australia for the game. They might have had a family member fall ill or, for whatever reason, they could not get to the game. We should not prevent people from being able to sell their tickets and, by putting on a 10 per cent threshold, that is fine.

If there are people who are offering way above the odds, and if there are one or two of them and there are 50 tickets being offered at face value or 10 per cent above, you would be an absolute idiot to pay any more than the face value or the 10 per cent above. I would say, 'Buyer beware; don't be an idiot; don't pay more than you should.' The other thing that we need to look at is, when you buy a ticket on the internet, it might not be legitimate. We saw people who turned up to the One Direction concert at Footy Park and they had tickets that were fraudulent. They had been sold on the internet by fraudsters. I would say, look out, be careful.

Grievance Debate

MEMBER FOR FROME

Mr GRIFFITHS (Goyder) (15:12): All of us who are lucky enough to be elected to this place stand for election based on very strong principles—community service, supporting people, being part of the future and wanting to be a decision-maker. Being an MP demands the integrity to stand by your principles at all times. Yesterday I was reminded by the Leader of the Opposition that, indeed, it had been nine years since I was elected, a nine-year period that has presented some challenges and some opportunities and has had highs and lows in it—there is no doubt about that.

The personal high was being re-elected on 15 March of last year with the absolute low being 23 March—that Sunday when the member for Frome announced with the Premier that he had decided to support the Labor Party and form government. In the following days, weeks and months, the member for Frome and Minister for Local Government and Regional Development went around South Australia saying that he was a voice for all regional people and that he would do his best to achieve outcomes. But what are the actions against those words?

I accept that the minister has travelled thousands of kilometres. He has met with numerous groups and individuals. He has been given the honour of making cheque presentations to worthy groups based on the funding programs he was able to include as part of that agreement—funding programs that were a copy of strong Liberal policies taken to the election, to the people, not policies that were forced upon the Labor Party to get the one seat they required to continue in government.

It took the minister eight months to announce guidelines attached to the \$10 million Jobs Accelerator Fund that he created. It is important to reflect on that eight months. It is a time when South Australia needs investment. The unemployment figures released today for the Barossa, Yorke and Mid North region, an area that the minister and I both have the opportunity to represent, in its original data showed the unemployment rate as 9 per cent. This is up from 8.4 per cent a year ago and it represents 5,300 people in the region looking for jobs.

It appears that the minister was upset with the six-month report card that was circulated in Frome in mid-September last year, but the facts in it were correct. The minister did vote against the motion supporting CFS volunteers receiving the same cancer compensation as MFS firefighters. The minister did vote against marine park sanctuary zone amendments proposed by the Liberal Party, based upon the commitments that communities wanted us to follow through on.

As a minister, he supported the emergency services levy increase but doubted that the figure quoted of 1,223 per cent was correct. Minister, I spoke to people in my electorate whose increase was 1,173 per cent and I know that it is an extra \$90 million per year that South Australians have to take out of their pockets to give to the government.

The minister's position on marine parks I found to be disgraceful. He told the people at a Port Wakefield meeting before the election that politicians and bureaucrats do not know what they are talking about. He told the people to keep fighting for what they know is important for the future of their community. He left the people with a very clear impression that he would support them if it ever

came to a vote but, when it came to that—a vote where the Port Wakefield community and communities across regional South Australia wanted his support—he did the opposite.

On pensioner concessions, I have asked the minister questions here today. I know he was supportive of the principle when he was just the member for Frome before the last election, but he has walked away from people on that. A year and a half ago, he talked about increases from \$190 to \$230. His agreement with the Premier includes a review of pensioner concessions. It must have been an upward movement, one would think, but instead it is going to be completely removed by July 2015

I wrote to the minister in December 2014 forwarding the concerns put by people who contacted me. I asked what he was going to do to help those people, and his reply about a month later said, 'While I appreciate receiving your correspondence, I advise that the matter falls within the portfolio of the responsibility of the Minister for Finance.' That is clearly a disgrace. The minister responsible for local government has to accept responsibility and work to achieve outcomes for it, and he has failed dismally there.

It was a matter that was very important to local government, a matter that was important to 160,000 property owners in South Australia, who are going to lose this concession, and a matter very important to regional South Australia, people he continually talked about representing, and the minister has nothing to say, other than the fact that someone else has to look after it. It is disgraceful. It shows a complete lack of responsibility and it is demonstration that the minister does not follow through with actions. Minister, the people of South Australia, I believe, will remember it.

Minister, you cannot afford to attend meetings in the Frome electorate about the Repat Hospital and say you are there solely as a local MP and not as a minister, as I am advised you did three weeks ago. You are a minister. You are in a position to negotiate, arbitrate and support communities, and you lost that. Minister, it was a truly unique position you held, but you do not any more because of other election results. What did you truly do while you held it? Minister, you had the opportunity to make a difference to the most basic of problems—that of the cost of living pressures for all South Australians as a legacy of 13 years of a Labor government—but what have you truly done?

Time expired.

MULTICULTURALISM

Ms DIGANCE (Elder) (15:17): I rise today to speak on multiculturalism, a vision championed by a great South Australian Labor premier, Don Dunstan. In my electorate of Elder, I am privileged to have close relations with many such groups. Today, I am pleased to welcome to the house my guests, two remarkable and energetic local communities: the Pan-Laonian Society of South Australia and the Islamic Society of South Australia. Welcome, I am really delighted you can join me today.

In relation to multiculturalism, the Governor in his recent speech talked of the need to move beyond acceptance and in its place find understanding, the latter giving rise to an active relationship of mutual two-way engagement. Australia is an exciting country and home to many diverse cultural groups all living together under one flag. The 2011 census shows Australians as identifying with more than 300 different ancestries, with 43 per cent having at least one overseas-born parent. Almost a quarter of Australia's population at 2011 was born overseas. South Australia mirrors this national collage on a smaller scale.

Our great state is home to people from more than 200 culturally, linguistically and religiously diverse backgrounds, and collectively we speak more than 200 languages and believe in about 100 religions. Approximately 350,000 South Australians were born overseas, and some 220,000 speak a language other than English at home. Almost 13 per cent of South Australia's population is made up of migrants from non English-speaking backgrounds, the figure rising to almost 25 per cent when the children of the migrants are added.

Along with the two groups with us today, Elder is also home to a large number of multicultural and religious associations, including the Santa Maria Goretti Italian group, the Acholi Community Association, the Polish community and the Hindu Society. These groups contribute in so many ways

to the local community, from acts of kindness and compassion for the disadvantaged and elderly to social and religious activities and observations.

One group of my guests today is the Pan-Laonian Society, a not-for-profit group established in 1966 to provide Greek Australians with social, cultural and educational contact for their families and friends and local community alike. It has 445 members, with an almost even split of membership of male and female. They are based at Plympton Park Family Centre and bear the name Pan-Laonian Society.

The family centre hosts club nights, meals, seminars and evenings, and many will attest to the amazing pasta nights and Sunday barbecues. Philanthropy is an important focus for the Pan-Laonians and, in recent years, members have raised more than \$70,000 for local South Australian charities and more than \$10,000 for much-needed medicine for a regional hospital in the Laconia area of Greece.

My other guests are the Islamic Society of South Australia, based at the Park Holme Mosque, and they too are a not-for-profit organisation established in around 1940. In addition to its religious and cultural objectives, the society of around 2,000 members aims to provide the local community with social, educational and spiritual services. The group, with their imam, have recently shown support to Australia's Grand Mufti for his visit to Indonesia's Islamic leaders to plead for the lives of the two Australians on death row. 'Mercy and forgiveness lie at the heart of Islam for those who repent and have reformed their ways,' he said last week.

Today, as a result of the aspiration and vision of the Islamic Society of South Australia, I have the privilege of announcing the Muslim community's inaugural Al Salam Festival (the peace festival) which will be held at Rymill Park on Sunday 26 April. The aim of this festival is to promote the message of peace and address the stereotypes about Islam. All members of both houses of parliament today have received a personal invitation to this event, and posters will soon follow.

May we applaud the benefits of multiculturalism, with the many and varied across-social, educational and economic realms. With each new wave of migrants to our shores come new forms of cultural expression, different skills and expertise, languages, food, clothing, festivals and tradition. My office and I support and advocate on behalf of all multicultural groups in my community, and I am really pleased to have all my friends in the gallery today. Welcome.

NATIONAL DAY OF ACTION AGAINST BULLYING AND VIOLENCE

Mr WINGARD (Mitchell) (15:22): I rise today to speak about the National Day of Action Against Bullying and Violence tomorrow and, with pride, wear the orange ribbon on my lapel to signify the anti-bullying message and also to commend the group Bully Zero Australia Foundation, which has just moved into South Australia and doing support and work in that area. It was great to hear the Minister for Education speak about bullying earlier in this chamber. It was disappointing that she was not present for the launch at Hallett Cove last week.

There were some great people present. I welcomed the state manager, Julie Clifton, and Oscar Yuldiz, the executive director, was there as well, along with Ali Halkic, the Leader of the Opposition (the member for Dunstan) and several council members; and school groups (including the Mitchell girls school) were represented. Emma Dorling and her mum, Helen, were also there. Emma is a worker for the Bully Zero group and has suffered from bullying herself, and she is doing a marvellous job helping out with that group.

It is intriguing and important to listen to the mission statement of this group. They do a marvellous job, as I said, working in this area in the community. I commend them for undertaking the venture and coming across to South Australia. They have done some great work in Victoria and other states and now they are here in South Australia helping out in our community.

The mission of Bully Zero Foundation Australia is 'to provide genuine and enduring care for bullying victims and their families'. They exist to identify and empower bullying victims and to support and stand side by side with them, their families and friends in taking action and creating permanent positive change. They are dedicated and committed to raising awareness of bullying and its devastating consequences through schools, workplaces and the broader community. They aim to empower and provide young people with hands-on educational strategies to prevent bullying and

work with bullies and their families to help create positive behavioural change. That is to be commended.

I mentioned Ali Halkic, who is one of the directors on the board, and he does a marvellous job. The way this foundation was set up actually centres around his son. Social media had a big part to play, and I got to speak to Ali and he told some great stories, and he very much blames himself for what happened to his son who, very sadly, committed suicide after being bullied online through social media. He does blame himself, in a situation where he should not. He says that if he did not charge his son's phone, if he did not give him access to the internet, if he did not do this, if he did not do that, perhaps it would not have happened. It is a very sad tale, but he is doing some wonderful work with the rest of the group to make sure that it does not happen to people in the future.

It was interesting to hear the minister earlier, as I said, talk about bullying. It happens in such a variety of ways. People of my generation know it more in the face to face manner, but it is really the move online that has created a lot of interest and a lot of concern about bullying in that area. We probably all know and have experienced and seen and fight against the bullying that is more face to face that we might see in schools, workplaces, or around, we are very conscious of that, I am very interested in the silent bullying which might happen online.

As a parent of four young children, I was really impressed with the way this Bully Zero group goes about helping kids in that space. They go to the schools and they educate the children. It actually instigated, or triggered, a conversation in our family about online bullying. As I said, with four children, a 21 year old at the top end and a 12 year old at the bottom end, we were talking as a family. The 21 year old was talking about the things she had experienced going through the early Myspace phase and evolving through social media as she went through that age group, but then we spoke to my younger daughter, who is only nine years apart, and in her case she was experiencing newer things. So, it is very important to be conscious of that.

After the conversation with our family, my wife went away and got on Instagram, not to follow the member for Bright, but to follow my daughter and to be aware of what is going on. So, I would stress that to all families: you may not be into social media, but your kids are. It is good to be involved so that you can see what is going on. My wife's plan was to try to circumvent any bullying that may go on on social media.

