HOUSE OF ASSEMBLY

Tuesday, 12 May 2015

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

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

Motions

JUMPS RACING

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (11:02): I move:

1. That, in the opinion of this house, a joint committee be appointed to inquire into and report on jumps racing in South Australia and whether it should be banned.
2. In the event of a joint committee being appointed, the House of Assembly shall be represented by three members of the House of Assembly, of whom two shall form a quorum of the House of Assembly members necessary to be present at all sittings of the committee.
3. That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

Last week, I gave notice that I intended to establish a joint committee to investigate and report on jumps racing and whether it should be banned in South Australia. I come before the house to commend the motion. There is continuing community concern about this form of racing, and debate on the issue has become more active since the announcement by the South Australian Jockey Club in 2014 that it wanted to cease jumps racing at Morphettville Racecourse. The growing unease amongst the wider community and industry is why the government proposes to establish a parliamentary committee to investigate the issue further.

South Australia and Victoria are the only two states in Australia where it is still legal to hold jumps races; events are held at Oakbank, Morphettville, Gawler, Mount Gambier and Murray Bridge. The sports controlling authority, Thoroughbred Racing SA (TRSA), is responsible for all race programming and any decision on the future of jumps racing, barring a legislative approach, rests with the TRSA, which supports jumps racing. Many people involved in the industry, including trainers, agree that jumps racing is a thing of the past and do not support the relatively high prize money offered by TRSA for jumps rather than for flat races.

In 1991, a federal Senate inquiry concluded that serious concerns about the welfare of horses participating in jumps races were based on the significant probability of a horse suffering serious injury or even death as a result of participating in these events. The committee concluded that there is an inherent conflict between these activities and animal welfare, and recommended relevant state governments should phase out jumps racing within three years; again, that inquiry was back in 1991.

The South Australian Greens animal welfare spokesperson has introduced an Animal Welfare (Jumps Racing) Amendment Bill into parliament. This follows a similar attempt by the South Australian Greens to amend the legislation in 2011. Legislation which banned jumps racing in New South Wales in 1998 contains an exemption for those who organise or participate in show jumping events. Through the establishment of a joint committee, South Australians who want to formally share their views on jumps racing will be able to participate through this inquiry. I commend the motion to the house.

Mr WHETSTONE (Chaffey) (11:05): I would like to move an amendment to point 1 of the minister's motion:

> That in the opinion of this house, a joint committee be appointed to inquire into and report on jumps racing in South Australia and whether it should be banned.

I want to delete the words 'and whether it should be banned'.

The Minister for Racing has been vocal for some time about his personal opinion on jumps racing and it has come as little surprise that he would make such a move to introduce a joint committee to look at this historic sport. We need to ensure that it does not turn into a committee where the government, in particular the racing minister, pushes its own agenda, and this must remain a parliamentary committee which looks at the facts and is not swayed by personal opinion.

I would first like to make it clear that the South Australian Liberal Party is supportive of jumps racing in South Australia. The sport has had a long and proud history and South Australia held the first hurdle race in 1842 in Adelaide. Jumps racing is also prominent across the world in countries such as Great Britain, France, Ireland, the USA, Japan, New Zealand and Germany. The safety of horses involved in jumps racing is paramount and I acknowledge the efforts made by the industry to continually improve any challenges it has faced.

Thoroughbred Racing SA has a Jumps Review Panel which, while not limited to, comprises stewards, ex-riders, trainers and a veterinary surgeon. The Jumps Review Panel continually reviews all jumps events as part of the industry's ongoing commitment to safety in the sport. Every jumps race or trial at a South Australian racetrack, whether or not there is an incident, is reviewed by this panel, including the performance of the horses, the riders and the fences themselves. In recent years, Thoroughbred Racing SA altered the angle of hurdles to 55°, which offers a kinder jump than the previous 60°, and this continues to be under review. Thoroughbred Racing SA has also modified steeples to provide what it believes is a better obstacle for the horse.

Animal welfare remains a high priority for the industry. Every care is taken to ensure that horses participating in jumps racing are properly schooled and qualified. Veterinary care is also provided on race days and at official trials. In addition, riders are expected to ensure that horses that compete and either become uncompetitive or jump in an unsatisfactory manner are eased out of an event and do not complete the course.

All jumps horses are examined post race by a veterinary surgeon. The same rules of racing which apply to animal welfare in respect to horses racing on the flat apply to jumps horses. In addition, licensed trainers are required to be accredited to train and race jumps horses. I am advised by the industry that the fatality rate for horses in jumps racing in this state over the past 12 years is 0.64 per cent, and for flat racing it sits at 0.48 per cent, without trials and track work included in that statistic.

The stats show that the horse fatalities in jumps racing are very rare. There has been no fatality in jumps races since August 2012, with one horse lost in trial during that period. While safety is paramount in the sport, unfortunately, as with any sport, accidents still occur. Any death of a horse is certainly regrettable and the industry is doing everything it can to improve the safety of that sport. When I asked how to respond to allegations that jumps racing is cruel, Thoroughbred Racing SA stated:

> Horses are naturally athletic animals and trainers will tell you that many horses are natural jumpers. In fact, they will tell you that with such animals it is near impossible to stop them jumping. Jumps horses are thoroughbred animals and represent a significant investment. As such, they benefit from the 24/7 care and attention with their diet, health, training and wellbeing monitored at every step.

Also, when asked why, if jumps racing was banned, jumps horses could not run in flat races, Thoroughbred Racing SA said:

> Jumps horses are natural jumpers and very often are poorly suited to flat races. It would be like asking a marathon runner to compete in a 100-metre sprint. Racing's lifeblood is wagering, and punters simply will not support poor racing. It is not a viable option.

I would like to share some of the statistics of jumps racing in South Australia. The total number of starters in jumps trials at Morphettville alone has increased by 60 per cent over the past three seasons, with the total trained starters in trials across the state increasing by 109 per cent. Total starters in jumps racing increased by 15.7 per cent between 2013 and 2014, with the total

South Australian trained starters increasing by 49 per cent. Last year, 18 additional trainers were accredited to train horses for jumps races.

I have heard the argument by the minister that prize money in jumps racing goes predominately interstate. In fact, the prize money won by South Australian-trained horses in jumps racing has increased from 10 per cent, in 2012, to 22.2 per cent, in 2014. By way of comparison, the prize money won by South Australian-trained horses in group 1 flat races is 7 per cent. Of the top 10 best attended events in the winter season, six had a jumping event on that day.

The race day at Oakbank is a significant contributor to the local economy, generating about $13 million annually, with an average attendance close to 70,000 people over the past three years. The Oakbank racing carnival is much more than just the world's largest picnic race meeting and is the best attended race meeting in South Australia. The state government does not contribute one cent to the Oakbank race meeting.

Jumps racing events are held at Oakbank, Morphettville, Gawler, Mount Gambier and Murray Bridge, with 16 race meetings and a total of 22 jumps races in a mix of hurdle and steeple races each year. Every race meeting at these clubs is critical to their ongoing viability, particularly in regional South Australia. The jumps racing industry is a significant employer with most participants involved in flat racing as well. Many leading trainers involved in flat racing have jumps horses in their stables which supplement their incomes and provide owners with a viable option to continue the race careers of their horses.

Many jumps jockeys work daily on the track with riders and trainers. There is a critical shortage of skilled track riders in South Australia, so these jumps jockeys provide a critical service to the industry. Without the opportunity to augment their income by riding in jumps racing, these skilled horsemen and women would be lost from the industry. The livelihoods of jockeys, trainers, strappers and stable support staff rely on jumps racing here in the state.

It is also important to note that the jumps racing industries of South Australia and Victoria are intertwined, with owners, trainers and jockeys regularly travelling to various events in both states. Jumps racing is an integral part of the racing industry in this state and a significant contributor in terms of employment and economic benefit. A 2013 study showed that the racing industry contributes more than $400 million in economic benefit to South Australia every year and employs more than 3,600 in full-time equivalent jobs.

With the history of jumps racing in South Australia, the social benefits of the races are evident. It is a sport which brings families and communities together at racetracks around this state. I have had much correspondence regarding jumps racing through my office, and I have consulted extensively with stakeholders on this very important issue. I think that, whilst there is some public sentiment opposing jumps racing, when the facts are laid out on the table there are just not all the statistics to back up those fears. I support an inquiry where there will be an opportunity to lay all the facts on the table and make an informed decision on this.

I would also like to stress the importance of the impartiality of the jumps committee and of all members being open to the facts put on the table. With very public opposition to jumps racing by the minister, it will be exceedingly important to ensure this committee is open to argument and not just on a witch-hunt. It must achieve a balanced outcome.

The Hon. P. Caica: Not just your argument.

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

The Hon. P. CAICA: Sorry, sir. Does that carry over for the rest of the day?

The SPEAKER: It does; it is cumulative.

Dr McFETRIDGE (Morphett) (11:15): I rise to support the member for Chaffey's amended motion before this place, that a committee be set up to inquire into jumps racing in South Australia. I would like to put on the record, though, that I have for many years been involved personally in showjumping and eventing with my own horses. Part of three-day eventing is steeplechasing, which is like a jumps race, and I have done that. I have ridden track work and I have been involved with

racehorse work for many years in my previous career as a veterinary surgeon; in fact, I first started work in Western Australia in pure racehorse practice, where I had some stud and track work.

I want to make sure that everybody in this place understands that for everyone I have ever come across in the racing industry the welfare of their horses is paramount; there is no question about that at all. I can say personally that, having once had to put down one of my own injured horses—not through showjumping or eventing, but through a paddock accident—unless you are involved in making that crucial decision you really do not understand how deep those emotions can run.

Part of my role as a vet was having to put down horses. I must admit that it puzzles me when people say that jumps racing is really dangerous because I put down far more horses—I could not count them—on the flat than I have ever had to put down as a result of showjumping or eventing. Horses, just by their natural build and their athleticism, are prone to injury. They are the flight or fight animals of the highest degree. They have evolved to run fast and to jump obstacles when they are fleeing from predators. They can jump naturally. They can jump extremely large objects just from pure ability.

The problem with horses is that there is half a tonne of animal on four very small limbs compared with the size and forces, the biomechanics, working on those joints, and so you do get incidents, you do get accidents, sprains, strains and fractures. Some of those are to the point where you cannot fix them with paddock rest or supportive treatment. There is no such thing as a three-legged horse. People have tried this. They have tried floatation tanks and they have tried all sorts of implants and prostheses.

In most cases, because horses are such heavy animals on four very small surface areas, that is, their feet—'No hoof, no horse,' is the classic saying—it is very difficult to fix them when they do injure themselves. But can I emphasise the fact that I have put down far more horses through paddock and flat work injuries than I ever have because of jumps racing; in fact, I have never put down a horse because of jumps racing, only through showjumping and eventing.

The anthropomorphic views that many people have about their pets nowadays both intrigues me and bothers me. I saw recently a petition to give a chimpanzee the exact same rights as a human being. I think we really need to think about where we are going in life if that is our major concern, when thousands of children are dying every day from all sorts of diseases, malnutrition and war and we are spending money on that sort of thing—but I digress.

What we have to do is make sure we are being factual and objective about this; we are not being anthropomorphic, as I have said, and that we are making sure that we are not being, in any way, cruel to animals—we are not abusing their welfare. I do not think that jumps racing is cruel in just the same way that I do not think modern rodeo is cruel. The levels of stress are there, but we all have levels of stress in our lives; but I do not think it is cruel.

I do not think there is any horse trainer, jockey or strapper who would allow cruelty to their horses. To watch horses go around and over steeples and jumps is a magnificent sight. It is something that has been around for many years in South Australia, and it is done all over the world—the UK, USA, Japan, New Zealand and Germany.

In regard to animal welfare issues, if any place was going to ban jumps racing it would be the United Kingdom, because I read a very sad fact the other day that the top two donkey sanctuaries in England have far more money donated to them than all of the domestic violence organisations in the UK. The Poms have some bizarre attitudes to animal welfare if they think that donkey sanctuaries are more important than domestic violence, but that is an argument for another day. If they were going to ban jumps racing, I would have thought they would be doing it in England, for starters, not looking at what we are doing in South Australia.

I have no problem with examining this matter in South Australia. I have no problem with taking the evidence, objective evidence—not subjective evidence, not anthropomorphic views—on animal rights and animal welfare. It has to be calculated, it has to be objective, and it has to be thorough. That is what we are asking for in having this committee established—not for there to be a predisposed aim that it should be banned, because who knows: what are the terms of reference for this particular committee? Are we just going to take evidence from one section of the community?

How broad is the evidence we are going to receive? How long is the committee going to be operating? Is it going to take evidence from overseas? Is it going to take evidence from interstate as to the changes that are going on, the changes that have been put in place to improve the ability for horses to gallop at speed and still jump?

I must admit, I had some concerns a number of years ago with the fact that horses were not showjumping, but they were really taking an elongated stride—it was a modified hurdle. Since then, changes have come in to make the jumps more of an obstacle that the horses have to approach and actually jump rather than just crash through. I can tell you about the skill involved in showjumping or steeplechasing at speed because I have done it, and you need to know what you are doing. You need to have that horse properly under control and in stride to take those steeples because you know that, if things go wrong it could be catastrophic, and nobody wants that. I remind everybody that horses have evolved to run and jump; it is part of their natural evolution. The fact that we now put a jockey on them and run them in a controlled race is an extension of that, as many things we do in life are extensions in their natural evolution.

I support the fact that we are looking into this. I look forward to reading and hearing the evidence from right across the spectrum, because everybody is entitled to their view. Let us make sure that it is objective, and that this is not a stalking horse for the next thing, namely, all the other things that a lot of animal rights groups want to do which, ultimately, is banning racing all together. I would hate this to be the straw man for that sort of agenda.

Mr BELL (Mount Gambier) (11:24): I rise in support of the amended motion put forward by the member for Chaffey to delete the words, 'and whether it should be banned'. That last bit gives some of the game away in terms of the desired outcome. The structure of this committee is of concern to me, given that the minister has made his views abundantly clear, and we know the position of the Greens on many things in forming, potentially, part of this committee.

In terms of disclosure, I need to admit that my grandfather (now deceased) was a horse trainer for most of his life and my formative years were spent around the Mount Gambier Racing Club and his stables which were adjacent to the club. I have been around horses quite a bit—

The Hon. P. Caica: Did you want to be a jockey?

Mr BELL: My cousin is Jason Holder who is a jockey up here in Adelaide.

The Hon. P. Caica: And a good one.

Mr BELL: He is a very good one—'Stubby Holder'. What I would hate to see is yet another industry in the South-East being scrapped. As has been mentioned, jumps racing—and racing in a broader context—is a major employer in the South-East and we need to be doing everything we can to be supporting industries, not putting them in jeopardy and at risk.

I stand for personal liberties and small government. When you translate that it means minimum intervention of government in our daily lives. It concerns me greatly when we start legislating for X, Y and Z. We have an overarching body called Thoroughbred Racing SA and, as far as I am concerned, we should be encouraging Thoroughbred Racing SA to look at and hear the concerns of the general community, if that is true, and acting accordingly.

I hate to see where government starts legislating for every concern that groups have in the community, and it goes back to my basic premise. Somebody said to me when you come into this place, the first thing you should do is work out your principles and then match any decision, particularly difficult decisions, against your principles. This one resonates with me. My principle is for personal liberties, small government, and we should not be legislating one way or the other. Yet, the committee seems to want to be structured in a way that has a predetermined outcome, which I certainly do not agree with.

Of course, the welfare of animals, from a Liberal point of view, is a genuine and deeply held concern. I think this committee could go a long way in having that as its focus—what is good welfare for jumps racing? Whether it be improvements in the number of jumps, the height of jumps, where those jumps are positioned, whether it is earlier in the race when horses are fresh as opposed to later, there is a whole range of areas that could be looked at as opposed to, as it says in the motion,

'and whether it should be banned'. That is the part that I would like to see deleted from the motion. I support the member for Chaffey in his calls for that to occur.

Mr GOLDSWORTHY (Kavel) (11:28): I am pleased to speak to the amendment moved by the member for Chaffey in relation to deleting the words 'whether it should be banned' because I think that is somewhat prejudicial in objectively considering this matter. The Oakbank race meeting is held in the electorate of Kavel which I am the member for in this place. It is a very important event, not only in my electorate but for South Australia—and, really, all of Australia—because, as we know, it is the world's largest picnic race meeting.

As the member for Chaffey pointed out, it has 70,000-plus visitors over the two-day event and it is a very important race meeting. It is also a very important tourist event in South Australia. I want to declare my interest, being a member of the Oakbank Racing Club, and I know the chairman, Mr John Glatz, quite well. As the local member, I have had a number of discussions with him over the years in relation to jumps racing and the Oakbank race meeting.

The member for Chaffey is quite correct in pointing out that the state government does not provide one cent of support to the Oakbank Racing Club to hold the Easter race meetings, so I think the motion, as it stands, is rather prejudicial. I am certainly supporting the amendment, but where does something like this end, in terms of calling for the banning of jumps racing?

The member for Morphett is a qualified professional in relation to animal husbandry. He is a veterinary surgeon. He is more qualified than anybody in this place, I think, to give an opinion in relation to how a horse, as an animal, relates to this activity. As a young child we used to have horse events in our local district. There used to be a hunt in the Adelaide Hills, but this was a different form of hunt. There were no foxes and hounds and so on. This was a hunt on the farming property directly across the road, directly adjacent to our home property at Highercombe, Houghton. Old Mr Chapman had a hunt every year, and it was a big event.

What we are talking about is horses. They have the natural ability to jump. They are an animal that jumps. We have seen a myriad of activities where horses jump, and jumps racing is one of those activities, but where does this end? We have to look at this objectively, and unfortunately some people in this argument have become quite subjective. There is a group of people in the community that wants to ban rodeos, and the member for Morphett spoke about that. They might even want to eventually ban showjumping or the three-day event, because accidents do take place.

At one of these hunts that was held at our next-door neighbour's farm, I remember that a horse was injured and had to be put down. I remember that as a child. That is quite an unfortunate outcome, but accidents do happen. I am not going to spend a lot of time on this. I have been talking to other people who have had direct involvement in the horse racing industry. The horses that are selected and trained for jumps racing are not necessarily suited for flat track racing. It is obviously a different sport, closely associated with flat track racing, but some of these horses are not suited to it. If there were no jumps racing events for these horses to participate in, their future would be pretty bleak. I do not want to be too emotive about this, but there is a facility at Peterborough that deals with horses that are no longer required for whatever purpose.

In support of what my other colleagues have said in relation to this matter, I want to point out that we need to be really critically objective about what is being achieved in relation to this select committee and we need to be very well aware of the outcome of any future decision in relation to the future of the Oakbank race meeting.

Mr PEDERICK (Hammond) (11:34): I rise to speak to the motion that the Minister for Racing has moved:

1. That in the opinion of this house, a joint committee be appointed to inquire into and report on jumps racing in South Australia and whether it should be banned.
2. In the event of a joint committee being appointed, the House of Assembly should be represented by three members of the House of Assembly, of whom two shall form a quorum of the House of Assembly members necessary to be present at all sittings of the committee.
3. That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting its concurrence thereto.

What has been moved by the member for Chaffey and agreed to by all members on this side is that the words 'and whether it should be banned' should be deleted. That is quite prejudicial in my mind, adding those words into an inquiry. It goes to show, as we have heard in media reports over time, the Minister for Racing's views in relation to jumps racing. Everyone is entitled to their point of view, but it certainly comes up with quite a prejudicial outlook and certainly looks to me like it is heading towards a prejudicial outcome with regard to where the committee heads.

The member for Chaffey outlined the losses of jumps horses compared with flat track horses and the fact that there is a very small increase in the percentage of horses that have to be put down in regard to jumps racing. I acknowledge where jumps races are held across the state: obviously Oakbank, in the member for Kavel's electorate; Morphettville; Mount Gambier; Gawler; and, Murray Bridge, in my electorate. Jumps racing brings many hundreds of thousands of dollars into the state. When you look at the Oakbank event, close to 5 per cent of the whole state attend that event. Will the government say that 70,000 punters are wrong, which seems to be the message?

With regard to what other members have said, where are we heading with this? Next will the target be hunt clubs? My youngest sister was a member of the Murray Bridge Hunt Club and they had hunting courses around the Fleurieu at Tolderol, Murray Bridge and at Coomandook on a neighbour's property at Ballards, where she rode quite a lot. When she was based in Traralgon she joined the Melbourne Hunt Club for a while and did some hunting in Victoria. What do you think goes on in a hunt? Of course they jump! That is what it is based on. Horses that were in hunts hundreds of years ago were jumping fences.

I have perused the hunting course at Coomandook, where there are raised logs between trees or other jumps as set up for the horses to jump over. That will be the next target, because some people in this world do not want us to handle any animals—and I say that as a bloke who has come off the land—and they do not want us to eat any animals. We have to be very careful where we are going with any of this: it is a long slippery slope. Some people want us to slide down that slope as if it is a slippery dip. Some of them want us all to eat lentils and mung beans, and none of us will be able to enjoy animal products again, and I find that abhorrent. I find that really abhorrent.

The Hon. L.W.K. Bignell: Throw on a steak!

Mr PEDERICK: Absolutely, 'Throw on a steak,' the minister says. I am right with him there. Anyone involved in any industry to do with animals, whether farming or horse racing, the animals' interests are first—that is the thing. You would not be managing these animals if you did not want to care for them so that they look after you as well. In the case of primary production you want those animals to produce a profit. With regard to jumps racing, you want horses that are fit and looked after so that they can be winners, so it has a similar outcome in the end with regard to income.

I want to go on a bit more about animal welfare activists, and some of the things they get up to, and the illegal activities they undertake. They think they are doing this great thing for the world, when they enter intensive animal sheds, pig sheds or chicken sheds. As we have seen in the media, at Big River Pork's facility at Murray Bridge they entered illegally to take their footage, but not to release that footage straightaway to show what they were saying were outrageous practices and this kind of thing. No, they will sit on it for months and release it at the time they want to release it for their so-called big media impact.

We have seen these tactics reflected right across the live animal trade. We have seen it with live cattle exports to Indonesia and live sheep exports. These animal activists store this footage and they are quite happy to present it when it suits them. If they were really concerned about animal welfare, they would put up this footage the same day or the day after they filmed but, no, they sit on it until it suits their left-wing agenda.

I applaud the work of Senator Chris Back, in his legislation where people are required to provide the footage of any alleged animal cruelty within a very short period of time so that it can be acted on appropriately. Quite frankly, I am more than disgusted that these clowns think they can break into premises, do what they like and think they can get away with it. It is wrong and it is illegal. If they think they are standing up for animal rights, well, they are a joke.

In regard to this motion on jumps racing, yes, let's have a look at it, but let's not have a look at it with a preconceived outcome, which the original motion states, on whether or not it should be banned. Let the industry have a look at it. Let any individual bring in submissions, as happens with select committees. I have been on a few select committees now and anyone with any interest at all can come and put their case, but let's not have some preconceived idea on where this is heading because I firmly believe that this is part of a long, slippery slope, and I certainly will not become a lentil-eating, mung bean head any time soon.

Mr TARZIA (Hartley) (11:42): I also rise today to support the amendment as put forward by the member for Chaffey. I reiterate the words of the member for Morphett, who is a qualified professional in the veterinary science area. He is a gentleman who knows what he is talking about, and he drew the house's attention to the fact that he saw more horses actually put down in paddocks than because of injuries sustained through jumps. It was very powerful to hear that from a gentleman who had a thorough knowledge of this industry before his time in this place.

The member for Mount Gambier also pointed out truly what the racing industry is about—it is about communities and jobs. I understand that there are concerns we have to consider in relation to animal cruelty and what have you, but I think the key here is to be practical. As a young man, often I would visit some of these tracks, such as Oakbank, not only in this industry but also across other horse industries, whether it be gallops or trots at Globe Derby. These are people who are making a life for themselves and their families, and a lot of the time there is not a whole lot of money in it for them.