I commend all the ambassadors, too. There are a couple of prominent South Australians there. Derrick McManus is helping out with this group, along with a past colleague of mine, George Donikian. Jimmy Jeggo and Osama Malik from Adelaide United and Stephen Kernahan, former Carlton and Glenelg great, are also great supporters of this group, along with a number of other people who are doing a great job. To finish, I recommend that everyone have a look at Bully Zero and if you have any issues with bullying 1800 0BULLY is the phone number to call where they can help you out.

WINDSOR GARDENS SECONDARY COLLEGE

Ms WORTLEY (Torrens) (15:27): Create, Inspire, Excel is the motto for the newly named Windsor Gardens Secondary College in my electorate of Torrens. These words truly reflect the feel of the college as you walk through its new performing arts music recording suites, impressive classrooms, commercial standard kitchen, art exhibitions and speak with the students. With 56 different cultural groups, Windsor Gardens Secondary College this week is a hive of activity as it embraces Harmony Day. Students are creating images of silhouettes with their origins, country and cultural emblems, for showcasing at a special Harmony Day assembly next week and then for exhibiting under the heading, 'Lots of places, lots of faces,' outside the school's multimedia building.

This heading is also the theme for the movie *ImagiNATION* produced by last year's media students and entered in the Department for Education and Child Development's New Media Awards. I have seen this movie and it is a fantastic documentary. As a finalist, it was shown at the Piccadilly Cinema and also formed part of the Adelaide Kids Film Festival, and the students and school community are very proud of it.

Among the diversity of cultural groups at Windsor is the Wiltja senior students, Anangu students from across the central desert regions of South Australia, Western Australia and the Northern Territory. They live locally at the Wiltja facility at Northgate and attend Windsor Gardens

Secondary College during the school day. At the end of last year, eight Wiltja students successfully completed their SACE. I was pleased to be able to attend their graduation at the impressive John DiFede Reception Centre and to congratulate the students and meet with their families.

I have also had the pleasure of dining at the school's Parndendi Café, where students studying for their certificates cooked and served the meals. They were immaculately attired in their hospitality uniforms. They were well spoken and confident and *MasterChef* could probably learn a lesson from these students. From the service, the menu and, importantly, the taste, the whole experience was a glowing example of the success of the school's program. The cafe's name, Parndendi, is an Aboriginal word meaning 'sparkle', and that is exactly what it does. The cafe is open to the public during terms 3 and 4 for lunch and dinner and, if you want to go, you need to book.

The college also incorporates the Windsor Gardens Centre for Hearing Impaired for students from years 8 to 13. Known as the CHI students, they have access to the entire curriculum, and they receive expert support from experienced teachers and staff to develop their skills and to transition into future study, training or work. Windsor Gardens Secondary College also offers students the full range of Australian curriculum and SACE subjects across years 8 to 12. In addition, it offers a successful pathways program in engineering, business, sport and recreation, laboratory skills, hospitality, creative industries, building and construction, and community services.

The 2014 graduates from Windsor who completed their SACE and achieved their ATAR have accepted university offers and this year commenced studies in a variety of fields, including science, health science, engineering, media, social science, nursing and teaching. Next year, in 2016, the college will have a focus on STEM (science, technology, engineering and math), with pathways developed through to university in those areas of new clean technologies. It will also be offering a certificate in music (Certificate III in Technical Production), which will be delivered in the new music suite, which incorporates a performance space, practice rooms and a recording studio.

There is already a significant cohort of music and arts students at the college, and I have had the good fortune in the past two years to attend Windsor Under the Stars, an annual arts evening staged by the college, to see and hear the students on stage as well as to view exhibitions of their multimedia, painting and photography. At all year levels, students at Windsor Gardens Secondary College are engaged in projects that provide creative thinking, such as the very popular Pedal Prix, Concept to Creation, dramatic games and media competitions, and academic challenges.

It has developed over 100 partnerships with universities, local businesses and community groups which support the students to gain real life experiences which provide learning for their future pathways. College principal Paulette Sargent told me that the college focuses on developing the students' educational achievements, vocational skills, academic knowledge and IT skills.

REPATRIATION GENERAL HOSPITAL

Mr DULUK (Davenport) (15:32): 'The Repat Hospital is here to stay; the Repat Hospital will never ever be closed by a Labor Government.' These are the words that former premier Rann uttered in September 2010. How hollow these words are today as we digest the closure of the Repatriation General Hospital under this Labor government's Transforming Health proposal.

My office, over the last several weeks, has been inundated with messages of concern regarding the closure of the Repat, especially from veterans and families of veterans in my electorate of Davenport. In addition to the thousands of online signatures received against the closure of the Repat, my office has received hundreds of signatures as of 5pm last night. The residents of Davenport are rightly concerned that the proposed closure of the Repat will see a reduction in health services for the residents of Davenport and the Mitcham Hills. I share their concerns.

The Repat lies just on the boundary of the electorate of Davenport and is used by many of my residents on a daily basis. The Repat currently provides 45 hospital services and 51 outpatient services, such as the hydro pool and community gym, the ViTA facility for rehabilitation of older South Australians and general rehabilitation, and these services are used regularly. Other services performed at the Repat, such as mental health inpatient services (more commonly known as Ward 17), which cares for our veterans who are experiencing mental health issues, all of these services play a vital role in our community.

The neurology clinic at the Repat is a facility with a fine national reputation. The Repat, under the umbrella of its neurology facility, provides neurology services, the swallowing clinic, the PEG clinic, breathing clinic and speech clinic all under one roof. I share the concerns of one of my constituents whose wife suffers from the debilitating motor neuron disease. His concerns have not been relieved by the minister that, when the Repat closes, there is no guarantee that the continuance of these important neurological services will be provided in as an efficient and convenient manner going forward as they currently are.

I have a deep concern that the proposed closure of the Repat will put additional pressure on the services performed by the already stretched Flinders Medical Centre. The Repat has roughly 250 beds. These beds will be lost under the Transforming Health proposal and replaced with 55 beds at the wonderful, but stretched, Flinders Medical Centre. How can a decision to remove 195 beds from our community lead to better health care for the people of Davenport and indeed the whole state?

In my maiden speech to the house, I spoke of the importance of palliative care services in South Australia. The closure of the Repat will see the relocation of the Daw Park Hospice to a site yet unknown. Since 1988, the Daw Park Hospice has comforted and provided enhanced end-of-life care for thousands of South Australians. A relocation of the hospice from its relatively central location would be a poor public policy position to be taken by this government.

Professor Ian Maddock, Senior South Australian of the Year in 2013 and the first chair of palliative care at Flinders University, said of the Daw Park Hospice on ABC radio recently:

Daw House is an icon in terms of palliative care, it's been a centre of excellence, it's been a centre for international training, it's put through thousands of postgraduate students...because it's a complex, it's not just a set of hospice beds, it's a complex of both research and education as well as care.

As I have already stated, many veterans from the Davenport community have contacted me in regard to the closure of the Repat. The Repat over many years has not just healed many of the physical scars of our veterans, but many of the emotional scars as well. Years ago, on 10 March 1995, ministers both Liberal and Labor, both federal and state, signed on behalf of government what in essence was a pledge to preserve the Repat. This commitment has now been broken by the government opposite.

The closure of the Repat is nothing more than a land grab by this debt-ridden government. Dr Patricia Montanaro, state president of the AMA, on Radio FIVEaa said yesterday, in regard to Transforming Health and the closure of the Repat:

...because this plan has no detail it's still bad...we are getting some of the statistics out but not any of the business case, so this is a real estate deal around closing off the Repat and closing off Hampstead Hospital and we have no assurance that the services—because the services are not just the service, they're the sum of the service; they are the training.

This government should be listening to our community, our veterans, the AMA, our clinicians, the thousands of South Australians who have pledged their support to the Repat. This Labor government should be condemned for its decision to close our iconic community hospital.

HIV

The Hon. S.W. KEY (Ashford) (15:37): I had the opportunity and pleasure of being able to assist in the launch of a report entitled 'Identity and secrecy'. As members would probably know, the United Nations theme for this year is 'Let's not wait another 20 years for gender equality' and focuses on issues facing women which were raised at the Fourth World Conference on Women in Beijing in 1995. Twelve elements of action were raised at that Beijing platform forum.

Many of these elements directly relate to issues for women living with HIV in Australia and South Australia, including African born and Asian born woman. The full title of the report launched is 'Identity and secrecy: the experience of African and Asian women living with HIV in South Australia'. I was surprised to find that this is the first study of its kind in Australia, focusing on the experiences and needs of women with HIV, mainly from countries with a high prevalence of HIV and AIDS.

It was jointly undertaken by the HIV Women's Program and Positive Life SA. I am proud to say they are in the electorate of Ashford and located very close to the Glandore Community Centre.

Originally, the workers on this particular report were going to hold forums and consult with women on their experience in life. As they found out, this was not something that the HIV women were prepared to do, and the strategy changed to having individual interviews with the researchers to talk about their experiences and views.

Most of the HIV positive women who identified themselves in South Australia for this report did not want to be stigmatised or isolated, particularly in their own communities, because they had come out, so to speak, and identified themselves as being HIV positive.

I am told the report represents a variety of African-born and Asian-born women living in South Australia aged between 20 and 50 years. Most of them had lived in Australia for one to five years and had been recently diagnosed within the last two years. Interestingly, most were women married to Australian men. Only one of the participants had entered Australia on a humanitarian visa.

Also speaking at the launch were Jodi Matthews, Brand General Manager of MAC AIDS Fund—and I will talk about her in a moment—and Katherine Leane, an ex-peer support officer for the previously funded women's HIV program.

I think members will be interested to know that women make up an estimated 9 per cent of the approximately 21,000 people living in Australia diagnosed with HIV. The number of women living with HIV in Australia has risen substantially in recent times. For most of the women, the HIV infection has resulted from heterosexual sex, and it is estimated that there is about 170 women with HIV in South Australia. Between 2012 and 2014, 45 new cases were identified. Of those 45, 10 were born in Australia, 20 were born in Africa and 10 were born in Asia.

I mentioned earlier that MAC appeared at the launch. I thought MAC was possibly Migrant Advisory Committee or the Motor Accident Commission—I was not entirely sure what MAC meant. I found out that MAC was, in fact, the cosmetics company that has raised billions of dollars around the world to support different HIV and AIDS programs and has done that for a number of years. Most recently in South Australia it has supported Positive Life SA to make sure that their programs are supported with finances and resources. I would like to make a special mention of MAC and the fact that they sell cosmetics and some of their lines directly fund these programs. I am not sure how many of us here wear lipstick and lip gloss but, for those of you who do, please check out that product.

Bills

SUPPLY BILL 2015

Introduction and First Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:42): Obtained leave and introduced a bill for an act for the appropriation of money from the Consolidated Account for the financial year ending on 30 June 2016. Read a first time.

Second Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:43): I move:

That this bill be now read a second time.

I seek leave to have the second reading explanation inserted in *Hansard* without my reading it.

Leave granted.

I move that this Bill be read a second time.

A Supply Bill will be necessary for the first three months of the 2015-16 financial year until the Budget has passed through the parliamentary stages and the Appropriation Bill 2015 receives assent.

In the absence of special arrangements in the form of the Supply Acts, there would be no parliamentary authority for expenditure between the commencement of the new financial year and the date on which assent is given to the main Appropriation Bill.

The amount being sought under this Bill is \$3,291 million.

Clause 1 is formal.