With the utmost respect to the racing minister, I struggle to understand why a racing minister, who is supposed to be an advocate for the racing industry and the tourism industry, would want to cast this sort of shadow over the industry. Thank goodness for the member for Chaffey putting forward this amendment. I do not understand why you would want to cast a shadow over the industry and I am glad that the member for Chaffey has made this amendment, which I am happy to support.

This committee will be important because I am hoping that it will separate the fear from the facts. What will these horses do otherwise if they are not involved in jumps? I think this is a question we need to ask ourselves. We have heard from the member for Morphett that a lot of the time these horses do get injured out in the wild, out in the paddocks. What would they do otherwise? I put it to this place that, in my experience, I have found that some horses are treated far better than some humans. We know that they are swabbed, they are vaccinated and that they visit veterinarians quite regularly—their health is their wealth, literally, for much of the time.

I understand that there are concerns around animal cruelty, but I think that you have to be pragmatic about this sort of thing. It is a matter of balancing those animal cruelty concerns against the jobs the industry creates and the families the industry supports, and against the industry that is here. One thing is for sure, these horses are certainly treated much better than Mark Hunt was at the UFC on Sunday; I notice that that occurred over the weekend.

We have been provided with some statistics in relation to jumps racing, and it is notable that the fatality rate from jumps racing over the last 12 years averaged, I believe, 0.64 per cent and for flat racing it was 0.48 per cent; therefore, it cannot be said that there is much difference, particularly having regard to the fact that the figure for flat racing does not include trials and track work, whereas the figure for jumps racing does include trials. I note that there has not been a fatality in jumps racing for some time—I believe since August 2012—and I understand that there has been one horse lost in a trial in that period.

We all know that Oakbank is a significant contributor to our local economy; it generates, it is said, about $11 million to $13 million annually. The average attendance at Oakbank in the last three years, I believe, is 68,000 people, and I understand that we struggle to get an average of anywhere near 10,000 at the Adelaide Cup.

With all respect, I can understand the concerns that have been raised in relation to this industry. I will support the establishment of the committee. I am hoping that the committee will delve into this matter and separate the fear from the facts. By all means, there will be, I am sure, a number of benefits that will come out of this committee, but we do need to measure that idealism against that pragmatic approach to see this industry for what it is: it is an industry, it supports jobs and it supports

livelihoods. We cannot ignore the animal cruelty factor, of course, but we need to look at these things on balance.

Mr WILLIAMS (MacKillop) (11:47): The horse, it has often been said, is the noblest of animals; it is a very, very fine beast. I grew up on a farm where my father was still using a horse to round up sheep. I grew up with a pony in the yard, and I spent many hours on the back of a horse as a boy growing up. A finer animal I have never come across.

To think that anybody would willingly do something that would be cruel to a horse beggars my imagination—I certainly would not—but jumps racing per se, I do not think, is cruelty to an animal. Some of my colleagues have already said that horses are natural jumpers, and they are natural jumpers; I believe, from my own personal experience as a boy, that horses love jumping. In fact, I can recall many occasions when I they did jump and I wished they had not.

I welcome the minister moving to establish an inquiry because, as the member for Hartley has just said, it is important to get the facts out and to separate fact from fear, but I do have some concerns about the wording of the motion the minister has brought before the house, particularly the words the member for Chaffey has sought, through his amendment, to have expunged from the motion, because I believe those words seek to pre-empt the inquiry, and I think that would be a terrible thing to do. If we are going to have an inquiry, the outcome should be quite open, and I do not think that we should be attempting in any way to pre-empt the outcome. I think it should be open, I think we should allow the facts to stand on their own and we should assess the merits. Indeed, I feel reasonably confident that if we do that in an open and honest way we will come to a conclusion that supports jumps racing.

I will not go through all the stats in the argument for and against jumps racing because I think that will be the job of the inquiry. I am pretty sure that an inquiry will be established but I certainly hope that the committee goes into this with an open mind; that those who form the select committee all have an open mind and are all open to accepting the evidence that is brought to the committee, and make an honest assessment of it. I have grave fears that if we pre-empt this inquiry we will come to the wrong conclusion.

I know that some people are suggesting that it is cruel to animals and that we have the odd fatality associated with jumps racing and, as the member for Chaffey pointed out, also with flat racing and in all sorts of things. I suggest to the house that if we were going to apply that as our guiding rule certainly we would be banning Aussie Rules football in this state. I see there was another death just across the border on the weekend at an Aussie Rules match—and that is not an uncommon occurrence.

The SPEAKER: Not on the field.

Mr WILLIAMS: Aussie Rules is probably one of the cruellest sports played in this country yet there is no call for banning it. What happens to young men and the crippled bodies that ensue from that sport I think make horseracing look like a very innocent pastime. I wish the committee all the best. I hope that it deliberates honestly and openly and I look forward to the committee reporting back to the parliament. I support the amendment.

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (11:52): I thank all the contributors to the discussion this morning. I think the member for Mount Gambier suggested that there may be some preconceived idea of what the outcome may be because I am on the committee—well, I am not on the committee. The member for Chaffey also had similar concerns but then he presented us with a speech which contained his very strong views, and he is on the committee or is intended to be on the committee.

The Hon. P. Caica: What, he hasn't got preconceived ideas, has he?

The Hon. L.W.K. BIGNELL: He doesn't want any preconceived ideas to come into the deliberations—

The Hon. J.J. Snelling: Except for his!

The Hon. L.W.K. BIGNELL: Except for the member for Chaffey's preconceived ideas. Like the member for Mount Gambier, I grew up around horses on a farm in the Mount Gambier/Glencoe district as well and have a great affinity for the people of the racing industry. I concur with everyone who made those comments about harming animals, and I agree that no-one I have ever met who works in and around animals does anything to harm those horses or, indeed, any other animals.

The member for Hartley said that I should be an advocate for tourism and the racing industry. I am a fierce advocate for both industries. I was down at track work this morning at Morphettville, I will be at the Mount Gambier Cup on Friday and I will be at the Goodwood Handicap on Saturday, so I do love the racing industry. However, as a member of parliament—and we all get lots of correspondence—I have had nearly 5,000 emails and letters on this issue so I think it is important that we have a committee to take a look at it and examine what the future is.

The member for Chaffey threw a few statistics in there; a lot of percentages. I think he said the figure was over a 100 per cent increase in the number of jumps horses in South Australia, but the best figures I can get are somewhere between 22 and 26 jumps horses registered in South Australia. So, in talking about it, it is not a massive industry. I think there were about 400 horses going around at Morphettville this morning. If you have 22 to 26 horses and a 100 per cent increase in the number of horses in the past couple of years, that means that there were only 10 or 13 a couple of years ago. We need to be careful when we throw the percentages around.

I think this committee will do really important work. I have been on a few committees and when we go in there we listen to all the evidence and hear from all the witnesses with an open mind. We hear from all sides of the debate. I think one of the great things about our parliamentary system is that we actually have these committees that can listen to those who have opinions on both sides, distil that and come up with a report that can inform everyone in this place as well as the wider public. The government will be opposing the amendment that has been proposed by the member for Chaffey.

Amendment negatived; motion carried.

Bills

SUPPLY BILL 2015

Supply Grievances

Adjourned debate on motion to note grievances.

(Continued from 7 May 2015.)

The Hon. J.M. RANKINE (Wright) (11:55): I am pleased to speak on the Supply Bill. On Monday 4 May, I was also very pleased to see that the Independent Commissioner Against Corruption, Commissioner Bruce Lander, issued a public statement exonerating me from the allegations agitated by people who I believe to be a disgruntled public servant, the member for Unley, *The Australian's* Michael Owen and Paul Makin of Channel 7's *Today Tonight* program.

Paul Makin's story was two years ago and, so far as I know, there has been none since. The allegation was about Vicki Antoniou being appointed as ministerial liaison officer for a state government agency, Multicultural SA, in my office when I was minister for multicultural affairs, and my requiring her to travel with me to Rome, Cyprus and Malta.

The allegation was found by Commissioner Lander to be without substance. Commissioner Lander's unprecedented public statement has been compelled by a series of Michael Owen stories in *The Australian* imputing that I was under investigation by ICAC, without saying so explicitly, and Michael Owen's imputation that I stepped down from the ministry because of the allegation and its investigation by ICAC. His words were, I think, 'amid investigation'.

The commissioner's public statement was an attempt to negate the calculated damage that Michael Owen had done to my reputation and that of Vicki Antoniou. It is the nature of an allegation of this type that it can never be fully erased by an investigation and complete clearance. Michael Owen and the member for Unley got their gratification just by publishing that I was under investigation, and my clearance can never wipe away the mud they smeared.

Michael Owen wrote eight stories about this matter that were published in *The Australian*. The stories were calculated to damage not just me but Vicki and Peter Antoniou. Not once did Michael Owen even attempt, as far as I am aware, to get in touch with Mr and Mrs Antoniou and, sure enough, he published factual errors about their employment which were calculated to prejudice their reputations but which could have been avoided with one phone call to either of them. No other journalist touched this story after Michael Owen began publishing in February, although those who were hawking the story around the media outlets pushed hard, like power company salesmen on commission.

This is not the first time Michael Owen has written an inaccurate and malicious story about me. Michael Owen writes the story he wants and buries the counter to it, hoping readers never actually get that far. *The Australian* was compelled to publish the ICAC commissioner's public statement but, because Michael Owen wrote the final story (the ninth story) the news angle—Commissioner Lander's clearing of me—had to wait until the seventh paragraph of Michael Owen's story to be revealed.

The headline writer (not Michael Owen), being more attuned to journalistic ethics and News Limited's legal liability, headlined the story 'Ex-minister cleared by ICAC'. Not many stories does one read where the headline is about the seventh paragraph. It is, in my opinion, an ethical lapse for *The Australian's* management to allow Michael Owen to write the ninth and final story in the series.

Commissioner Lander's public statement made Michael Owen a player in the story and, under ordinary conflict of interest principles, Michael Owen should have stood aside from writing the story about Commissioner Lander's public statement. Michael Owen's story is a vivid illustration of why a conflicted journalist should not write about themselves. Michael Owen was compelled to record in his final story that I was cleared and, as I said, you had to wait until the seventh paragraph to find that out, but his story last Tuesday omits these crucial paragraphs in Commissioner Lander's statement:

> Section 56 of the Independent Commission Against Corruption Act 2013 (ICAC Act) prevents the publication of information tending to suggest that a particular person is, has been, may be, or may have been, the subject of a complaint, report, assessment, investigation or referred under this Act. A primary object of the ICAC Act includes achieving an appropriate balance between the public interest in exposing corruption, misconduct and maladministration in public administration and the public interest in avoiding undue prejudice to a person's reputation.

The commissioner goes on to say:

> There have been occasions where information has been published that does tend to suggest that a person might be under investigation by my office. In doing so, care is apparently taken to ensure that ICAC is not explicitly identified as the investigating agency, although the story itself suggests the ICAC's involvement, and in some cases it is difficult to draw any other inference.
>
> One such occasion concerns a claim in the media that the Hon. Jennifer Rankine, Member for Wright and former Minister for Education and Child Development in the South Australian Parliament, was under investigation for a matter relating to the appointment of a public servant, Vicki Antoniou. It was claimed in some media that Ms Rankine resigned from the Ministry as a result of the investigation.

Michael Owen was the only reporter to write about this and the only person to make the imputation that I resigned as a minister owing to the ICAC investigation, but in his subsequent story Michael Owen omits this aspect—the principal purpose of the public statement—and tries to maintain the fiction that the public statement is not about him. While averting readers' eyes from the gist of the commissioner's statement, Michael Owen continues to recite the litany of the now discredited allegation that he has been reciting in the previous eight stories. For the sake of completeness, the rest of the commissioner's statement says:

> I would not normally make a public statement with regard to a matter that may or may not have been under investigation by my office. However, on this occasion I feel that I should correct the public record so that neither Ms Rankine nor Ms Antoniou suffer long term damage to their reputations. A report was made to the Office for Public Integrity relating to Ms Rankine's conduct in employing Ms Antoniou in a department under the control of Ms Rankine. Neither Ms Rankine nor Ms Antoniou were aware of my investigation until they were separately interviewed, which was after Ms Rankine resigned.

I have now concluded my investigation. None of the allegations relating to Ms Rankine's conduct in the employment of Ms Antoniou were substantiated. I am satisfied that this matter required no further action and I have closed my file.