Clause 2 provides relevant definitions.

Clause 3 provides for the appropriation of up to \$3,291 million.

Debate adjourned on motion of Mr Speirs.

WORK HEALTH AND SAFETY (PROSECUTIONS UNDER REPEALED ACT) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 February 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:44): I rise to speak on the Work Health and Safety (Prosecutions Under Repeal Act) Amendment Bill 2015 and indicate to the house that I will be the lead speaker. The Hon. Rob Lucas of another place is the opposition spokesperson on industrial matters. This is an area of particular interest that the Leader of the Opposition has taken up. Unfortunately he is unable to contribute directly to this debate, but I know that it is a matter of great concern for him.

I say at the outset that the opposition will be opposing this bill and that is after quite a lot of consideration, extensive consultation and some heart-wrenching concern in light of the circumstances in which this bill is brought before us, which in short is to try to give some justice to the families of two workers, one of whom was fatally injured in a workplace and another who had very serious head injuries. This bill was born in an environment in which there are two grieving families in respect of the human element of the bills that we deal with and this is quite pertinent.

In short, the government effectively failed to properly administer the prosecution of the employers (I think via companies) in respect of their alleged either misconduct or neglect or in some way contributing obviously to a culpable responsibility for the health and welfare of these two workers. It is that blatant administrative failing on behalf of the government which has resulted in two employers, on the face of it, getting away with not being prosecuted for any failings on their part and who could be claimed to be in breach of their obligations.

The fact that we are debating this bill in that environment is one which has very much weighed on the heart of many of our members because at first blush, even if a government or its representatives—in this case officers within SafeWork SA—have failed to act in a competent manner to ensure the proper administration of legislation, should others get away with it?

There is no comment that we wish to make in a contribution in this debate as to whether the employers of the two workers in question are, or would likely to have been found, guilty in respect of any prosecution. We are not here to either arbitrate that or be in a position to have sufficient information before us as to whether that would be a likely consequence of the prosecutions. That is not something that we can do, but what we are being asked to do is to amend legislation, in particular the Work Health and Safety Act 2012, to facilitate prosecutions occurring under the old occupational health, safety and welfare act of 1986.

Our understanding is that this bill inserts a new transitional provision into the Work Health and Safety Act which allows the minister (in this case, the Minister for Industrial Relations, the Attorney-General, Mr Rau) to extend the time to commence proceedings for an offence. That of course will now take place under the now replaced Occupational Health, Safety and Welfare Act 1986. It will give the minister the capacity to do what currently cannot occur because the two-year time limit is up.

Again, if I could relate back to the two cases, my understanding is that on 9 October 2012 an employee received fatal injuries; therefore, the time under the old legislation for the two-year statutory time limit expired on 9 October 2014. The second incident occurred on 22 October 2012, when an employee received significant facial injuries; therefore, that right to prosecute, being at the end of the two-year statutory time limit, expired on 22 October 2014.

The technicality, as the government suggests, or the technical error, as I understand it, relates to the authority of the person who laid the prosecution process in filing the complaints against the employers, which has resulted in those prosecutions failing. The time limit expired, and of course they were then left with no remedy to prosecute under that process.

The minister, through the second reading to the house, said, 'We need to cover these two cases. They should be prosecuted. Give me the power to be able to authorise that to happen by this amendment.' He has indicated that there are no other proceedings under that Occupational Health, Safety and Welfare Act which would apply or have the opportunity to be prosecuted under his hand as a result of this amendment. In other words, 'I'm not coming along here to ask for this amendment to cover these two cases, and there are a whole lot of others waiting behind that I could exercise the right to explore or proceed to prosecute, because there had been this general failure on behalf of the SafeWork SA prosecutors. So, you needn't be worried; this bill will only affect these two cases.'

We do not have any direct confirmation of whether or not that is the case. I have no reason to suggest that the Attorney/minister is any way in error in that regard. I totally accept that he understands that it would apply only to these two cases; nevertheless, we do not have any confirmation of that. So, here is the dilemma: the government are saying, 'Because of the circumstances of these two cases, it is not fair that these families be left without some remedy of seeing the employers prosecuted and go through that process; therefore, we want you to do something very unusual as a parliament: we want you to retrospectively allow the minister to have power to prosecute cases when there has been this deficiency.' That, in short, goes against every principle in respect of the prosecution of criminal matters.

At this point, may I say that, whilst there are a number of parties who have presented submissions to us who are also sympathetic to the families' position, but have put a very persuasive argument to ensure that we maintain that principle, the parliament should be aware that the prosecution of the two employers in itself does nothing to provide a direct financial benefit to the families who have lost someone as a result of this apparent neglect or misconduct.

As part of the criminal law process, it does, I suppose, give the families some comfort to know that there is some level of punishment if they are found guilty. They might have to pay quite a substantial fine, and I will come to the fines that apply in this area shortly. It might give some comfort that, if they are prosecuted and found guilty, they not only have to pay significant fines, but it may be that that prosecution, if successful, is a sobering reminder to the employer that they should act with better precautions in the future or that their action or inaction is remedied to ensure the safety of their workers in the future, but it does not actually give any direct funds or compensation to the families themselves. It has the benefit, as most criminal prosecutions do, that if they are successful, the public can think, 'Well, they had to pay a bit of a price for that bad conduct.'

How the families get relief directly, of course, has to come in another way. There has to be some conduct on the basis of which there is a statutory entitlement arising out of the injury in the workplace and that may be through WorkCover or workers compensation legislation (we now call it the Fair Work Act) and/or civil law proceedings—that is, the law of torts—to cover compensation from an employer or other agency. Nowadays, it may not just be the employer; it might be the supervisor or the company directors or a number of people who can be approached for the purposes of securing some compensation for the victim and/or their families. That is the process through which they might move—and may have already moved—to have some recompense.

There is a third way of getting some funds. Sometimes, in special circumstances, i.e., the family themselves are impeded from any recovery of a benefit because of a time limit or there is some other circumstance where they do not have a claim through which to recover moneys, but on all accounts it seems to be unfair that that person has been treated poorly, the government, and in particular, the minister, can authorise an *ex gratia* payment to that party out of the taxpayer reserves.

That happens from time to time. Sometimes it happens because there is nothing else out there in the legal process that gives them some relief. Sometimes it happens because the government does not act competently or properly or in a manner that is at a standard where, if they had, perhaps this person would not have been exposed to damage and loss or injury and, therefore,

they write out the cheque. Sometimes their own departments or employees have not acted responsibly.

I can think of one case, in my previous life when I was a normal person, where a compensation payment was made as an ex gratia payment to a party who had been involved in proceedings with the department of community welfare, now Families SA. It was clear that officers of that department had acted in a manner that was so inappropriate, offensive at some levels, that in any event the subsequent attorney-general authorised the writing out of a cheque for over \$400,000 to that person.

That is a situation, in this case, which I think is still open to the government; that is, the minister identifies that someone under his responsibility, as I understand it, in SafeWork SA has not acted competently. They have not got proper advice as to the transfer of the proceedings or who is to be properly authorised to issue the complaints or who in SafeWork SA is responsible for making sure that proceedings are issued within the two-year period and has failed to do so, or if they were not sure, failed to get advice from the Crown Solicitor's Office.

There are situations here where the government is coming to us to say, 'Look these two cases deserve us to retrospectively change the law so that they can have the chance of their loved ones' former employers being charged.' The alternate is very clear; that is, the government could say, 'We didn't keep an eye on this properly.' I do not know whether it was someone in SafeWork South Australia or the Crown Solicitor's Office—I am not here to pinpoint as to who is to blame—all I know is that somebody did not properly ensure, consistent with the changes under this law, that these prosecutions were not issued lawfully before the two-year period.

The answer is, of course, that the government could say to these families, 'Look, unfortunately we stuffed up here but we recognise the circumstances that you are in so we would be happy to talk to you about an ex gratia payment to, in some way, indicate to you that we feel very concerned that you be left without even the chance to see some justice in this case.' Again, they may not ever be successfully prosecuted—as I say, we are not here to determine the merits of that. However, that is an option that is open to the Attorney. I do not know whether he has done it or whether he has offered it or whether he thinks it is even appropriate, but what I do know is that, when governments do stuff up and they do not apply the rules then, in these types of situations, they do not have an option to come in here and ask us to retrospectively change the law but an option to go to the families in those circumstances.

It may be that they say that that would not be enough. 'We want these people prosecuted. We want to take our chances in court. We want to give evidence. My husband or father has lost his life or has had severe facial injuries and, in either case, we want our day in court. We want justice to prevail. If they do not get prosecuted in the end and they do not get convicted, so be it, but in the meantime we want that to occur.'

The Attorney has been completely silent on what other options might have been put to this family. So, out in the real world, the usual suspects (if I can put it that way) are the people who have an interest in this: people such as Business SA who represent employers; the Law Society of South Australia who represent the lawyers and, of course, are really the keepers of the proper legal process in matters, particularly when someone is the subject of a prosecution as a criminal offence and, in this case, the alleged guilt of companies who are currently escaping prosecution.

We have the parties who are coming forward and saying, 'Don't go down this line; it's not acceptable.' Then there are the others who say, 'Look, we're not very keen on that process but we'd sort of understand if you supported the government on this because it's such a sad case—a couple of these—and we don't want people to feel aggrieved.' As I say, the government had another way to remedy that. It is their stuff-up and they could have actually taken that approach.

In particular let's just go to those who have presented to us. First, Business SA—unsurprisingly, you might say, they are strongly opposed to the bill. In short, they say that the statutes of limitation exist to protect the defendants who are innocent of any offence (until proven guilty) from the threat of protracted proceedings and to ensure that proceedings are pursued diligently while the evidence and witness accounts are still available and relatively fresh.

That really incorporates the fundamental principle about why we have limitations of action. We have limitations of action for civil proceedings as well. We do not have them for some criminal offences such as murder. You can have committed a murder decades ago and still be called before the courts if you are found to be guilty. There are exceptional circumstances such as the murder of someone, where the lawmakers have made it clear that there is no price for justice as such.

There needs to be the capacity to prosecute these people no matter how long it might take to get sufficient evidence to prosecute. We now see cases in that field, for example, occurring lifetimes later as a result of increased technological advancement, particularly the use of DNA evidence. Back to this case, though. Business SA say:

Retrospective legislation is rarely good policy. It should only be considered in relation to criminal matters in the most extreme circumstances as is well recognised in jurisprudence to be a fundamental human right that should not be abrogated by retrospective legislation in order to achieve a criminal conviction.

They go on to say, quote:

As stated earlier, we empathise with the family but want justice to be done by way of a proper legal process.

Frankly, however, the only one that arguably has denied the family justice is the Government because of what appears to be an inexplicable error of the Regulator and/or the Crown Solicitor.

Accordingly, it's those agencies that should be held to be accountable.

They go on to deal with some secondary matters which, as I say, relate to whether or not the application of this bill is confined just to these two cases. It has not been drafted in that way. It could apply to any other cases that might come out of the woodwork that are found to have been defective in process, and, therefore, with that additional risk they strongly oppose it. The Law Society again are strongly opposed. They say, and I quote:

The Society is concerned that the legislation operates to retrospectively target a defendant in circumstances where there are clear limitations of time as to the bringing of proceedings and including in circumstances where there are questions of technical errors, mistakes or incompetence. For those reasons, the Society does not support the bill.

They go on to say that, in the event that the legislation is passed and has the retrospective effect of undoing past dismissals of proceedings, due to having being withdrawn, discharged or dismissed, due to an error, and if the employers (these two employers in this case) have incurred costs in respect of previous aborted proceedings, then those costs should be fully refunded.