The very reason our ICAC legislation is framed the way that it is is to try to stop people doing what the malicious complainant, the member for Unley, and Michael Owen did. Michael Owen, assisted by the member for Unley, having accessed documents from my department and my office, put a spin on them that the ICAC investigation found to be untenable.

I did not make a decision that appointed Mrs Antoniou to the South Australian Public Service. She was already a public servant of many years standing when she was appointed ministerial liaison officer for multicultural affairs in my office. Mrs Antoniou had worked in Multicultural SA before she undertook a similar role in your office, Mr Speaker, about 10 years ago when you were attorney-general. She had expertise in multicultural affairs that was widely recognised in the Rann government and in the ethnic communities themselves, and her skills it seems were something the member for Unley envied with rancour and malice. Unusually for a ministerial liaison officer, she was fluent in two languages other than English, which clearly distinguishes her from the opposition spokesman on multicultural affairs.

Mr Speaker, when you stepped down from the ministry after the 2010 election, Mrs Antoniou was retained in the office of your successor. When I took on multicultural affairs, she was on the South Australian Public Service redeployee the list. The Michael Owen imputation that she stepped straight from your office into mine was false. I know of no-one in the Public Service—and a ministerial liaison officer comes from the Public Service—who had the credentials for this job that were comparable to those of Mrs Antoniou. Vicki Antoniou is an example of the gifted people within the ranks of South Australia's Public Service who serve in ministerial offices rather than our relying exclusively on party activists. I have more to say on this matter and, hopefully, later today I can continue my remarks.

Mr WHETSTONE (Chaffey) (12:05): I would like to make a contribution to the Supply Bill and the theme of my contribution will be investment in the state's economy. It is a sad day for South Australians, particularly for the river communities in South Australia. We have been denied $25 million of the regional diversification fund, and it is an absolute disgrace that a government has blatantly looked me in the eye—as they have the member for Hammond—and said, 'You go and do the work for us: you go over to Canberra; you lobby the federal government and make sure we get a special deal that the other states could not get, and get that $25 million coming to South Australia, unencumbered.' It is downright deplorable. It is the arrogance that I saw, most of all, when I met with the Premier: for him to say they would not accept the $25 million because it is not supporting their local constituency was a disgrace.

I have listened to the Treasurer; I have met with the Treasurer and the Under Treasurer and asked for reasons why they would not accept the $25 million and the answer given to me was that there was a large GST component. I have asked the Treasurer, as I asked his department, to give me some proof to identify how the calculation was made around the $25 million and their claim was that there would be about a $21 million GST component. That means that $21 million of that $25 million would come out of the GST revenue into this state. To date, they have not given me any evidence of that, and it speaks mountains of the arrogance and the lack of will to invest that $25 million into river communities that have been impacted by the drought and, just as importantly, are adjusting to the Murray-Darling Basin Plan.

The diversification fund was put on the table by the previous Labor federal government. The then minister, Catherine King, was the minister responsible for that money, and she was also approached by the state governments to be compensated with the GST component. The rules of the Commonwealth Grants Commission are that it cannot be done; it cannot be achieved. Every state government was aware of the rules when that money was first put on the table, and when that money was put on the table prior to the last federal election, there was not one recipient who knew exactly that their project was being put forward to this diversification fund—not one.

I know that some very good projects were put up in the lower reach of the river communities, particularly in Hammond, and some very good projects were put up in the electorate of Chaffey. I know that the majority of those projects in Chaffey have been taken up with other commonwealth

government funding streams of money, but to date there are a couple of large projects that warrant consideration. The Premier, this Treasurer, the regional development minister, the Minister for Investment, they have walked away on their responsibility to invest in South Australia, to grow our economy and also to give the opportunity for businesses that were primarily affected by the drought to grow and prosper. They were affected by the implementation of the basin plan. I think it is an outright disgrace.

I have been over to Canberra, I have met with minister Briggs on this issue and spoken with him a number of times, I have met with ministers Truss and Bishop, and I have described the treatment we are getting here in South Australia as deplorable, one-sided. The Treasurer says that he would prefer to spend that money on other things. The Premier has said that it is not his constituency, it is not his voting base that is going to be the recipient of this money, so I guess it typifies exactly what this arrogant state government has in store for every South Australian when you are not in favour.

The money was being taken off the table today during the commonwealth budget. The Premier and all the ministers responsible for this money have simply walked away. I must say that I have had conversations with the Minister for Regional Development this morning, and he has had talks with the federal government in the last couple of days, and I would hope that he is flying the flag for the river communities that have been affected.

I would like to point out today some of the projects that are being undertaken in other states with that $25 million or thereabouts—New South Wales got a little more, Queensland a little less. Let's have a look at some of the projects that are going ahead. In Victoria, the Echuca Riverfront Redevelopment Stage 1 is a huge redevelopment on the riverbank. It is about value-adding to their tourism, value-adding to the beauty of what Echuca is all about. We look at another wharf redevelopment, we look at the Heartbeat of the Murray project—that is all about promoting their regions, it is about promoting river corridors that have been impacted.

One of the really big projects is the supply of natural gas to Murray River towns via a pipeline. Imagine if we could have had that in South Australia, a spur coming off the main gas line that runs down the corridor of these river communities to entice business into these regions. I know that at the moment in the Riverland we have Tarac Technologies. They are looking at needing a larger gas supply. If we look at the wineries, Accolade, one of the largest wineries in the Southern Hemisphere at Berri Estates, is looking for an increased gas supply.

We look at the great River Murray walks—one of the great tourist attractions that could be in the Riverland or the upper reaches of the river—and they are being denied that opportunity. If we look further downstream—and I know the member for Hammond has spoken passionately about the Gifford Hill development which is a great community benefit project—this government, arrogantly, has walked away from being able to provide any incentive for those projects to go ahead.

Also, we look at some of the projects in Queensland. It is investing money into the Western Downs tourism industry, it is about facilitating Indigenous economic development plans, it is about securing the long-term Condamine Alluvium aquifer. This is about investing in the future of these affected communities, it is about improving economic productivity and irrigated agriculture. It is about developing opportunities in high-value horticulture. These are opportunities that their state governments have taken up. Their state governments have been prepared to back them: they are not walking away from them, as this government has done.

One of the other things that really does grind my gears is that we have a minister in the upper house who declared last week that he is prepared not to sign the review of the Murray-Darling Basin Plan next year in 2016. He has threatened to walk away because he says the federal government is not spending taxpayers' money wisely by putting a cap on the buyback.

Investing taxpayers' money wisely on infrastructure is about investing in the future. It is about investing in the future of our economic driver. We have a government that continually relies on the mining and resources sector as being our saviour. Well, let me assure you that South Australia is once again relying on agriculture, on food, on wine, and where are we growing all of that? Where are we growing the majority of that wine, that food, that clean green produce with a fruit fly free status? It is in the regions of South Australia. It is in the river communities of South Australia. Yet we are

seeing another example of how this government is just politicising reform in the river every step of the way.

The Premier has spent millions of dollars of taxpayers' money on advertising programs that have not delivered one single drop of water. This state government, the largest water licence holder here in South Australia, has not contributed one drop of water back into the Murray-Darling Basin Plan, and I say: shame on you.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call on the next speaker, I draw members' attention to the presence of students from the Pembroke year 12 legal studies group in the public gallery this morning. We welcome them to Parliament House. We hope they enjoy their time with us. We know that amongst them are many budding leaders in every sort of field. They are guests of the Leader of the Opposition, the member for Dunstan, and I know he will tell you all about Muriel Matters before you leave.

Bills

SUPPLY BILL 2015

Supply Grievances

Debate resumed.

Mr PEDERICK (Hammond) (12:16): I rise to speak to the Supply Bill once again with my grieve contribution. I want to add a couple of points, after the member for Chaffey's discussion about the lack of action by this state Labor government in regard to the regional diversification fund for the River Murray and the loss of $25 million that this government is quite happy to just walk away from. In the worst-case scenario—and I think it was a complete furphy—this government said we would receive only $4 million. In the worst-case scenario, this Labor government has turned its back on at least $4 million, and I believe a lot more, because it is not their constituency. It is $25 million; $25 million is the real figure. The government just wants this money for other things—in city electorates, in marginal seats. It does not want to look after the Riverland or the Murraylands. As I said in a contribution last week, it was alright when the government was shoring up a former Labor minister, who was the member for Chaffey at the time.

I am extremely disappointed that the regional development minister did not have any influence at all, which just shows their worth to this government. Look at what has happened in the last couple of weeks in this state: 100 jobs have disappeared from our dairy manufacturing sector, from United Dairy Power in Murray Bridge and Jervois. We have seen 60 jobs go at JBS, the meat processing plant in Bordertown. It is an absolute disgrace how this government treats regional South Australia. And in the words from the Premier down, it will not get any better because it is not their natural constituency. They go out and have their so-called regional cabinet meetings, but it is all just flip-flop and talk—nothing happens, nothing at all.

What I would also like to talk about is a problem at a school that I attended for most of my years of education, and that is Coomandook Area School. The kids and staff there have a problem with accessing the internet. I was talking with one parent who informed me that internet access is so bad for the kids who have to do distance education that some of them are kept at home by their parents so they can do their work from home. The parents only do that because it is the only place they can get reliable internet access. In this day and age it is just not good enough. The problem for these children is that they are formally recognised as being truant from school. Work that out! They stay at home so they can do their work, but they are on the truancy list. It just keeps getting worse.

Many years ago a tower was put up on the western side of the silos at Coomandook—I guess the south-western side to a degree—to access internet for the school, and it is suppose to shoot the signal over the top of the silo. The school believes that the location of the Viterra silos, which are now owned by Glencore, block out the signal. It is just a real problem. It is about whoever owns the silos at the time—it was Viterra when they were in their Canadian mode, and now they are in Swiss mode under Glencore—whether they want to have a change of heart and put those transmitter boosters on top of the standing structure. It is something I will follow up, because it was something

done in early days at Coonalpyn and Tintinara with a leasing arrangement to use a structure that is over 130 feet high in the old language. That is certainly something I will be chasing up.

As I stated, no-one in Coomandook is able to access the internet through Internode. At the same time as the tower that I talked about earlier was put in place, Internode put an antennae on the school, which they thought would fix the problem. However, because of its placement (it is in the wrong place), the tower and the antennae do not talk to each other, which means that it is of no value. Internode is completely frustrated and has walked away. Other providers have come and looked at the situation, but they have also looked at where the tower is and said that they cannot help.

When the students can access the internet it is very weak and drops out constantly, causing much frustration for teachers and students in the classroom. It makes delivering much needed open access subjects impossible. It is severely restricting the types of lessons Coomandook Area School students can access, and limits their chances of completing the core prerequisite subjects required for certain university degrees, like physics.

Just the other day they were trying to log four wired computers onto the internet so that some of the junior school children could access a program called Reading Eggs. They spent the lesson trying to log on, without success. However, sitting next to them in the library was a group of senior school students who were pulling in a weak signal on their laptops. When the bell went the senior school kids closed their laptops, and all of a sudden the junior school children could access the Reading Eggs program. Too late!

This shows that the bottleneck is not with the Coomandook school system but with the internet coming into the school. I note that the principal has taken this issue to the district office and the department of education head office, which do not appear to have the funds or the inclination—and I think that is a disgrace—to get this tower moved and get proper access so that these children can have a decent education out in the bush.

The information is that the department put a single booster on the admin office at Coomandook Area School so that staff could use their mobile phones. This was a crucial need, as mobile phones are used to notify parents of important information, whether it be changes with bus breakdowns or changes to schedule, etc. I will be taking up this issue with Glencore (or Viterra, as they are branded) about whether something can be done with a tower movement or to use the top of the silo as a base.

Another option that has been put to me by a parent is that a fibre optic cable runs right past the school; however, the node is about six kilometres away at Yumali. To run the cable back, Coomandook requires running cable through existing copper lines. However, the information is that this is not possible because the copper lines are so old and it would be a total waste of time. The preferred solution would be for a new node to be installed at Coomandook, which would allow the whole town and school to access the fibre optic NBN that runs straight past the school.