As I understand it, what has occurred in at least one of these cases is that when the complaint was laid, that is, the matter was opened up to be prosecuted, the lawyers for the employer raised this point, that is, that the complaint was defective, and that was found to be the case—in fact, it is what alerted the government to the complete stuff up here—and therefore the complaints failed.

However, the employer has been put to that expense to raise this issue and has to deal with this side issue, if we can describe it as that. It is still costly for them, and if they are in it and they are innocent until proven guilty in relation to this then they should be starting with a commitment from the government that they will indemnify their costs for that, and then we would be starting again.

If, of course, they are subsequently found guilty through a proper process, a lawful process, as a result of this legislation passing and they are found guilty, then it would be up to the authorities to determine what costs they need to pay, of even the Crown Solicitor's office or, of course, any other expenses of the government that are found in a cost order, and, indeed, any fines that they might incur as a result of being convicted.

That is the sort of position that has been taken there. Other employer bodies were very keen to express to us the principle of not supporting this bill. However, they felt the view that the circumstances of the families were such that they would understand, I think was about the general position of that, if we were to make an exception for these two cases. It very much weakens a fundamental principle to take that approach, but we understand their position as well. They are sort of saying, 'Well, look, we see from the public's point of view that, if the government were to say that those miserable other members of the parliament were so insensitive to the circumstances of these families that they objected to this law,' sure, when you look at that you would think that it is a bit sad and a bit mean, but the fact is that we are here dealing with this bill because of a stuff-up on the

government's side and not because of anything the parliament has done, and they are asking us to clean up their mess.

If the government had any whicker of feeling of responsibility for what has occurred, and sympathy for the families left bereft of this opportunity to feel that they have had a day of justice, then surely it would have presented to these families some offer of an ex gratia payment. I find it incomprehensible that it would come to the parliament and say, 'Well, look, we want you to fix up this mess.' It is like they do not even want to go back to these families and admit it; they just want to say, 'Well, we'll just tidy this up in legislation, we'll just throw out a basic principle of jurisprudence that is there for good reason because we've mucked up.' No, it does not work that way. We do not think it should be thrown away in those circumstances.

We have previously been asked to consider retrospective legislation where there has been an unintended consequence to legislation. We have supported the government in some circumstances. In the time I have been here the government has come in and said that there was no intention of capturing a certain group in the community, but that they wanted to retrospectively deal with this to give some relief to parties that are inadvertently caught up, for example, or to protect the government against claims for an unintended capture of entitlement. We have supported the government in some retrospective legislation. We look at it very carefully, and we have understood in some circumstances, notwithstanding all the responsible and efficient endeavour on the part of the government, that there has been an error and we have fixed that up, but here they are asking us to go too far, and we are not prepared to do that.

The other aspect of this bill that I bring to the attention of the house is that we do not have any presentation from the government as to consultation occurring with one group which I would have thought would have been able to give valuable advice to the parliament, namely, the SafeWork SA Advisory Council. We have a situation where SafeWork SA (if I can in short say this—I hope I do not offend them in the sense of not identifying all their roles) has a regulatory role and an educative role in doing what is necessary to support people who are in charge of workplaces, usually employers, to make sure their workplaces are safe and that there is minimal opportunity for people to be injured or fatally wounded in the workplace.

They have a second role, which is the regulatory side, largely to ensure that, where they do not do the right thing or they consistently fail to take advice and remedy inaction (that is, conduct or omission in their behaviour to protect their employees) or provide sufficient protective material or barriers to protect against the likelihood of injury or death, they be prosecuted. They have a multifunctional role in this area but it is a very serious one. They are really, on behalf of the government, the police force and watchdog to ensure, as best we can, that places of employment are safe places that people attend.

For obvious reasons, we have sitting next to that a workers compensation regime which has a levy-based process which applies at the higher level (usually to the more dangerous workplaces) down to those that are a lesser risk. We have, alongside that workers compensation structure under the WorkCover Corporation, the self-employed, which is the government (the biggest employer in South Australia) and the bigger companies if they reach over the threshold in respect of the number of employees or have exemption, and they can self-insure.

We have a compensation structure. That has been played around with in recent years, but it is obviously designed to help with the rehabilitation costs when people are injured and it also has a prosecuting arm to try to make sure that the recalcitrant, lazy or just completely reckless employers do the right thing. I, for one, have always taken the view that SafeWork SA is placed in a situation, as both educator and regulator, of having a bit of a conflict of interest. I have never been a great supporter of those roles being combined, to be honest. However, they are a separate entity but they work in that environment.

Consistent with the occupational health and safety legislation, which is now covered by the Work Health and Safety Act, is that this SafeWork SA Advisory Council is a body established under that legislation. It is chaired by Mr Tom Phillips AM. It obviously has a board of competent people with a breadth of experience, including Mr Greg McCarthy who, as members would remember, is the Chief Executive Officer of WorkCover SA. There is a number of other people representing business,

employees and health and rehabilitation services—as we say, the usual suspects in relation to that. I am sure they are all competent people.

They have a very specific role under the act to advise the minister on work health and safety matters on behalf of workers and businesses in South Australia, on standards, policy and legislative matters and also to promote the improvement and safety outcomes through targeted prevention programs, education and training. I am reading that from the report of their assessment as to what they are supposed to do. I have had a look through the 2013-14 annual report they gave to this parliament and they have put a number of recommendations regarding the work that they have done during the year and, in particular, the advice given to the minister.

The period of the defect in the process in these two cases before us did not become known until after 30 June 2014, which is the subject period of this report, so it is possible that they have been consulted about this legislation and have not yet reported to the parliament on what their recommendations were. But, if they were, it is puzzling to me, at best, as to why the Attorney has not provided their advice to us to consider, because they are the very body that is supposed to be giving advice on these matters. I have been provided with a long list of parties and organisations who have been provided with a copy of the bill, and I am sad to say that, notwithstanding a long list of businesses, unions, the Law Society and other parties such as the Australian Lawyers Alliance, the Police Association—various industry and union groups mostly—the SafeWork SA Advisory Council does not appear at all. That is not only disappointing but concerning, and I do want to know what their view is and whether in fact we should be supporting such legislation.

I think we are entitled to know and I think the Attorney should make clear to the parliament about what their view is. If he has not got it, then he should get it, and that should be presented to the parliament, even if they are keen to advance this legislation through the passage of this house today. Obviously, I can count; we clearly cannot vote down the bill at this point, and I do not want to do that at this point in any event. I accept that, for the moment, the government, whilst we oppose the bill, are keen for this bill not to be held up, but I just make the point that, having had a briefing last month and having sought extra information about who is being consulted, and then to find that the SafeWork SA Advisory Council did not even get a copy of the bill and we do not have anything before us as to their support or objection to it, then I think that should be provided, and it should certainly be provided between the houses.

The other matter is this: I do not have any information about whether the circumstances of these two cases have resulted in direct compensation being paid to either the family of the deceased or the injured worker. One of them was apparently a worker, as I say, nearly three years ago now, in a worksite for grain merchants in country South Australia and the other was on a construction site where the severe facial injuries occurred. I am not sure whether there has been any compensation paid to the widow if there was one or, in any event, to any family or dependents in the first instance, or to the injured worker and/or family members in the second.

I think, again, we should have that information before us, not because we want to indicate any judgement or criticism of the families in receiving that, but I think we should know that. It may be that, in fact, they have not even taken any action to try to recover any funds—I do not know—but I think it is reasonable that, if we are being asked to turn back time here and remedy a failing on behalf of the government, then we ought to at least know whether in fact these families have had some justice, I suppose, and some compensation at least through the civil processes and/or under the Fair Work Act.

Can I also say that SafeWork SA have been around for quite some time. It is not as though they are a completely new body. They have had a job for a long time; they know what their job is. When we consulted on this matter, it was made very clear by some of the parties that they were less than happy with the standard of work, in some cases, applied by SafeWork SA. I will be very specific about that, because I do not want to leave a general criticism out there. In particular, in these types of cases, it was a known practice of SafeWork SA to deliberately hold off the prosecution of cases until the last minute, that is, just before the two years expired under the old legislation.

There is a reason for that, and can I just say that it is not uncommon in civil proceedings, for example, for the parties to sue just before the three-year, one-year or six-year time limit is up for a

civil claim, because the lawyers usually say that they want to be absolutely sure that, before the time limit has expired, they were able to make the best possible assessment with all the doctors as to what the injuries are and what they are likely to produce in long-term disability and impediment before they lodge their claim. So, there's actually a reason for holding out until the end.

Of course, sometimes negotiations go along in between to indicate that there is a claim coming and there may be some opportunity to resolve it without proceedings being issued. When you are prosecuting and there is a time limit to prosecute, you always run the risk, if you are sick in the last month or you forget to do it, of going over the time limit and then you miss out. That can happen now in areas where there is a capacity to lodge a complaint to 'prosecute' for a guilty employer under the occupational health and safety legislation as it was.

It is very important that the inspectors and officers who are responsible in this area know what they are doing. As I say, this responsibility has been around for a long time and I have no reason to doubt that they are not pretty experienced, but they know the risks and they have to get it right. That has been raised with us on a number of occasions, that they run a bit close to the wind and they do it for this reason: they do it because in the absence of the complaint being laid, upon which the employer is then alert to the fact that they are under scrutiny, then by that process and, potentially, conviction, the officers can continue to ask questions, interview other employees and have a bit freer rein to gather more evidence with respect to pursuing a more successful prosecution.

I do not know whether that is right or not. It sounds logical. You would not alert the potential accused too early until you have had a chance to interview other co-workers, take statements and so on. It sounds pretty logical to do that, as to why they do it, but they have a responsibility to make sure they do it properly and not simply have this practice of waiting until the last minute and then hoping that they can acquire more evidence in a more sympathetic environment to that evidence harvesting and gathering.

When one looks at the annual reports that we have from the Premier's annual report, we get a list of all of the more serious prosecutions that are laid each year. The annual report from the Premier's department gives a summary of deaths that occur on worksites during the year. I was sad to read in last year's Premier's annual report that under his department's watch there were 13 workplace deaths. It is a bit of a sobering read. I do not commend it to members to read each year. I do as the shadow attorney and it often makes me feel quite sad to see a number of repeat circumstances, like farm accidents, sadly, people who die when their tractors tip over or they get caught in large harvesting equipment. All too common are accidents in that realm. Fishing boat accidents, some in manufacturing, obviously, and building sites feature in this list every year. I think we all have a responsibility to do the best we can to ensure that harm and/or death is minimised in these circumstances. People are entitled to go to work and feel that they are going to be in a safe place where they will do their work, be paid their fair payment and go home safely, and that is why we have these laws.

I read this with some sadness each year. There are usually about 10 a year. There were 13 last year, which is a bit worrying. This current financial year will not be reported on by the Premier and his chief executive. I cannot remember who the new chief executive is, but somebody else has just been appointed. In any event, the responsibility has now been transferred across to the Attorney-General's portfolio. I think it is in the Attorney-General and Justice portfolio but, in any event, that responsibility has now been transferred over to him, so his department and he as the minister covering that will be reporting on this year's situation.

I say to the government: for us, you have failed the test to garner our support. Certainly, there are some sympathetic heartstrings pulled in a case like this, but to sweep away the rules just to cover your incompetence is something we are not prepared to do on this occasion. We feel that, for the reasons I have outlined, some further information should certainly be presented to this parliament on the matters that I have raised.

Mr KNOLL (Schubert) (16:31): I too rise today to speak on this bill that is before us. It seems that I am going to mirror some of the comments that I made the other day in regard to the Attorney's desire to bring rather heavy-handed legislation to this place that flies against centuries worth of legal tradition. The other day, we were talking about getting rid of juries, which flies in the face of everything we know about juries being used to reduce the rate of wrongful conviction. Today,

the government is looking to try to create a law that is retrospective and goes against some other longstanding legal principles.

I rise today to speak on this bill as a member of the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation. As this work health and safety amendment bill comes under our purview, I felt it only appropriate to speak up on this. I have outlined previously in this place some of the flaws that I have seen between WorkCover more generally and the tribunal process, but what we are dealing with here today, in a sense, is trying to solve a problem by creating another problem.

It is interesting that the government has come forward and said, 'We have these two cases. We made a technical error.' I would love to see what that really means. 'We have made a technical error; therefore, we have to bring a piece of legislation to parliament to fix the error, and hopefully we can make it all sort of go away.'

All South Australians have to abide by the law. All South Australians are subject to the law and are not above the law. Perhaps we can debate parliamentary privilege and where that sits, but that is a different issue. There is only one group of people who can turn around and say, 'I stuffed up; therefore, I am going to change the law to fix the fact that I stuffed up.'

If I look at any other part of society, whether it be police bringing criminal prosecutions or people in civil matters, there is no other group within society that is able to say, 'The law has not suited me in this purpose; therefore, I am going to change the law.' We all have to abide by it, but certainly the Attorney, with his iron fist, feels very much that this is within his purview. He said in this place that he does not feel this legislation is optimal and that he regrets the need to have this legislation, but I find it very difficult to accept a piece of legislation that fixes a government's mistake when lay people who suffer the same issues are not afforded the same opportunity.

I am reminded, Deputy Speaker, of a *Peppa Pig* episode that I was watching with my daughter the other night—and I guarantee you that this is relevant. On *Peppa Pig*, Grandpa Pig goes to the playground with all the children, and all the children are on the slide, and it is quite a long line. There are two smaller children amongst this. One of them is—

The DEPUTY SPEAKER: Are these children or piglets?

Mr KNOLL: *Peppa Pig*, it's a cartoon.

The DEPUTY SPEAKER: But they're piglets, aren't they?

Mr KNOLL: No. There is the pig family, but then there's the rabbit family, there's the dog family, the wolf family.

The DEPUTY SPEAKER: So, there are human children on the slide with the animals.

Mr KNOLL: The animated animals are the ones that slide down the slide. Anyway, they are all going through—Peppa is going through, Suzy Sheep is going through, Rebecca Rabbit goes through, but poor Peppa's young brother George and his other younger friend, whose name escapes me right now, are at the back of the line and, because they are really small, they are a bit impatient and do not feel like waiting for a long time. Minister, one day you will know these episodes off by heart.

Grandpa Pig is magnanimous and goes 'Hang on! I can fix this. We're going to change the rules. We're going to change the rules so that little George and his mate, because they're little, they are able to go on the slide without having to wait in line.' Then he sees that George and his mate are going up and down the slide and all the other kids do not get a turn. They are all waiting there and say, 'Hang on! When is our turn, Grandpa Pig?' Grandpa Pig goes, 'It's okay, you can go play on some other piece of equipment.' So, they go over and Pedro the Pony is on the swing. They say, 'Pedro, you have to get off now, it's our turn,' and Pedro says, 'No, I only just got on.' So, Grandpa Pig comes over to officiate and says, 'No, Pedro Pig has a little bit longer.'

The scene goes on and it ends with the merry-go-round. On the merry-go-round, which Grandpa Pig has to push, there are too many children to go on the merry-go-round, so they have to decide who gets on and who does not get on. In the end, what happens is that Pedro Pony goes,

'Well, I wear glasses therefore I have to be on the merry-go-round.' Then Emily the Elephant goes, 'Well, I can make a noise like this'—and I will not make a noise, but she throws her trunk up, and so she jumps on it. In the end, the kids make up all their own rules to justify their own position.

In the end, Mummy Pig and Daddy Pig come along and say, 'Grandpa Pig, what have you done?', and he says, 'I was just trying to do the right thing.' He says, 'Well, when you create one rule for one and another rule for the others, this is what happens.' This is why we—

The DEPUTY SPEAKER: It sounds like elder abuse to me; they're picking on grandfather pig.

Mr KNOLL: Well, Grandpa Pig is big enough and ugly enough to look after himself. The moral of the whole story is that, when you create a rule, it has to be consistent, it has to be applicable to everybody, otherwise we have chaos.

Mr Gardner: Some pigs are more equal than others.

Mr KNOLL: That's right, some pigs are more equal than others. It is interesting that I just got an email from an upper house member of staff who says that I have just made her day. And how do I know all the names off by heart? Well, I have watched every single episode at least half a dozen times! So, Deputy Speaker, there is the moral of the story. This is the Grandpa Pig defence, as we will call it from here on—to add to Chewbacca and Rumsfeld and Colonel Klink and the others.

I have difficulty with trying to impose a piece of legislation to fix a very specific problem—I really struggle with that—but I also struggle with a minister who believes that this is an appropriate use of parliament's time. We are not here to be anything more than servants of the people. It is incumbent on us to deal with things in the macro, to deal with things in the abstract.

It is interesting because normally when we create a piece of legislation that is subject to a certain discrete set of people, we call it a hybrid bill, but we have got around this by saying, 'It applies to everybody, but there are only two cases. We tried to wriggle around that one.' I struggle to be comfortable with a minister who wants to interfere with proper process or, in this case, try to fix proper process.

The cases we are talking about were known to government. This is not the case of new evidence or new cases coming to light after their statute of limitation has passed. This is just the fact that the government stuffed up, nothing more, nothing less.

When I did my year 12 economics exam and stuffed up my interest rates essay—and stuffing up that essay cost me my merit in economics, to the dismay of my economics teacher—if only I had had the option to go back and say, 'No, I get to fix it. I get to do it again.' Hang on, that is not the way these things work. There is a process we have to follow and we all have to abide by. You could ask, 'Why do we have to have this pesky little thing called statute of limitations? Why do we need to have it at all? If it's good enough for the goose, it's good enough for the gander. Let's just get rid of the whole thing.' It is put quite succinctly in Business SA's contribution, where they say:

Statutes of limitation exist to protect defendants (who are innocent of any offence until proven guilty)—

a wonderful thing we have in our society that I do believe this government has trashed on any number of occasions—

from the threat of protracted proceedings and to ensure that proceedings are pursued diligently while evidence and witness accounts are still available and relatively fresh.

That seems extremely worthwhile. That seems like an extremely cogent statement and something I am very much inclined to support. I understand that there is still a little way to go with this bill, but I do note the relatively strong opposition from many interest groups to it, from Business SA to the NECA, MBA, AHA, AIG, HIA—any number of groups. The MTA thought there were some reasonably significant concerns.

You will notice that nobody is discussing the merits or otherwise of the case. That is not for us to decide. In fact, it is not really for us to know about in any great detail because we have to make decisions in the abstract. This is a principle I believe is worth fighting for. I believe this is a principle worth upholding. I would love the Attorney to come into this place to convince me and convince

others that this is an isolated incident. As a conservative, the 'slippery slope' argument is in my grab bag and something I turn to on many occasions, and this is definitely one of those occasions.

If we say, 'Well, we can fix this little mistake by doing this,' what happens if something else comes up down the track? What about other issues that may come up down the track? We say, 'Yes, we didn't follow process and we didn't really do the right thing, but that's okay because we've got parliament and we can fix things, and we can make it retrospective.' Can I tell you that retrospective legislation is rarely good legislation.

I think the wise words and the wise counsel Daddy Pig and Mummy Pig gave to Grandpa Pig should be heeded in this place because these are fundamental principles we teach to our children: those of equity and fairness and consistency. I do believe that is something that we should uphold in this place.

Mr PEDERICK (Hammond) (16:42): I rise to speak to the Work Health and Safety (Prosecutions Under Repeal Act) Amendment Bill 2015. I do so after the exemplary words spoken by the member for Schubert. I think he gave a very apt description of how you cannot keep making it equal for individuals, whatever the situation is, because then you will have chaos. I must admit I have never watched *Peppa Pig*, but I am inspired.

Mr Knoll: Your children are a bit old.

Mr PEDERICK: My children are a bit older.

The DEPUTY SPEAKER: It sounds like they should be watching it anyway.

Mr PEDERICK: Yes, exactly. The minister informed the house last year that this bill would be introduced to extend the time to commence proceedings for an offence under the now replaced Occupational Health, Safety and Welfare Act 1986. The minister was working on the fact that the bill would allow two prosecutions under the recent act to proceed. In regard to this legislation we are discussing now, the sad thing is that one of these workplace incidents resulted in a fatality and the other resulted in serious head injuries to the worker.

We have already expressed our position on this side of the house that we will not be supporting this legislation, but in saying that I certainly have a great deal of sympathy for the families and the people involved with these two cases. As has been so well put today by the deputy leader and the member for Schubert, we just cannot keep changing laws to suit ourselves because someone has made a mistake; someone has made a technical error, someone in government has made an error and missed out utilising what powers they would have had under the previous act that has been repealed. As I said, certainly my sympathies go to the families in both these cases, but as has been expressed by other members on this side of the house, we just cannot go changing legislation to suit ourselves or to make up for an error, no matter how it was made.

The minister did indicate that there was a technical error in the filing of the complaints, which means that prosecutions will now be unable to proceed because the statutory time limit for prosecutions has expired. Technical errors get down to the fine nub of the law. We have seen it in various cases, and I include a case against a large landholder in the South-East from the RSPCA. Someone got something wrong in the filing of the reports and so the whole case was pulled.

You just cannot go back and change the legislation. There was no call to change legislation then because someone—I think it was more than a technical error, but it is history now—made a very grave error in some of the evidence that was put up for that supposed judgement on the pastoralists involved, and it caused a lot of grief and a lot of pain for that person, Mr Tom Brinkworth, and his family.

Laws are not something to be trivialised, and it is why we are in this place, to make laws, amend laws and occasionally repeal laws. Some would say we should repeal a lot more, to take a lot of the red tape out of life. We have been told by SafeWork SA that there are no other proceedings under the Work Health and Safety Act impacted by the technical error. Certainly, a range of stakeholders have indicated that they do not like the idea of this legislation. There has been a diversity of views, but most of them have been against passing this bill, because essentially most, in fact nearly all, stakeholders have expressed concern at the retrospective nature of the bill.

I think that is the biggest issue here. We just cannot keep playing with legislation as if it is the parliament's plaything, because someone has made a mistake. It is up to the government, it is up to the bureaucrats, to make sure that items are done in due course. I can assure you that if anyone has a problem in their workplace, SafeWork SA is on the case. That is as it should be; you should be able to expect to go to work, whether you are working for someone or whether you are self employed like many of my friends are as farmers, and you should be able to expect to go home so that you can see your family at the end of the day and start again the next day.

I certainly know from talking to some of my friends who have had workplace accidents. One friend several years ago was very lucky to survive a hay bale coming over the front of a front-end loader. If it had not been for a roll bar and some other things on the tractor, it probably would have killed him; it damn near did. It was certainly their right to be there and it was the right thing to do, and SafeWork SA was down there like a shot to investigate. I commend them for that because, unless we have safe workplaces, perhaps there will be times when sadly people do not get home to see their families and kiss their kids goodnight and that kind of thing.