It certainly baffles me, as it baffles this parent, why this has to be so hard. I certainly will be working with all parents and the school to make sure we get this resolved, because it has a heavy impact on people making decisions about whether they keep their children at Coomandook. It is something the education minister should be picking up and getting on with the job, so that there is more equality in education across the regions.

In the last couple of minutes I have left I want to talk on something else that affects the lower end of my electorate, namely, the wish for members of that community to have a connector between Lake Albert and the Coorong. The minister keeps saying, 'No, it can't happen; it won't happen,' and all these kinds of things. I have a few quotes from a Department of Environment, Water and Natural Resources document entitled 'Cost benefit analysis of proposed Lake Albert Management actions'. There are some interesting quotes, including:

1. During drought periods, the Coorong Connector reduces the time for salinity levels to fall from very high drought levels back to (or beyond) historical salinity levels. The Coorong Connector would therefore result in some environmental benefit in the event of major drought in future, by reducing the length of drought events.

2. The discharge of fresher water from Lake Albert to the Coorong may result in an environmental improvement in the Coorong (which is substantially more saline than Lake Albert at the proposed discharge point). This potential environmental benefit is complicated by several other factors which have not yet been fully investigated (in particular, such as the impact on the salinity profile in the Coorong, and the impact of turbidity and other discharged water from Lake Albert). This potential impact should be investigated in more detail at a later date.

The minister in the other place keeps saying, 'No, this isn't going to happen; this won't happen,' even though the potential impact is huge for the region, huge for the economy and certainly huge for the outcomes of the community as a whole around Meningie and the Narrung Peninsula. We need this government to get more on board and have a look at these issues, including the Lake Albert connector; the diversification plan for the River Murray, which the government has walked away from; and certainly to deliver high-class education to regional students in this state.

Mr SPEIRS (Bright) (12:26): A few weeks ago, the shadow minister for transport (the member for Mitchell) revealed that the government has a backlog of incomplete road maintenance totalling around $1 billion. This worryingly creates safety concerns and has a profound economic impact in relation to the transportation of freight across and out of our state. As the shadow transport minister has said publicly, 'Road safety and maintenance is not sexy, but it is critical to ensuring South Australians are safe on our roads and our economy is productive.'

There is one continuous arterial road running from north to south through my electorate. It is variously known as Brighton Road, from Glenelg through to Seacliff Park, before turning into Ocean Boulevard and then becoming Lonsdale Road. I regularly receive complaints from the community about various aspects of this road. Of recent concern is a stretch of Lonsdale Road which lies between Perry Barr Road and Barramundi Drive at Hallett Cove. Here the underlying soil quality and lack of appropriate foundation for the road results in regular subsidence and extreme undulation. I have recently written to the transport minister about this undulation and the safety concerns it poses, but my concerns were promptly dismissed. I would invite the minister to visit my electorate and see the undulation for himself, because it certainly is not safe.

While there are concerns about Lonsdale Road, it is the Brighton Road stretch which causes most consternation in the community. This stretch of the road, which passes through Seacliff, South Brighton, Brighton, Hove, North Brighton and Somerton Park, takes some 45,000 vehicles per day. It is in very poor condition, with the road surface breaking up and potholed, and the median strip cracked, broken and littered with dirty old AstroTurf, long faded and disintegrating.

During the 2014 state election campaign, I established a community engagement website to bring local residents and road users into a discussion about the many problems facing Brighton Road. This website can be found at www.fixbrightonroad.com.au. The 'Fix Brighton Road' campaign has now been going for over a year and it has collected a large amount of anecdotal information from road users' experiences of the myriad of road maintenance, congestion, aesthetic and safety concerns with Brighton Road.

Brighton Road users were recently delighted when roadwork signs were erected, trucks rolled in and the road began to be resurfaced between Sturt Road, Brighton and Arthur Street, Seacliff Park. This southbound stretch of road was in desperate need of resurfacing and over the coming weeks locals were treated to a new, smooth coat of tarmac. The change in driving conditions has been stark.

After one side had been done, I made the naïve assumption that the northbound lane would be completed at the same time. After all, the northbound lane is in significantly poorer condition, with the area outside Brighton Central shopping centre in the worst condition I have ever seen an arterial road. How wrong I was!

The contractors disappeared when the southbound lane was resurfaced and have not been seen again since. We now have one lane which is smooth and improved; the other is like a corrugated country track, getting worse by the day as 45,000 vehicles rumble over it. Why resurface only half? It feels like our community is being teased. There is no doubt in my mind that there are patches of Brighton Road, particularly that patch outside Brighton Central shopping centre, which are a major safety risk to drivers, particularly motorcyclists, because of the surface condition.

I implore the Minister for Transport and his department to direct attention to the condition of our city's major arterial thoroughfares, as well as our rural and regional roads, and to tackle the crisis in road maintenance facing our state. The northbound lanes of Brighton Road, through Seacliff and Brighton, ought to be at the top of this list.

Deputy Speaker, no speech I make in this parliament would be complete without an update on the train horn saga which has made the life of hundreds of residents in my electorate a misery since early 2014. I am pleased to report that this problem is significantly improving after a long community-led campaign. The high-pitched invasive horn, which we have been fighting against for many months, has been tamed through a new approach—a rare win for the community in the face of an out-of-touch government bureaucracy.

This was never a battle which should have pitted rail safety against community amenity; that was a false construct of the transport department. No-one ever said that the trains should not have a warning device, but hundreds of people found themselves asking why the horns on the electric trains needed to be so loud and so disturbing and so frequently blasted compared to the dull and completely adequate horn on the old diesel trains. I would estimate there has been around an 80 per cent improvement in the level of disturbance caused by the horns—

Ms Chapman: Great local member!

Mr SPEIRS: A great win, as the member for Bragg suggests. This 80 per cent improvement has come about by a change of policy in terms of horn usage by drivers, and our community is incredibly grateful for this change. The remaining problems, which are thankfully much less frequent, seem to be down to a few maverick drivers who have decided not to acquiesce to departmental policy. Thankfully, the local community has become wise to such behaviour and has taken to closely monitoring train horn activity. I note that a recent email from transport department chief executive, Michael Deegan, in response to a complaint from a resident, reads as follows:

> Further to recent emails the driver to whom you referred over a particular incident has been counselled and has apologised. I have a senior driver working with the driver in cab to ensure protocols are followed.

The email was signed by Michael Deegan, Chief Executive, Department of Planning, Transport and Infrastructure. So, we are making progress with the train horns, but why did it take so long? It was not until the community got enraged, went out and protested, signed petitions and helped me to hijack the government's ridiculously gimmicky GOVchat forum that action was taken. While I am grateful that the department has finally done something, it beggars belief that it has taken 17 months of arrogant dismissal to get to this point.

Another issue I would like to briefly discuss now is the proposed development of multistorey buildings on the secondary dunes at Minda Incorporated's site at North Brighton. This is an issue which has caused much consternation in the community, as concerns have been raised about environmental damage and lack of appropriate infrastructure to support a series of high-rise towers, with over 600 potential apartments, which are effectively accessed by a network of small and already congested side streets leading from Brighton Road towards the sea.

I am not opposed to development on the Minda site per se. I admire and support the work that Minda puts into the community and the efforts of its chief executive, Cathy Miller, and its board to give the organisation a financially sustainable future. However, I am concerned about the size and scale of the proposed development and the inappropriateness of the current suburban infrastructure, which I believe will be unable to deal with an influx of new residents and their vehicles at a level which this development will allow.

I am also concerned that the development plan amendment for this site seeks to categorise future development as category 1, so that building approval is not subject to notification of neighbouring properties. I am very concerned that such significant development will go ahead without appropriate notification and the community feels cheated out of the opportunity to have their say on the design, bulk and scale of future development. I have appreciated having the opportunity to sit down and talk about this issue with the Deputy Premier in his capacity as Minister for Planning and I hope that a pragmatic compromise can be reached with regard to this potential development.

The final issue I want to discuss briefly concerns the Brighton sporting precinct. I am reminded that it is now a year since the government revealed its decision not to honour Chloe Fox's thought bubble, which she translated into a written election promise to provide $1 million to the Brighton rugby club to kickstart the redevelopment of the Brighton sporting club precinct. I am surprised by how regularly this broken promise is raised with me in the electorate: on the doorstep, in the local media and community services, and at sporting club events.

I visited the precinct last week and continue to believe that its condition is amongst the worst that I have seen in the southern suburbs. The sporting precinct is home to rugby, football, lacrosse, cricket and croquet clubs, with rugby, football, lacrosse and cricket all requiring significant improvement works. I would implore the government to work alongside the City of Holdfast Bay and these clubs and fulfil that broken election promise given to the clubs in writing in the final days of the 2014 election campaign.

Motion carried.

Third 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) (12:36): I move:

That this bill be now read a third time.

I thank members for their contributions to the house. I note that opposition members have offered to the house many spending initiatives, with no concurrent savings measures to pay for them. I note the outrage the member for Bright has about a $1 million grant to the Brighton sporting precinct, yet offers no opposition commitment that if they are elected in 2018 they will fund $1 million into that precinct. I look forward to that commitment from the member for Bright. He can make it any time he likes, but thus far, after 12 months in opposition, he has made no promise whatsoever to that community, other than to complain.

I am sure members opposite understand that governing is more about delivering, rather than complaining. There has been a recent example in the United Kingdom where an opposition party thought it would do much better than it actually did because all it offered were complaints about the incumbent government. I have to say, they remind me a lot of a certain opposition in South Australia. I commend the bill to the house.

Bill read a third time and passed.

STATUTES AMENDMENT (YOUTH COURT) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 26 March 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:38): I rise to speak on the Statutes Amendment (Youth Court) Bill 2015. I indicate that I will be representing the opposition's position in my contribution. There may well be other speakers on our side who have taken a great interest in both child protection and juvenile justice matters, which is the precinct and purview of the Youth Court in South Australia.

The bill was introduced to parliament on 26 March this year by the Attorney-General and, in short, it amends the Youth Court Act 1993 and the Young Offenders Act 1993, together with some other consequential amendments. The act currently provides that the Youth Court judiciary is comprised of a District Court judge, as the Senior Judge, with youth-trained magistrates operating under contract for various periods of time. The bill provides that the principal judicial officer will be a District Court judge or the Chief Magistrate in South Australia and, essentially, the purpose of the bill, we would suggest, is to save money, as the salary of magistrates is less than that of a judge.

It is concerning to note that the savings disclosed for the first year of operation will be only about $200,000 but other information has not been provided by the Attorney's office as to the savings thereafter. However, in addition to being provided a briefing on this bill, I should indicate that on

1 May, that is, last Friday, I received a letter from the Attorney enclosing some information in respect of this bill, including a determination by the Remuneration Tribunal in respect of the salaries and entitlements of our judicial officers in the state and, also, a letter from the Hon. Margaret Nyland AM, who is currently the commissioner of the child protection system's royal commission, dated 26 February 2015, which I will also be referring to in the contribution I propose to make.

The situation that led to this bill being presented to the parliament was, in a way, a bit out of the blue, given that the government after last year's election indicated that it was going to be looking at a number of areas of reform, including transforming the criminal justice system which has periodic publications of reviews it is undertaking—mostly glossy pictures and scant information—generally highlighting some of the areas of reform that the Attorney is looking at, together with press releases from time to time indicating certain action that he is going to take.

This proposal, which is to change those judicial officers who comprise who will be in charge of the Youth Court, did not show up as any area of reform that was either being sought by members of the judiciary or other relevant agencies in this area—those representing children in the Youth Court, those working in the Youth Court or, of course, those in our academic world who take an interest in it.

It is fair to say that the Youth Court has a considerable history, to the extent that we have a separate youth court to recognise the special nature of dealing with the juveniles in our community. It works in the juvenile justice arena on the principle that we should deal with those who commit offences under the age of 18 years differently from adults because we recognise that young people make mistakes, they do some silly things and they ought to be given a second go. So we have a juvenile justice approach which is consistent with having a separate court from the adult courts, either at the summary level in our magistracy, the medium level area of crime and the like in our District Court and, of course, the most serious in the Supreme Court. The idea of treating juveniles differently and having a right to expunge their bad behaviour as a child so that they have an opportunity to have a clean slate when they become an adult underpins the fundamental principle of the way we treat children differently.