It makes me wonder when you have an efficient group like SafeWork SA and we see some fundamental errors being made in regard to the previous legislation. As I indicated before, I have my sympathies with the two families involved in these two cases and many people who have put their case to us about this bill. They acknowledge the potentially emotional prospect of grieving families criticising the fact that allegedly—and I repeat, allegedly—'guilty' companies and individuals could escape prosecution because of what the minister describes as a technicality.

The simple thing is in all these things, especially in workplace accidents, is that you have to get it right. Business SA is strongly opposed to the bill, and their argument is supported by a number of the stakeholders. I quote from the Business SA commentary:

Statutes of limitation exist to protect defendants (who are innocent of any offence until proven guilty) from the threat of protracted proceedings and to ensure that proceedings are pursued diligently while evidence and witness accounts are still available and relatively fresh.

The principle of protecting a defendant's rights until they are proven guilty is a fundamental pillar of our legal system. The Government's proposed amending Bill is therefore implying that the Parliament is being asked to reduce the defendant's rights in order to fix a blatant administrative error by the prosecution.

It also implies that the defendants' rights are considered to be inferior to the need and the power of the Regulator to prosecute.

Retrospective legislation is rarely good policy. It should only be considered in relation to criminal matters in the most extreme circumstances as it is well recognised in jurisprudence to be a fundamental human right which should not be abrogated by retrospective legislation in order to achieve a criminal conviction.

As stated early, we empathise with the family that want justice to be done by way of a proper legal process. Frankly, however, the only one that arguably has denied the family justice is the Government because of what appears to be the inexplicable error of the Regulator and/or the Crown Solicitor. Accordingly, it is those agencies that should be held to be accountable.

In addition, there are secondary issues. In our view the proposed Bill does not limit potential prosecutions to just the two cases that have been cited. Also if the amendment Bill was passed it would set an unacceptable precedent where the Government, or indeed a future Government, could argue that as this Bill has been passed to fix a blatant administrative error then any other legislation should also be amended on similar grounds. That's a slippery slope the Opposition must not support.

For all of the reasons detailed above we strongly oppose the Government's amendment Bill.

In the light of legal judgements that are made all the time, there is always talk about precedents. A precedent is the thing we really need to look at here. I am not a lawyer but I have seen enough legal cases and I am sure that at least some of the TV programs are close to the truth. A precedent is something that judges look at in a very defined manner because once a precedent has been set, it makes it far simpler for a judge looking at a similar case, whatever the case may be, to say, 'We have the precedent of such-and-such a case. This is a very similar proceeding,' and they judge accordingly imposing any penalties or fines as they see fit.

I think it would be extremely dangerous to set a precedent in this house, otherwise we would be in here all the time. If someone had thought they were severely wronged, we would have to change the law just to suit them, and I just do not think that would be right. In regard to groups and

some of the stakeholder views in regard to the bill—and we have already indicated Business SA, NECA, MBA, AHA, AIG, HIA, lawyers for defendants who are opposed to the bill—the MTA has significant concerns with the bill, and SAWIA, SISA and AMIC have significant concerns with the bill. It is noted that at the time of this briefing no responses have been received from VOID and SA Unions, but it is thought that they would probably generally support the bill.

When I compare the summary of events by Business SA and how it thinks this bill, if turned into an act within law, might bring other proceedings apart from the two proceedings that have been cited in the discussion, I note that the Attorney states he believes he has received advice from SafeWork SA that there are no other proceedings under the OHS & W act that have been impacted by the technical error. Well, there are two sides of the argument already from two groups involved in this; the Attorney and his department and Business SA are already in a conflicted position over whether this will impact on other cases. I am not talking about whether there was grievous harm done or damage done, or whether someone should have been held to account; for the simple reason that they were not held to account when the law was in place is why I believe this bill should not be passed.

We pay lots of money to very good people in departments—lawyers, bureaucrats, etc.—to make sure that these things are right, and it is up to the government to make sure that these things are right as well. It will be interesting to watch the passage of this bill once it goes through this place and see how the debate goes in the other place. I certainly agree with members on the Liberal side of the house not to support the bill on principle. Again, I do extend my sympathies to the families involved, but we must remember that we have laws in place to work for the whole community. We must make sure that the people who look over these laws, and, hopefully, make them work in their proper manner, do so in a diligent way and that, basically, we do not have a major stuff up like we have here.

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

Mr TARZIA (Hartley) (16:58): I also have significant issues and concerns with this bill and, whilst I can count and know that the bill is likely to move past this chamber, I have no doubt whatsoever that the bill will be subject to intense scrutiny in the other place.

The Hon. S.C. Mullighan interjecting:

Mr TARZIA: I know that, but we need to give them more work. I agree, member for Lee; we need to give them more work because they have knocked off early today.

An honourable member: Have they finished already?

Mr TARZIA: Apparently so. It is interesting to note that Australia is party to seven core international human rights treaties and, Deputy Speaker, you know I have a fond interest in human rights treaties. The prohibition on retrospective criminal laws is contained in article 15 of the International Covenant on Civil and Political Rights (ICCPR), and it is interesting to note that article 15 actually stipulates that:

No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed.

I understand this is not potentially national or international law, but it is interesting to note that this is the case in that realm. It goes on:

Nor shall a heavier penalty be imposed than the one that was applicable at the time the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of a lighter penalty, the offender shall benefit thereby.

It is an interesting argument. Not only that, but we are also subject to Article 7 of the United Nations' declaration of human rights which states that:

All are equal before the law and are entitled without any discrimination to equal protection of the law.

This is a fundamental pillar of our legal system. These things are in place to protect defendants, as some of my other colleagues have alluded to. Obviously the bill will pass this house, but I really do ask members of the chamber to consider these arguments as I go through what arguments have been put forward by industry on this proposal.

We know that on 3 December the minister informed this place that he would introduce the bill which does insert a new transitional provision into the WHS Act to allow the minister to extend the time to start proceedings for an offence under the now replaced Occupational Health, Safety and Welfare Act 1986. I, too, empathise with the two families that have been involved in two prosecutions under the recent act. I do empathise with the families that have been affected by those prosecutions. I understand that one workplace incident resulted in a fatality and the other resulted in serious head injuries to the worker. I do empathise with the victims of those incidents wholeheartedly.

The minister then tells us that there has been a technical error in the filing of the complaints which signifies potentially that prosecutions will now be unable to proceed because the statutory time limit for the prosecution has expired. He goes on to say that SafeWork SA has advised that there are no other proceedings under the OHSW Act impacted by the technical error.

There are a number of views, quite a diverse range of views, about whether this legislation should be supported. It is important to note here that we do, with respect to the victims, have to put aside the emotional prospect of grieving families who are criticising the fact that alleged guilty companies or individuals may escape prosecution and focus on what we have been put here to do.

There is widespread criticism of the incompetence and potential negligence of the government and SafeWork SA. There is no doubt about that and I think there should be accountability for that. There is no doubt about that.

I would like to draw on some of the arguments of industry groups with regard to this bill— firstly, the MTA. The MTA note that they do obviously have many issues with this bill, and we understand that they suggest that:

...the main reason for the existence of time limits is to ensure fairness for the defendant at trial in terms of witness availability, recollection and the like. The greater the passage of time the more likely the defendant is to be disadvantaged.

That is certainly the case and something that we need to be very wary of. While they do 'not support or oppose the bill' they certainly seek that we should have 'regard to whether or not the defendant has suffered prejudice...'. This is the question: has the defendant suffered prejudice as a result of the passage of time... that is 'not based on the likelihood of success of prosecution as is reflected in the present amendment'? It is a very valid concern that the MTA raise.

We move on to the Australian Meat Industry Council who have also raised a number of issues. They are concerned about the potential precedent that is created if you amend legislation to cover up what is an administrative error, as I have spoken about. That should not, they say, 'be a reason or an excuse for the need to change a law.' As they say, 'It is a dangerous move' and it does make a mockery of our system, and I would have to completely agree with the Australian Meat Industry Council on that.

They also draw on the principle of a statute of limitation concept and that that should be maintained without extremely exceptional circumstances. They also say, and I would agree with this, that there should be a thorough investigation of the department. We need to make these people accountable. We need to make them accountable for their error and, if they have been negligent, they need to be dealt with as per the law. It is not enough to simply try to amend the law every time one of these issues arises. It should be that the law is equal for all and there should not be some rules for certain people and other rules for others. It is just not good enough.

The Hon. T.R. Kenyon interjecting:

Mr TARZIA: Sorry? Where was your law degree from? The South Australian wine industry—

The Hon. T.R. Kenyon: Sorry, Mr QC.

Mr TARZIA: The South Australian wine industry—

The Hon. T.R. Kenyon: I wasn't even talking to you. If I'm going to interject on you, you'll know about it.

Mr TARZIA: I'm talking. Have some respect, I'm talking.

The Hon. T.R. Kenyon: I will keep going. Stop responding to interjections.

The DEPUTY SPEAKER: Order! The member for Newland was warned for the first time during question time, so I am going to warn him again. He is on two warnings now.

Mr TARZIA: The South Australian wine industry, as a general principle, does not support the introduction of legislation to address the shortcomings of the bureaucracy or to address administrative error. Whilst they may not oppose the bill, they would like to see some guarantees from the government. I will pass these thoughts on. They will be seeking guarantees from the government: first, that the minister agrees to a thorough investigation of the regulator to determine how this situation occurred and to ensure that it does not occur in the future. That is a very sensible statement by the South Australian wine industry. Secondly, should the bill pass, that there is an assurance from the minister that the amended legislation only apply to the two related matters. That is food for thought. I do not necessarily agree with the second part of the statement, but there you have it from the South Australian wine industry.

Business SA again talks about retrospectivity and how there are dangers when you try to make a law that only applies to certain individuals. They say it is rarely good policy and 'should only be considered in relation to criminal matters in the most extreme circumstances'. I would certainly agree with that. Business SA goes on to say:

...the only one that arguably has denied the family justice is the government because of what appears to be the inexplicable error of the Regulator and/or the Crown Solicitor. Accordingly, it is those agencies that should be held to be accountable.

What happened to accountability, Deputy Speaker? I would agree with Business SA. If someone has made a mistake—and mistakes do happen—they need to be accountable. It is extremely essential that we maintain this standard and this pillar of our legal system that a defendant's rights are protected until they are proven guilty. It is a fundamental pillar of our legal system, and that pillar needs to be maintained.

Business SA also raises a valid argument about an unacceptable precedent that would be created in the future if we go on making certain laws that only apply to certain people and not everybody as a whole. Then we have the Self Insurers of South Australia, who also raise many valid points in relation to this. They say:

The notion of amending any legislation to cover up an egregious and avoidable administrative error is in itself abhorrent. It smacks of a one-sided attitude to the principle that ignorance of the law is no excuse. They would readily apply it to a SISA member if its error had sabotaged its defence in a prosecution. But if the Regulator makes an error, we change the law to cover it up. It is grossly unfair and arguably a misuse of power. It is also a slippery slope—will the government feel empowered to do similar things in response to other bureaucratic errors under this or other acts?

That is from the Self Insurers of South Australia. That is quite a valid concern and they also talk about the statute of limitation and how that exists to protect defendants, as I have spoken about earlier, from the drawn-out threat of proceedings but also to ensure that proceedings are pursued with diligence. If you do not have these sorts of stops and measures in place you open yourself up to all kinds of things. You open yourself up to more vexatious claims, which have much more of a burden on the system. The system is crowded without all these other claims that we have, so that is very valid commentary from the SISA.

I understand we are waiting on certain groups to get back to us, and some submissions that we have asked for have not been received. I would assume since they have not responded that they must agree with us. It is my view that on balance the Liberal Party should oppose the bill in this chamber and at the very least support certain amendments that tighten the bill up. However, as I alluded to earlier on, I can count, and I accept that it is highly unlikely that the bill will be stopped here and that it will progress to the other place. I look forward to that day when it goes to the other place where it will be the subject of high accountability and rigid debate in that other place.

The Hon. T.R. Kenyon: I don't know why. Those hopes will be dashed one day.

Mr TARZIA: No, they won't be. I have hope.

The DEPUTY SPEAKER: Order! It is very late in the day.

Mr TARZIA: I have hope and I have faith.

The DEPUTY SPEAKER: I am looking at everybody and asking them to cooperate.

Mr TARZIA: I have hope and faith, member for Newland. There are two other minor things in relation to part 2, new clause 25A(1), which uses the phrase 'interests of justice to do so'. I think 'interests of justice to do so' is far too broad. I would have looked more favourably on it if it were more confined. I have also pointed out in subclause (2)(a) the phrase:

...an extension under that subclause may be authorised even though the time limit for commencing proceedings under the repealed Act has passed...

I have mentioned the fact that that extension needs to be more confined. It could be dangerous to give the minister of the day that discretion. We need to weigh up the interests of both parties in the proceedings—the prosecution and the defendant. I think this sort of thing is far too skewed against the defendant. I empathise with the victims of this case; however, I cannot emphasise it more. What we are trying to protect is a fundamental pillar of a legal system and it should only be in extremely rare circumstances and exceptions that we depart from that legal precedent.

If we are going to start doing it here, what other acts are we going to start doing it to, what other types of prosecutions are we going to open it to and what kind of accountability is there? Are we going to say to government departments, 'It's okay if you stuff things up'? That would be slack, it would not be in the best interest of representative government and it would not be in the interest of responsible government, because we are here to be just that and to provide that to the people who elect us. I personally will not support the bill. However, I say that it will be subject to rigid debate in the other place, and I will conclude my remarks there.

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) (17:13): If I can pick up on some of the themes from the member for Hartley, I note there has been quite a rich debate here. I think the member for Hartley underestimates some of the quality work that can be done in this chamber and I think he is too self-deprecating. For example, I note the dissertation on that great television program *Peppa Pig* that we were treated to where a rich theme of analogy and reference was had regard to. Listening to the member for Hartley, I am immediately reminded, as I am sure others were, of a gentleman by the name of Friedrich Gustav Emil Martin Niemöller.

The Hon. T.R. Kenyon: He immediately came to my mind as well.

The Hon. J.R. RAU: He immediately came to mind. I will not try to repeat what he said in the original because that would involve me speaking a foreign language, but he did say:

First they came for the Socialists, and I did not speak out—

Because I was not a Socialist...

...—and there was no one left to speak for me

I think that is a reasonable summary of the member for Hartley's proposition.

Mr Tarzia: I'm Johnnie Cochran to your Chewbacca.

The DEPUTY SPEAKER: The member for Hartley has already had two warnings today.

The Hon. J.R. RAU: For the benefit of the member for Schubert, who was resting a little moment ago, I just have to repeat that the member for Hartley was hiding this chamber's light under a bushel somewhat in his remarks when he compared us with the other place. I was pointing out that in a chamber such as this, where we can have a very arcane conversation about these very fine points of law, using the analogy of *Peppa Pig* demonstrates the incredible versatility—

Mr Knoll interjecting:

The DEPUTY SPEAKER: The member of Schubert is not in his place and he already has one warning.

The Hon. J.R. RAU: It is quite a virtuoso performance. The other thing I would not mind mentioning—and I am happy to put this on the record now; I have done it before, I think, but I will do it again—is that I am not happy that I have been put in this position. I am not happy that two men, one of whom was killed and another of whom was damn near killed, were badly injured in circumstances where it looks on the face of it that their employer was operating in a very unsafe way.

I am very annoyed that employers, who are not looking after their workers as they should, should not have to have a day in court where they are actually tested out and, if they are found to have failed the industrial standards that are appropriate, they are given a penalty.

I am very concerned about that. That is why I brought this forward. I just do not think it is okay that these two men—one of whom was killed and one who was not—should not be in a position where the legitimate grievance their loved ones and family might have about might happen to them is not explored on behalf of their injured or killed relatives. I emphasise: that is all I am interested in doing. I am not interested in opening up a gateway here that a whole bunch of other people can jump through.

This is specifically to deal with an error about which I was very frank with the parliament. I actually came into this place as soon as I heard about it and made a ministerial statement explaining that this thing had happened and that I was going to have to try to do something about it. So, I am not running away from it. I am not happy about it. I think it is one of those terrible things that should not have happened, but it did. I am not trying to make excuses for myself or anyone else. I am trying to give these two families their day in court; that is all. I acknowledge that this is not an ideal way to be doing things but, unfortunately, it is the only option I have left.

I finish by saying that the member for Hartley again talked about the 'rich debate', I think, that occurs in the other place. I will just leave that hanging there for a moment. I would invite the member for Hartley to spend a bit of time in the other place, and I will inquire later as to whether that particular descriptor continues to fall so easily from his lips.

Mr GARDNER: Point of order: how can it be in the orders for the minister to be reflecting so poorly on his cabinet colleagues?

The DEPUTY SPEAKER: He should not be, and he is just about to finish, I know.

The Hon. J.R. RAU: Yes, I am; you are quite right. I also will just point out, for the member for Hartley's benefit, I think the euphemism that is used in that place for what they do is 'improvement'—richer or otherwise is open to debate. Anyway, I thank everybody for their contributions, and I wish a speedy progress of this—

The DEPUTY SPEAKER: Through the further stages of the bill.

The Hon. J.R. RAU: Yes.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Ms CHAPMAN: During the course of the debate in this matter, Attorney, I raised the question: have there been any ex gratia payments either offered to, or accepted by, the widow or other family member of the first victim and the injured worker in the second case? If so, what are the details of those?

The Hon. J.R. RAU: I do not know of any such payments. I would assume that, in the ordinary course of events, under the legislation that was operative at the time and, for a short time into the future, will be operative (the Workers Rehabilitation and Compensation Act), in the one case, the dependents would be entitled to whatever death benefits are attached to that person and in the case of the other one, obviously, there would be entitlements pursuant to that legislation.

I am certainly not aware of there being any ex gratia payments or any other thing, because there has been no determination of any criminal matters, so there is no criminal injuries compensation issue that directly arises as yet. As I said, I have no knowledge of there having been an ex gratia payment in respect of these matters.

Ms CHAPMAN: Notwithstanding that, Attorney, in respect of criminal injuries compensation, there is an entitlement under the Victims of Crime Fund for access to information on complaints laid under this act?

The Hon. J.R. RAU: I do not know. I am assuming, and I could be wrong, that if a person is convicted of a criminal offence—which a breach of this is, I believe—then they would be entitled, but I do not know. If there is a fine at the end, there would be a victim of crime. Because we have never got to that point, I do not know.

Ms CHAPMAN: Can the Attorney make some inquiries during the passage of this bill to the other place on a number of things. One is whether either of the parties or their relatives have received any entitlement by way of common law claim, compensation under the Fair Work Act or workers compensation act (whichever one applied to them two or three years ago when this occurred) or whether they had been offered, or asked if they could have, any ex gratia payment.

The ex gratia payment was a matter I raised during the course of debate because it seemed that, in your words, the only option you had left was to come to the parliament to try to give these people their day in court, if I can paraphrase. It is similar to what I presented in my contribution, as to in fact what other options you do have and, if they cannot see the justice of a potential prosecution and conviction under that process, whether in fact they had sought any other compensation or ex gratia payment.

It may be that they have not even done any of that. It may be that the government says, 'Well, look, if we fail at this, we'd consider it.' I think we need to know, in those circumstances, whether that is a consideration that you would entertain in the event that they were not able either to have access to compensation or to see their day in court, bearing in mind that, for the reasons I point out, as much as you are sort of falling on your own sword, Attorney, in relation to taking responsibility for this, at the end of the day, it has been a stuff-up and these people are not seeing their day in court at the moment as a result of that.

We are not on balance prepared to support this option. However, we think it is open to the government to consider whether there is some other way of recognising the failure on the part of one or more government employees. I would like some answers to those questions between houses.

The Hon. J.R. RAU: I am happy to try and get those answers. I suspect that we are talking about WorkCover or nothing and, of course, common law would not have any application unless they were in labour hire relationships and so on. I do not know, but I will try and answer that question.

I will make the point, though—and I think this is worth putting on the record—some form of civil compensation to the relatives of the dead man or the severely injured man himself is one thing, but the state's responsibility, in the interests of all of us, to be prosecuting people who have dangerous workplaces supersedes and sits in a different place to the understandable sense of grievance an individual might have which may well sound in damages.

There are two quite separate things going on here. In the general sense, I do understand what the member for Bragg is saying about this in that a person who suffers an injury or a loss of some sort might, to some degree, potentially be compensated by a payment—albeit in this case not a payment made by the tortfeasor but a payment made by a completely innocent third party, namely, the state. However, I return to the point that the state, our community, does have a bigger public interest in seeing that people are prosecuted who are flouting—if indeed these people were—very important laws regarding the safety of workplaces. Prosecution, of course, is a function of the state; it is not an inter partes personal matter.

Ms CHAPMAN: And that is really why we are asking it because we do not doubt for one moment that the issue in relation to the prosecution process is of itself an instrument of discipline to try to modify mainly employers' behaviour—sometimes there are other parties but largely their behaviour—to make sure that they do provide safe workplaces. We accept that.

However, if the public miss out on the opportunity to do that as a result of there being a process where there has been some neglect or incompetence by certain parties in the state—if we can just leave it as general as that—then that may be something that the public misses out on in this case. It may be that there will be other means for the two parties that were responsible for providing safe workplaces, in the merchandiser in the country in one case and the building site in the other of these two cases, then in any event, if that information is forthcoming that would be good.

The other matter I raised was the question of why the SafeWork SA council had not been consulted on this matter and if they would be and, secondly, if they have not been, will you do so to ensure that in the other place we have some understanding? I just want to point out here that although there is a role of this council to advise you, minister, and to give you advice on policy and legislative matters (as I have put into the *Hansard*), I note that just recently your novel approach was at least publicly reported on dealing with SafeWork SA officers having power to insist on questions being answered in the workplace accident scenario—good luck with that.

However, in any event, if you want to remove the right to silence for the reasons you say is of some benefit in prosecuting other people—that is, the boss—then if it is good enough for the SafeWork SA council to be giving advice on those matters, which apparently they are considering at the moment, then it seems to me that it is good enough that they have some advice on this piece of legislation, and I would just like to know what they say.

The Hon. J.R. RAU: I can provide some information to the honourable member about that. I am advised that this matter was discussed at the advisory council meeting on 3 February this year. I am also advised that a copy of the bill was provided to the advisory council on 11 February, and I am advised that the members of the council expressed concerns over the retrospective nature of the bill, which I entirely understand, and were concerned about the two year limit. So, yes, they have been consulted and, yes, like most people, they find the idea of this sort of intervention to be a little bit out of the ordinary and have expressed concern about it.

Like the member for Bragg, I have a professional comprehension of how unorthodox this is, and I am not defending this as being the sort of thing that one should do every day. I am extremely disappointed that I have to come into this place and ask the parliament to help me resolve a matter which in reality should never have been a problem.