One of the other aspects that is important and consistent with this principle is that we do not hear children's cases in the public arena, and that is also an exception to the principle of having transparency in our courts. The public have confidence in our court system. They need to be able to have access, to see how justice is delivered and to have confidence that it is operating as it should. We have an exception to that rule in the Youth Court, where, largely, the hearings that are undertaken, whether it is the juvenile justice area or in the child protection area, are under the envelope of some secrecy.

We do not let the public in to see what is happening because we have made a decision as a legislature, consistent with the continuing contemporary view, that children should be to some degree protected against the glare of public and media gaze. They are entitled to have some privacy in this area and to have an opportunity, consistent with this idea, to have a clean slate when they turn 18, when they are expected to act responsibly as an adult and do not get as many second chances. Again, all this is consistent with having a separate court from our adult courts, which divide up into three categories, the three different types of courts, the way in which people are dealt with in a criminal law capacity.

In the second area of the Youth Court, which is in respect of child protection, never has this been more obvious than with what we have been dealing with in the last month, with the publication of Coroner Mark Johns' report into the agencies responsible for child protection, in the Chloe Valentine case and, in particular, since the Coroner's report in early April. Much focus and attention are currently, as there needs to be, on why our agencies and, I suggest, our government are failing our children in South Australia.

We have a whole raft of child protection law, which is largely administered through the Youth Court. It is a very important area of the law. If our children are the most precious things we have in our community, they deserve to have a court structure which is going to administer this area of child protection, in addition to juvenile justice, and it needs to be at a high level.

Our position on this side is that the government's decision not to have two judges in the Youth Court is one that we can live with, but to introduce a bill to say that the head of that Youth Court will be a District Court judge, as it currently is, or a Chief Magistrate and not tell the parliament what his intention is at this point, as to whether he is going to appoint the head of the Youth Court from the ranks of either the District Court or as the Chief Magistrate, is not acceptable to us. It is totally unacceptable to us, and there are a number of people who support our position in this regard.

I think that particularly the Attorney-General has been remiss at best in his responsibility to the parliament and should have disclosed a number of these matters to the parliament, and I will come to them in due course. We do not accept anyone less than a District Court judge being in charge of the Youth Court. What is more, we have a number of people who support us in that regard.

The court is currently comprised of a senior judge who is a District Court judge. The one who is there at the moment is currently under a 10-year contract to be head of the Youth Court. He remains a District Court judge and if, at any time, his contract concluded, then the current law would provide for either an extension of that or another District Court judge coming across (presumably under contract) to continue in that role.

Under that arrangement, a second District Court judge is available; there is room for a second District Court judge. My understanding of the current operation is that, in relation to those positions, Judge Stephen McEwen is the current District Court judge allocated that responsibility in the Youth Court. Although there is a second District Court judge position, in fact, it operates on the basis that a person—such as former judge Alan Moss—comes in from time to time to hear cases on some kind of commission or contract arrangement.

Separate to that, there are at least two magistrates—and possibly a third, because I think one was appointed just recently—who undertake what I think is fair to say a lion's share of the actual cases that come before that court; and I am sure they competently carry that out. Members can view the annual report which is summarised in the reports here to the parliament of the operations of the Youth Court. These judges have a difficult job—unenviable in many ways—but nevertheless, one which I suggest they are undertaking competently. In fact, we have never had one complaint from the Attorney-General to us here in the parliament to suggest that the current structure is, in some way, wanting or deficient in the services that it needs to provide.

What is also concerning is that, in the absence of some party to submit the importance of this new reform, we noted that the government, contemporaneous with the announcement of this new reform and the legislation coming into the parliament, had dome somewhat of a backflip on a cost-saving measure that the Attorney-General otherwise addressed. Members might recall that, in September last year, the government announced that, as a result of decisions that were made by the Chief Justice (as the head of the Courts Administration Authority)—somehow or other this was all his fault—the Port Adelaide and Holden Hill Magistrates Courts would be closed.

Members could well imagine, even if they do not represent those areas, the number of cases that are dealt with in both these courts, both being very busy courts that provide an accessible court facility to large regions of the metropolitan area of Adelaide, and they certainly relieve the other very busy metropolitan court at the magistracy level, namely, the Adelaide Magistrates Court. To expect that, in some way or other, the Adelaide Magistrates Court or some others that are further flung were going to be able to absorb the extra caseload was utterly absurd and brought condemnation and commentary from those who work in this field, including the legal profession on behalf of their clients.

To even contemplate asking defendants or witnesses or victims to come from regional areas to the city of Adelaide, pay the exorbitant parking costs to start with and not have access to a local court system is, I think, disgraceful. Nevertheless, the incapacity for that to be absorbed into the Adelaide Magistrates Court, I am sure, was being echoed by a number of complainants. Next thing we have this bill promoting a cost-saving exercise which, in fact, coincided with the government's announcement that it would save Port Adelaide from the chop and allow it to survive.

We are certainly not supportive of tampering with a court that has a specific purpose, was established for good reason and, in the absence of any complaint, is operating very well, and throwing out a structure, particularly at the highest level, as to who is to run this court and transfer it

potentially to the Chief Magistrate who herself has a very important role and could hardly be described as someone sitting around with something needing to be done. She has plenty to do.

Even to ask the Chief Magistrate to be, potentially, in charge of the Youth Court as well again exhibits the government's lack of understanding of what crisis our courts are in at the moment, including our Magistrates Court. It is being asked to undertake more and more enforcement of laws, more and more procedures, more and more cases, and yet now they are saying to the Chief Magistrate, 'Well, look, at the moment, we've got a District Court judge running the Youth Court, but we want you to take that on as well.' That is potentially the position.

Of course, we do not know exactly what the Attorney is going to do because he will not tell us, so it is our view that the District Court judge should continue to be the head of the Youth Court and I foreshadow that there will be amendments, if they are not tabled already, to remove reference to the Chief Magistrate having the role of an optional head of the Youth Court. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 12:58 to 14:00.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today students from Pembroke School, who are guests of the member for Bragg, and also students from Christies Beach High School and the Southern Vocational College, who are the guests of the member for Reynell.

Petitions

COUNCIL RATE CONCESSIONS

Dr McFETRIDGE (Morphett): Presented a petition signed by 769 residents of greater South Australia requesting the house to urge the government to retain and index state government concessions on council rates.

REPATRIATION GENERAL HOSPITAL

Dr McFETRIDGE (Morphett): Presented a petition signed by 1,780 residents of greater South Australia requesting the house to urge the government not to close the Repatriation General Hospital and recognise this hospital as the spiritual home and vital lifeline for veterans of South Australia and the South Australian community.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

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

Regulations made under the following Acts—
Co-operatives National Law (South Australia)—Regulations—Local

By the Minister for Small Business (Hon. A. Koutsantonis)—

Review of the Building and Construction Industry Security of Payments Act 2009

Ministerial Statement

ELECTORAL COMMISSIONER

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) (14:03): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.R. RAU: Today, the South Australian Electoral Commissioner, Kay Mousley, has announced she will be retiring after 10 years in office. Ms Mousley has indicated she will be stepping down in the latter part of this year, and I would like to thank her—

Ms Redmond interjecting:

The SPEAKER: The member for Heysen is interjecting continually; I call her to order and I warn her a first time.

The Hon. J.R. RAU: As I was saying, Ms Mousley has indicated she will be stepping down in the later part of this year, and I would like to thank her for serving in this important role. During her time as commissioner, Ms Mousley has overseen the introduction of a range of initiatives to improve the way the electoral system works.

Ms Redmond interjecting:

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

Members interjecting:

The SPEAKER: He was already called to order during the morning session.

The Hon. J.R. RAU: She has introduced the use of IT across elections, EasyVote cards and a virtual tallyroom, as well as an online training portal for electoral officials and new community awareness strategies.

Ms Mousley has over 30 years of electoral and management experience at the federal, state and local level. She was appointed as Electoral Commissioner in 2005 after a lengthy career with the Australian Electoral Commission.

The Statutory Officers Committee will shortly begin the process of determining a replacement for this role, which will then be recommended to the Governor by a resolution of both houses of parliament. Once again, I would like to thank Ms Mousley for her work and I wish her every success for the future.

The SPEAKER: As one of those who appointed her, I endorse the Deputy Premier's sentiments.

Mr Knoll interjecting:

The SPEAKER: Yes. I call the member for Schubert to order for that grammatical solecism.

Question Time

PRISON LOCKDOWN

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:06): My question is to the Minister for Correctional Services. What is the minister doing to fix today's meltdown in our prison system?

The SPEAKER: As I observed in the last sitting week, when questions are as open ended as that, replies tend to be open ended. Minister.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:06): I thank the honourable member the leader for his question. I have the utmost confidence in my management of the corrections department to manage the situation. As we speak, management are in discussions with the PSA. Of utmost importance are two things: one is that the community is safe, and so are the prisoners. So, the allegation made by the leader is just hyperbole, like most of what he says these days.

Mr MARSHALL: I'm sure the minister means hyperbole. A supplementary, sir?

Mr Knoll interjecting:

The SPEAKER: A supplementary. I warn the member for Schubert.

PRISON LOCKDOWN

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:07): Can the minister update the house on when the lockout—lockdown—is due to be completed and correctional services officers will be back at work?

The SPEAKER: A lockout wouldn't be a good idea.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:08): As I indicated in my first answer, negotiations are continuing. I am advised that the parties will be reconvening to consider various offers and counter-offers made earlier today and the parties will then communicate to me what they have agreed to.

PRISON LOCKDOWN

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:08): Supplementary: can the minister outline to the house how many times our prison system has been in lockdown so far this year?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:08): From memory, and I need to correct the record in terms of complete lockdown right across the system, I think this may be the first occasion.

Members interjecting:

The Hon. A. PICCOLO: No, from time to time, for security reasons lockdowns occur and that is normal practice, so this is not an issue around security as such but this is industrial action. Whether we agree with the tactics of the PSA or not, what I can say is that, as I said before, two things are most important: one is that the community is safe and, secondly, so are the prisoners.

PRISON LOCKDOWN

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:09): Supplementary: can the minister outline to the house how many times an individual prison within the prison system here in South Australia has been in lockdown so far this year?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:09): I would have to check the records, but from what I am aware there are often parts of a prison which are locked down because of a particular incident, but in terms of—

Mr Marshall: So this is a commonplace situation to be in lockdown?

The Hon. A. PICCOLO: Lockdowns occur for a number of reasons; one is to protect prisoners but also to protect staff from incidents which occur. We have to also remember that the prison system in itself is quite an artificial environment—

An honourable member interjecting:

The Hon. A. PICCOLO: —a bit like this place, yes—and from time to time emotions go way beyond what they are in the general community, so I don't think we should read more into it. At times, lockdowns occur as a precaution, which is appropriate to make sure that all our prisoners in our care are safe but also our staff are safe who run those prisons.

Mr MARSHALL: Supplementary, sir.

The SPEAKER: Leader.

PRISON LOCKDOWN

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:10): Can the minister update the house on how many court cases have been abandoned today because our prison system is again in lockdown?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:10): My understanding, in terms of any major court case, one case—

Mr Marshall: I didn't ask about major court cases.

The Hon. A. PICCOLO: Well, there would be a range of matters, of people perhaps who are on remand, etc., a whole range of matters which go before the courts.

Mr Marshall: How many?

The Hon. A. PICCOLO: Well, until the end of the day I won't be able to give you that figure because—

Mr Marshall: 'How many have been abandoned today?' was the question.

The Hon. A. PICCOLO: If you heard what I said, given that the day is not over, I will be able to tell you tomorrow.

CORRECTIONAL SERVICES DEPARTMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:11): I have a question for the Minister for Correctional Services. How many instances have there been of Corrections staff being recorded without their knowledge in meetings, telephone conferences or telephone calls in the last two years?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:11): The allegation that the department actually has secret recordings I can refute. What happened on this occasion, which is in discussion, is that there was a normal consultative committee meeting. At those consultative meetings, meetings are recorded by consent of the parties. The parties are both the union representatives and members and also management, and they are recorded for the purposes of making sure that an accurate record of the meeting takes place.

On this occasion, I understand and I am advised, because the meeting went across geography—in other words, across sites—what happened was that people got on and off the phone or some technology and entered the meeting at different times, and some of those people who came into the meeting at a later time were not aware of the previous agreement. So this allegation that somehow we actually secretly recorded meetings is refuted.

CORRECTIONAL SERVICES DEPARTMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:12): Supplementary: was the minister aware of these covert recordings and did he approve these covert recordings?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:12): I know the Leader of the Opposition has a series of questions, but it actually helps to listen to the previous answer because I have just answered it.

Members interjecting:

The SPEAKER: The leader is called to order and so also is the deputy leader.

The Hon. A. PICCOLO: What I actually said was that the allegation that the department actually takes secret recordings is refuted. Full stop.

Ms Chapman: Then you said they did it, but by accident.

The Hon. A. PICCOLO: No. No, what I said was—and I will make it very clear—by consent of the parties, these consultative meetings are recorded.

Mr Wingard: So the prison is in lockdown for no reason?

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

The Hon. A. PICCOLO: It's simple: a meeting starts, and people at the meeting at that time—

Mr Wingard interjecting:

The SPEAKER: The member for Mitchell is warned.

The Hon. A. PICCOLO: —consented, and because this meeting is actually not around a table like a traditional meeting, it is actually held—

Mr Marshall interjecting:

The Hon. A. PICCOLO: Can you let me finish the answer, please? I know it's not the answer you want, but it's the answer you are going to receive.

Mr Marshall: It's not the answer the PSA wants.

The Hon. A. PICCOLO: Well, you don't know that, do you, because as far as I know you are not party to the negotiations.

The SPEAKER: The minister will address his remarks through the Chair.

Mr Marshall interjecting:

The SPEAKER: The leader will address his remarks through the Chair.

The Hon. J.J. Snelling interjecting:

The SPEAKER: The Treasurer is called to order.

The Hon. A. PICCOLO: As I said, I am advised that at the beginning of this meeting, which is an ordinary consultative meeting which takes place on a regular basis, the parties consented to it. As I said, the meeting took place, because of the nature of the system, on multiple sites. People come into the meeting as required by phone or some other technology. The understanding is that a person who came into this meeting at a later point in the meeting was unaware that he was being recorded. That part the department has acknowledged, and the department has apologised for that part, but to suggest that the meeting was secretly taped from the start is incorrect and refuted.

Mr van Holst Pellekaan interjecting:

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

CORRECTIONAL SERVICES DEPARTMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:14): Can the minister outline to the house whether he is aware of any other recordings that are being made within the department that are unknown to the people who are the subject of the recording?

The SPEAKER: Minister for Correctional Services.

Mr MARSHALL: Are there any other recordings that you are aware of in your department?

The SPEAKER: Yes, it is very clear. It doesn't need to be repeated.

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:14): There are a number of acts and a number of players in the justice system. In terms of the department of corrections, they have not recorded any meetings which involve industrial issues, etc., without the consent of the parties. If police, for example, from time to time exercise their powers under certain acts, I am certainly not going to elaborate those in this place.

SA PATHOLOGY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:15): My question is to the Minister for Health. Will the minister release the report of SA Health's investigation into the use of covert surveillance camera equipment at SA Pathology?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:15): I will get some

advice from the department about whether that's appropriate or not. It was not a report to me: it was a report to the chief executive of the department. The findings were, essentially, that nothing illegal had happened, but I think, as the Premier and I both said when it was revealed these recordings were taking place, we both considered it inappropriate and the review found that as well but that nothing illegal had taken place. However, certainly as far as I am concerned, these sorts of incidents shouldn't happen again unless there is involvement of SAPOL.

SA PATHOLOGY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:16): Supplementary, sir: can the minister outline to the house who prepared the report, who has seen the report to date, and when it was finalised?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:16): A press release went out from the department some time ago. I haven't got the press release in front of me: I don't recall the exact date, but it was certainly a while ago that the department sent out a press release saying that it had been completed. The chief executive of the department will have seen it because it was a report to him. Who else in the department may have seen it, I'm not sure.

SA PATHOLOGY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:16): Supplementary, sir: what steps has the minister taken to ensure that covert surveillance does not occur in his department without ministerial approval?

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) (14:17): Mr Speaker, I haven't said anything in relation to any of these questions until now, but I think it is about time we said something about the humbug that is going on here today. The position is pretty clear on this. The surveillance devices legislation in South Australia is an antiquated piece of legislation dating back to the 1970s or 1980s. At that stage, if there were mobile phones, they were the size of a house brick. I remember my parents telling me about this: that's how I know about it.

The SPEAKER: Point of order.

Ms CHAPMAN: The government was asked a very specific question about other instances. That does not give an invitation to the Attorney to get up and bleat about his failure to put through amendments to other legislation—

The SPEAKER: 'Bleating' implies that the Attorney is a sheep and is, therefore, out of order.

Ms Chapman interjecting:

The SPEAKER: There is no point of order and, if the deputy leader takes a point of order on the wholly germane answer of the Deputy Premier, we will be dispensing with her services. Deputy Premier.

The Hon. J.R. RAU: Thank you very much, Mr Speaker. There is an old adage about people in glasshouses and stones, and I would point out to the opposition and, more particularly, those people in the gallery who might be interested in this little story, that the government has been trying for years to modernise the surveillance devices act. We have put up bills to deal with the surveillance devices act over and over again and, just like the legislation we put up over and over again to say that convicted drug traffickers should lose their assets, it has been blocked by the members opposite in the other place. Why they have chosen to block progressive legislation to deal with this, to regularise this, to assist the South Australian police force and to enable us to—

Mr GARDNER: Point of order: I fear that the Deputy Premier is now reflecting on a vote.

The Hon. J.R. Rau interjecting:

The SPEAKER: The Deputy Premier will not play to the gallery, as he did earlier. I call him to order. We have a point of order from the member for Morialta.

Mr GARDNER: I think I am tempted to go with debate, but, also, the minister is reflecting on a vote.

The SPEAKER: But not of this place. Deputy Premier.

The Hon. J.R. RAU: I can assure members present, Mr Speaker, the vote in this place on all occasions has been fine. There has been no problem. This house has resolved that it is a good idea for us to regulate listening devices and acknowledged there is a thing called the interweb that didn't exist in 1970. We have also in this house resolved that declared drug traffickers should lose all of their assets. We have resolved that four times so far.

The SPEAKER: Yes, I am afraid drug traffickers does not have a great deal to do—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Yes, thank you, Treasurer. Is there more?

The Hon. J.R. RAU: Absolutely. I say to those opposite, if they want to grumble about the fact that the legislative arrangements in South Australia are completely antiquated in respect of the management of listening devices, they have a very simple way of resolving that matter. They can speak to their friends in the other place and urge them to pass the legislation.

PUBLIC SECTOR EMPLOYMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20): My question is to the Minister for the Public Sector. Can the minister guarantee that there are no other instances of government agencies spying on their employees without due process?

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) (14:20): The reason I rise is those last words 'without due process'. The point I am trying to make to the parliament, the point that seems to be lost on the Leader of the Opposition, is we have been trying for years to put into place what is due process, to make the law provide for due process, and we have been thwarted over and over again.

Ms Chapman interjecting:

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

PUBLIC SECTOR EMPLOYMENT

Mr SPEIRS (Bright) (14:21): My question is to the Minister for the Public Sector. Does the dismissal of 11 senior executives in the Department of the Premier and Cabinet meet the public sector's values as developed by Change@South Australia, in particular the value of respect which is described on the Office for the Public Sector website as:

> Applying empathetic people management skills to bring out the best in employees, and making their wellbeing a priority.

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:21): I do find it slightly baffling to be asked that question by the party that seems to want us to shrink the public sector at a rapid rate. However—

Members interjecting:

The Hon. S.E. CLOSE: I can hardly hear myself think. I suppose the way that the question was asked was really intended to imply that somehow shrinking executives is not respectful and maybe the implication is that there is a view that we should have fewer at the lower levels instead of fewer at the higher levels. I am not sure what sits behind the thinking, but the government is committed not only to meeting its budget targets but also to do so in a way that does not disadvantage front-line staff—

Ms Chapman interjecting:

The SPEAKER: The deputy leader is warned for the second and final time.

The Hon. S.E. CLOSE: —and front-line services and, therefore, has very properly looked to those who are on contract and on very high payments to manage their budgets.

Mr Knoll interjecting:

The SPEAKER: The member for Schubert is warned.

PUBLIC SECTOR EMPLOYMENT

Mr SPEIRS (Bright) (14:23): A supplementary, sir: does the minister believe that such dismissals are damaging morale within the public sector and preventing good people from applying for vacancies?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:23): Again, I am struggling because I recall a very early speech given by the honourable member, it might even have been his first speech, in which he was really quite dismissive and rude about the people in the senior ranks of the Public Service and now he seems to have taken up their cause in an interesting way. I have no evidence—

Mr TARZIA: Point of order, Mr Speaker: surely, the honourable member is debating the topic.

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

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The Treasurer is warned.

The Hon. S.E. CLOSE: In any case, to return to the topic of the question, I have no evidence that there has been any such harm or damage. No-one has raised that with me.

Mr Marshall interjecting:

The SPEAKER: The leader is warned.

PUBLIC SECTOR EMPLOYMENT

Mr SPEIRS (Bright) (14:24): A supplementary: does the minister agree with statements made by many public servants, including Rod Hook, that the politicisation of the Public Service is preventing the delivery of frank and fearless advice?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:24): No, I don't.

PUBLIC SECTOR EMPLOYMENT

Mr SPEIRS (Bright) (14:24): My question is to the Minister for the Public Sector. What is the total value of payouts to the 11 Department of the Premier and Cabinet executives dismissed in January?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:24): I will have to take that on notice. I am not the administrative minister for that department, so I will take that on notice.

FEDERAL BUDGET

The Hon. J.M. RANKINE (Wright) (14:25): My question is to the Premier. Can the Premier outline to the house the impact of last year's federal budget on families and what can be done to address the impact?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:25): I thank the honourable member for her question. Obviously, the last federal budget was a catastrophe not only for the nation—

Mr Tarzia interjecting:

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

The Hon. J.W. WEATHERILL: —but also for the Liberal Party and did irreparable damage to the—

Mr Tarzia interjecting:

The SPEAKER: The member for Hartley is warned.

The Hon. J.W. WEATHERILL: What we are looking for out of this federal budget is—

Mr Tarzia interjecting:

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

The Hon. J.W. WEATHERILL: What we are looking for out of this budget is a vision for the future of this country which is not just about cuts. People have pretty basic needs: they want a secure job for themselves and their family, they want a good school, a good healthcare system—

Mr Pisoni interjecting:

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

The Hon. J.W. WEATHERILL: —and they want to be cared for in their old age. These minimum basic responsibilities of a government to answer these questions were not answered in the last federal budget.

Mr Knoll interjecting:

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

The Hon. J.W. WEATHERILL: There is an important initiative in the last budget that should be reversed in this budget and that is the cuts to pensioner concessions; that was a particularly cruel cut. It was something that was visited onto state governments and we picked up the bill for the first year. We are looking very carefully at the federal budget delivered today to see whether it remedies that defect.

The other very substantial cut was the decision to cut vital road funding and financial assistance grants to South Australian councils. This is something that minister Brock, Minister for Regional Development, has been campaigning tirelessly on on behalf of councils across South Australia. It is vital for regional South Australia that the funding equivalent of around $96 million be reinstated to councils across the state.

Of course, it is vitally important that the $80 billion cuts to health and education across the whole of the nation are grappled with in this budget. We do not hold out much hope for that and this has been something of a topic of discussion at the COAG meeting. It was a central issue at the COAG meeting and it has led directly to a retreat of first ministers that will be established in July this year.

It is absolutely crucial that those cuts to health and education which involve breaches of existing agreements are acknowledged by the federal government and there is a process which allows us to grapple with the hole that has been created, remembering, of course, that there is no genius in just putting in an accounting measure where you breach an agreement.