All of those people, whether it is the Law Society, SISA, or whoever it is, have expressed their dissatisfaction with the matter of principle. The interesting thing is I have spoken, for example, to some people from SISA who said, 'Look, we don't actually have an objection to what you're doing inasmuch as you are wanting to be able to have people, who appear to have allowed unacceptable, dangerous things to occur at their workplace, be prosecuted. We do not have a problem with that, but we do have a problem with the principle being breached of the statute of limitations being an end to it.' I understand where they are coming from.

The only thing that I can assure the members of the house and those people who have written in, some of whom I have personally spoken to, is that this is intended to be in respect of two people, and that's it. And I have sought advice about this on a number of occasions, because I have said to those who advise me, 'Look, this cannot be something which can be used as some sort of opportunity for a bunch of other people to jump through. I need your assurance that this will capture the two people I'm concerned about and that's it.' I have sought that advice and I have been told that is what it does.

Ms CHAPMAN: There are a number of issues we have raised about the general operation of SafeWork SA. Did anyone in the families, or the injured worker in one case, ask for you to do this?

The Hon. J.R. RAU: No, they did not specifically ask me. What happened was I found out about this at a point in time—I cannot remember what it was—and it was virtually that day or the next day—

Ms Chapman interjecting:

The Hon. J.R. RAU: I only found out about it at a certain point in time. I cannot account for what happened before that. But as soon as I found out about it, the very next day that I was in here I came in and made a ministerial statement about it, because I was so horrified about what had happened. I then made attempts to contact the families concerned. In the case of the deceased person, I was able, I think, to speak to one of his daughters, or two of them. I apologised to them on behalf of the government for the failure of this thing to happen and I indicated to them that I would do my best to see if I could overcome this problem.

I had a lengthy conversation with the gentleman who was badly injured, who, I must say, struck me as an absolutely remarkable fellow, given the nature of the injuries he has suffered. He

has made something of this terrible misfortune. He goes around the place using his own personal example as an advocate for work safety, which I think is really admirable. To have suffered what he has and then to say, 'I'm going to make something positive out of this terrible accident,' I think really brings great credit on him. Neither of those groups of people asked me to do this. I offered to do my best for them because I was so unhappy and so disappointed on behalf of the state that we had, in effect, let them down.

Ms CHAPMAN: I appreciate the Attorney acting in that way, and I think it is entirely appropriate that, when people are really the victims of someone else's inaction or inadequate provision, there is someone in your position to contact these people and express your sympathies for the fact that they have been robbed of a chance to have their day in court: I understand all that. What concerns me then is, apart from thinking, 'What can I do to help these people?' (and I think there are a number of other options, but nevertheless you have chosen to try this option), had any of the people in SafeWork SA expressed a view to you that you should try to have this legislative remedy, or again is this just your way of thinking that it really is the only way you can help them?

The Hon. J.R. RAU: I can tell you how it happened: I was having a meeting, I was told that there was something that they needed to speak to me about, which they were not very pleased to tell me about. They told me about it, and they were right, I was not pleased. I said that I needed advice right then on what wriggle room we had, whether we could apply for an extension of time, was there any application I could take in the court or something to overcome this.

My initial reaction was that I as Attorney-General would seek to do whatever I had to do to overcome whatever the problem was. My advice came back fairly quickly that there was nothing I could do, that I might have standing but that I had nothing to fly with. The only solution, it seemed to me, was this. I cannot remember whether it was suggested to me, but I suspect, knowing me, that I probably said that I would have to amend the act, and that was it.

Ms CHAPMAN: I am happy to indicate that I do not have any other questions.

Clause passed.

Remaining clauses (2 and 3) and title passed.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (17:37): I move:

That this bill be now read a third time.

Bill read a third time and passed.

At 17:38 the house adjourned until Tuesday 24 March 2015 at 11:00.

*Answers to Questions***GOVERNMENT SUPERANNUATION SCHEMES**

55 The Hon. I.F. EVANS (Davenport) (11 June 2014). (First Session) When the Heads of Government Agreement on Superannuation was signed in 1994, did this include an agreement that employer costs for existing members of government superannuation schemes should be reduced?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business): Super SA advises, no, it was not.

ELECTRICITY INDUSTRY SUPERANNUATION BOARD

58 The Hon. I.F. EVANS (Davenport) (11 June 2014). (First Session)

1. Why was the invoice dated 10/09/02 from Mercer Human Resource Consulting to Electricity Industry Superannuation Board paid by Treasury when the invoice was made out to the Electricity Industry Superannuation Board?

2. Is it a common occurrence for government departments to pay invoices addressed to third parties and are there any criteria for making such payments?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business):

1. Super SA advises the government made a commitment to consider, on a case by case basis, proposals submitted to the Treasurer for the payment of restructuring expenses of the Electricity Industry Superannuation Scheme as part of the privatisation of the electricity industry. The government agreed to pay the invoice dated 10/09/02 on behalf of Electricity Industry Superannuation Board. While the restructuring work was carried out by Mercer for the Under Treasurer, Mercer advised that the invoice was nevertheless made out to the board so that the costs were visible to all parties.

2. Super SA advises, no—it is not common occurrence for government agencies to pay invoices on behalf of third parties.

DISABILITY HOUSING PROGRAM

89 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to the Capital Investment Statement, page 55—Can project details be provided regarding the \$2.148 million in proposed expenditure for the purchase, construction and upgrade of community-based disability housing?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The Disability Housing Program provides a mix of housing upgrades and new build developments for clients living with a disability.

The 2014-15 financial year will see \$2.148m allocated towards the following two projects.

- Lightsview Transitional Support Apartment
- Children's respite facility at Oakland's Park

These projects exceed that figure and are part funded by other budgets.

STRATHMONT CENTRE

90 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to the Capital Investment Statement, page 55—How many people are still to transition from Strathmont Centre into community living arrangements and what is the current status of the remaining individuals as far as their transition is concerned?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

As at 19 August 2014, there are currently 22 people still to transition from the Strathmont Centre.

Residents are transitioned out of the Strathmont Centre as appropriate accommodation becomes available.

STRATHMONT CENTRE

91 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to the Capital Investment Statement, page 66—What are the reasons for the \$2.9 million lower estimated result for the Strathmont Centre transition arrangements?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The \$2.9 million lower estimated result for the Strathmont Centre transition directly relates to the longer than expected time required to locate and purchase land and construct suitable properties. Capital expenditure was therefore lower than anticipated for the 2013-14 financial year. Consequently, approval was granted for unspent capital funding to be carried over to the 2014-15 financial year.

STRATHMONT CENTRE

92 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 2 page 95—What is the time line for the closure and sale of the Strathmont Centre and what budget arrangements are in place for the sale proceeds?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

It is intended that the remaining Strathmont Centre residents will have moved to community accommodation by mid to late 2015.

The Department for Communities and Social Inclusion is currently reviewing options for the staff and community activities currently based at the site, post 2015.

DISABILITY SA

94 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—Why has expenditure for supplies and services increased by \$7.747 million between the 2013-14 budgeted amount of \$132.9 million and the 2014-15 budgeted amount of \$140.7 million?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The increase in budgeted expenditure for supplies and services between the 2013-14 budget and 2014-15 budget is primarily in brokerage payments to non-government organisations and individualised funding, where the state government has had to provide additional support to meet ongoing growth in demand and the increased costs of disability services.

DISABILITY SA

96 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—How many recipients are in receipt of grants and subsidies and what were the reasons for the \$28.573 million increase between the 2013-14 budget and the 2014-15 budget for this expenditure line?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

In 2014-15 there will be 95 agencies funded to provide disability services, and 27 organisations will be funded under the Supported Residential Facilities subsidy program.

The increase in budgeted expenditure relates to funding the ongoing growth in demand, the increased costs for disability services, the allowance made for price indexation and the funding impacts of the Equal Remuneration Order.

DISABILITY SA

97 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—Why was there a \$4.282 million increase to 'other expenses' between the 2013-14 budget and the 2014-15 budget?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The increase in 'Other Expenses' in the Program 'Disability SA' primarily relates to the cross billing arrangements under the National Partnership Agreement on Transitioning Responsibilities for Aged Care and Disability Services. Under this arrangement, the state is responsible for reimbursing the Commonwealth for expenditure for Community Packaged Care and Residential Aged Care provided to younger people (people aged under 65 years and Aboriginal people aged under 50 years), and the Commonwealth is responsible for reimbursing the state for expenditure on Specialist Disability Services to people with disability aged 65 years and over (Aboriginal people aged 50 years and over).

DISABILITY SA

98 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—Is the \$7.671 million increase in Commonwealth Government revenue provided to Disability SA as a result of the National Disability Insurance Scheme agreement or was additional Commonwealth funding provided because of other reasons and if so, what are they?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The increase in Commonwealth Government revenue primarily relates to the cross billing arrangements under the National Partnership Agreement on Transitioning Responsibilities for Aged Care and Disability Services. Under this arrangement, the Commonwealth is responsible for reimbursing the state for expenditure on Specialist Disability Services to people with a disability aged 65 years and over (including Aboriginal people aged 50 years and over), and the state is responsible for reimbursing the Commonwealth for expenditure for Community Packaged Care and Residential Aged Care provided to younger people (people aged under 65 years and Aboriginal people aged under 50 years).

DISABILITY SA

99 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—What are the details of the \$4.247 million intra-government transfers in the 2014-15 budget and why was only \$1.628 million received in the 2013-14?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The 2014-15 budget includes the contribution from the Department for Health and Ageing for the Exceptional Needs Unit. In 2013-14, the agreement was signed after the publication of the Budget. It was therefore not included in the 2013-14 budget, but appears in the 2013-14 Estimated Result.

DISABILITY SA

100 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—Why was the 2012-13 actual figure for 'sales of goods and services' \$4.756 million when only \$721,000 is budgeted in 2014-15 to be received in revenue?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The 2012-13 actual for Sales of Goods and Services of \$4.756 million included funding for hospital discharges from the Department for Health and Ageing.

The funding for hospital discharges was transferred into the Department for Communities and Social Inclusion budget from 2013-14. Consequently the revenue source from 2013-14 has been reflected as Appropriation rather than Sale of Goods and Services.

DISABILITY SA

101 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—Why was \$112,000 received in 'other income' in 2012-13?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

This includes rent reimbursement received in 2012-13 which was not budgeted to be received after 2012-13.

DISABILITY SA

102 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—What is the FTE allocation for corporate overheads as noted in note (b)?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The FTE allocation for corporate overheads for Program 2: Disability SA is 40.1 FTE in the 2014-15 budget, 42.7 FTE in the 2013-14 Estimated Result, 43.5 FTE in the 2013-14 budget and 38.7 FTE in the 2012-13 Actual.

DISABILITY SA

103 Dr McFETRIDGE (Morphett) (12 August 2014). (First Session) In reference to 2014-15 Budget Paper 4, Volume 1, page 98, Program 2: Disability South Australia—How has the budget been adjusted to reflect the changes to departmental functions and refinements to the allocation of corporate overheads as stated in note (a)?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety): I have been advised:

The 2013-14 Budget Papers included the Programs 'Disability SA' and 'Disability and Domiciliary Care Services'.

In the 2014-15 Budget Papers, a new program 'Program 5: Domiciliary and Community Care Services' was created, including two sub-programs (Domiciliary Care Services and Community Care) which were transferred from

the 'Disability and Domiciliary Care Services' program to this new program to align with changes in ministerial responsibility in 2014.

The 2013-14 Agency Statements was the first time corporate overheads were allocated across programs. The on-going refinement of the allocation of corporate overheads in the 2014-15 Budget Papers included removing Screening Services from corporate overheads and including it within Sub-program 7.2: Community Support Services.