The costs remain in the system, the expenditure is required to be made in the system—hospitals need to be run, schools need to be run, nurses need to be paid, and teachers need to be paid. It is just that the funding has been withdrawn and so we now have this gaping hole in those responsibilities. We are calling for that process to be revisited and we look forward to the retreat which we have committed ourselves to engage in on a constructive basis.

We also stand ready to work with the federal government to deliver infrastructure projects. We have outlined a series of projects which we think will deliver enormous benefits for the state and the nation, but also would create a degree of stimulus, especially for our northern suburbs. We have put on the list of things to ask for support: the north-south freight corridor, including the northern connector; the Strzelecki Track; and, of course, even the Kingscote airport which the member for Finniss might be pleased to realise.

We do look forward to a budget tonight that creates confidence, that turns away from the cruel cuts we saw in the last federal budget, and we look forward to saying more to the house after that has been revealed.

HOUSING TRUST PROPERTIES

Ms SANDERSON (Adelaide) (14:29): My question is to the Minister for Social Housing. Will the minister guarantee there will be no loss of rates income to councils with the privatisation of Housing Trust properties?

Mr Whetstone: Pull your pants up!

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) (14:29): Can I thank the honourable member for that question.

The SPEAKER: I heard that, member for Chaffey, and you're called to order.

Members interjecting:

The Hon. J.R. RAU: I will try and answer this question. The arrangements that presently exist in relation to the transfer of Housing Trust properties across to NGOs—and there's presently, I think, a number of those which are in the process of being finalised—provide for the provision to the local government agency concerned with a payment, in effect, of council rates for those people. So, in respect of those transfers that are going on presently, there is a guaranteed payment of council rates, so it makes no difference whatsoever to local government.

Mr Marshall: Directly to council?

The Hon. J.R. RAU: It's a condition of the transfer that they be paid. How they are paid I don't know, but they're paid. Now—

An honourable member interjecting:

The Hon. J.R. RAU: Look, you can have a supplementary in a minute, all right? The other point I should make is that the member for Adelaide, who was, as often is the case, in a briefing just a little while ago and walks in here and asks questions about the briefing, should be aware that the situation is that there is already an arrangement whereby there is a rebate system for those existing owners of community housing who are outside of the public sector—they already have an existing rebate.

So, in respect of those properties that are already in that space, to change the rebate arrangements would in fact be a windfall for local government, because they'd be picking up rebates in respect of properties for which they presently receive no income at all and have never expected to receive income. In relation to those properties that are being transferred under the current arrangements, or soon to be finalised arrangements—and I think the number is in the approximately 1,000 or 1,100 or so properties—those properties have as part and parcel of their conditions that the payments would be made as per usual to the relevant local government authorities, so the impact on them is zero.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:32): My question is to the Minister for Correctional Services. Can the minister advise the house, following the coronial inquest handed down last week into the death in custody in 2011 of Mr Shane Rene Blunden, aged 18 years, which of the Deputy Coroner's 15 recommendations will the government implement to reduce the risk of future preventable deaths?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:32): I thank the honourable member for his question. As the member mentioned, the report was handed down last week. My understanding, from reading the report for the first time, was that a number of those recommendations he made we have implemented. They were a result of our submissions and evidence to the coronial inquiry—so they've been implemented. There are some which the agency is now working through. We are required to table our response to parliament. When the report is

ready, I'll be happy to advise the member, but, certainly, we take any recommendation from the Coroner very seriously. As I said, a number of those have been implemented, and the Coroner has also acknowledged that, and there is a number which we'll work through to see how we implement them.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:33): Can the minister describe how many of the nine recommendations that are relevant to the minister's corrections portfolio and the other recommendation in relation to the police portfolio have been implemented and which are remaining to be implemented?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:33): I thank the honourable member for his question. What I can advise is that a number of the recommendations dealt with the transfer and the flow of information between agencies to make sure we had the most appropriate information available to us to ensure, particularly younger prisoners—in this case an 18 year old—are properly managed into the system. Those arrangements are now in place and the Coroner has acknowledged those in his—

Mr Gardner interjecting:

The Hon. A. PICCOLO: If you let me get to the question—in terms of which ones remain, I'd need to check the exact number. In terms of subject matter, I note they are not the exact ones, but what I can say is that the advice to the agency is that at this point in time we are very keen to make sure that all of them are implemented to the best of our ability.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:34): Supplementary to the Minister for Health: can the Minister for Health identify which of the five recommendations relevant to the prison health service have been considered and are being implemented?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:34): What normally happens with these coronial inquiries is I bring a report back to the house and I would refer the member to the report.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:35): My question is to the Minister for Youth. Can the minister advise the house why records of Mr Blunden's extensive history of self-harm and suicide attempts were not transferred from the youth justice agency to the corrections department prior to his death in 2011?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:35): I will need to take that on notice.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:35): Supplementary, sir: have any reforms been undertaken in the past 3½ years that would have enabled the youth justice department to put the safety of the young offender who becomes part of the adult corrections department ahead of privacy concerns and thereby allow material to be transferred from Youth Justice to Corrections?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:35): I thank the honourable member for his question. As I mentioned a bit earlier, I did advise that one of the major issues the Coroner raised was the transfer of information. I can advise that my agency, the department, with the department DCSI, last year put in place a memorandum of administrative arrangement which enables us, the two agencies, to share information. As the member has quite rightly pointed out, the initial issue was ranked regarding privacy—how we get around that.

Obviously, we have worked through that and that arrangement now enables the appropriate information to be shared between agencies.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:36): Supplementary: in relation to the memorandum of understanding between DCSI and DCS, is the minister satisfied that the intent of that memorandum of understanding has been met through the transfer of information through cases since that time last year where it was implemented?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:36): I thank the honourable member for his question. I have no advice to suggest that is not the case.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:36): My question is to the Minister for Youth. When is the government's long-promised new youth justice administration bill going to be released?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:37): I continue to consult with various people, including the Aboriginal Legal Rights group and the guardian for children. We will look at a draft bill in the very near future.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:37): Supplementary: is the draft youth justice administration bill, as envisaged by the minister, going to set out in legislation the confirmation that safety of an individual is going to take priority over privacy concerns, and is it going to be complementary to the memorandum of understanding just described by the minister for corrections?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:37): Obviously, when we are doing consultation, this is one of the issues that can be raised. I think at the heart, when we are reviewing a bill like the youth justice administration bill, it is important for us to remember what we are trying to achieve with youth justice: we're trying to turn lives around. For those who have come through the system, we're trying to prevent people going onto the corrections system. I think that, obviously, safety should be the priority and I'll consider that as part of the bill.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:38): Supplementary: can the minister give us some sort of time frame as to when this bill will be presented to the public for consideration in the parliament for tabling given that, in her previous answer to the house, she identified that this bill had been on the cards since before she was even appointed to this portfolio? How long is it going to take?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:38): I expect that the bill will be introduced to parliament later in the year.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:38): Supplementary: why has it taken the minister her entire ministerial career to get this bill prepared, given that it was already on the cards and she has just outlined how important and urgent it apparently is?

Mr Pengilly interjecting:

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

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for

Youth, Minister for Volunteers) (14:39): As I recently tipped over one year of being a minister—and fantastic to be a part of a great government here in South Australia—

Members interjecting:

The SPEAKER: The leader is warned for the second and final time, and so, alas, is the Treasurer.

The Hon. Z.L. BETTISON: When government was prorogued in 2014, obviously this came off the *Notice Paper.* I thought it was important to begin the consultation with key stakeholders.

Members interjecting:

The Hon. Z.L. BETTISON: As the new minister, I felt that it was important to begin my consultation with key stakeholders, looking at the draft bill. I take it very seriously. There are several issues that are raised with many different sectors who would like to see different things included in the bill. I take that quite seriously, and I continue my consultation.

YOUTH JUSTICE SYSTEM

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:40): Supplementary: is the minister suggesting that a bill has already been presented to the parliament, and if so, can she tell us what the difference is between the bill that was brought to the parliament previously and what she is currently consulting on?

Mr Goldsworthy interjecting:

The SPEAKER: The member for Kavel is called to order, as the Deputy Premier has been beseeching me to do for all of question time.

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:40): I think it would be most appropriate for me to get that time line clear and come back to the house.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:41): My question is to the Minister for Youth. Why did it take an assault on two staff members in October of last year for 19-year-old Aaron Jade Grenfell to be removed from juvenile justice and placed in an adult prison, despite 23 earlier incidents of alleged assault, attempted assault and other fights at Cavan that saw him remain in juvenile justice after the age of 18?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:41): Mr Speaker, I previously held that portfolio and I'm aware that even though there are a number of people 18 and over in the youth justice system, they actually do require a court order to transfer them. If somebody has been sentenced to the youth justice system they actually then require an appropriate court order to shift them to an adult prison. So, the short answer is, you need to bring a matter before the court and the court approve that person being transferred to an adult prison.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:42): My supplementary is to the Minister for Youth. How many adults serving in our juvenile justice facilities at the moment have had breaches of discipline for violent attacks against staff or other inmates brought against them?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:42): Mr Speaker, since I—

Mr Gardner: How is this your portfolio?

Mr Marshall: How can you possibly answer this question?

The Hon. A. PICCOLO: I can't. I'm about to say that. Given—

Members interjecting:

The Hon. A. PICCOLO: But the question was put to me.

Members interjecting:

The SPEAKER: The minister will be seated. It's a convention of parliamentary question time that any minister can answer on behalf of the government. I won't put up with this braying by the leader about which minister is going to answer questions. If I have one more interjection on that basis someone will be tossed.

Mr GARDNER: Point of order, sir. If 'bleating' is unparliamentary, is not 'braying' also unparliamentary?

The SPEAKER: Yes, you're right. I warn myself. Minister.

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:43): The number of people aged 18 years or older in the youth training centre as at 28 April are four people.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:43): Supplementary: in the last 12 months how many incidents have there been of infractions of discipline requiring a report—for somebody who is of the age of majority for an incident of violence against a staff member or somebody else in the juvenile justice facility—on the books?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:44): Mr Speaker, I'll take that on notice.

The SPEAKER: The member for Little Para.

Mr GARDNER: A final supplementary, sir?

The SPEAKER: No; we'll come back to you.

HOUSING SA

Mr ODENWALDER (Little Para) (14:44): My question is to the Minister for Social Housing. Can the minister inform the house of what programs are being undertaken to reduce energy costs for Housing SA tenants?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (14:44): I thank the member for this question. In late October, I provided the house with information about the state government's commitment to replacing approximately 1,000 LPG gas and electric hot water systems with solar hot water heaters on Housing SA properties across the state.

Previous studies show that hot water accounts for 30 per cent of the total energy used in public housing dwellings. The installation of solar hot water heaters will undoubtedly have a positive effect on tenants through reductions in power bills and an ongoing positive effect on their cost of living. I am advised that a project plan was developed which prioritised tenants living in suitable properties according to the following criteria:

- Properties currently using LPG are the first priority.
- Properties with electric hot water services installed prior to 2010 are the second priority category.
- Properties with four or more bedrooms currently using a natural gas hot water service installed prior to 2010 are the third highest priority.
- Three-bedroom properties with gas hot water services with a high number of residents are the next priority.

As at the end of March 2015, letters regarding the program had been sent to 394 tenants in Murray Bridge, Port Pirie, Mount Gambier, Port Lincoln, Ceduna, Berri and a range of metropolitan locations. The remaining letters will be sent to tenants in remote, regional and metropolitan locations by the end of June 2015. I am advised that this will include letters to 31 tenants in the Aboriginal communities of Raukkan and Point Pearce.

Prior to arranging the installation of the solar hot water systems, an inspection is completed for Housing SA. To date, Housing SA confirm outcomes for 139 inspections:

- Two solar hot water services have been installed at Murray Bridge and Mannum.
- Installation orders have been raised for a further 14 systems.
- 111 installations are expected to be completed by the end of June.
- 12 properties have been identified as unsuitable.

Housing SA anticipate that an additional 250 inspection orders will be raised by the end of June 2015 and the remaining inspections and installations will be completed by 31 December 2015. These steps towards reducing the cost of living for low-income South Australians are yet another example of this Labor government honouring its election commitments.

COUNTRY HEALTH SA

Mr HUGHES (Giles) (14:47): My question is to the Minister for Health. Minister, what investments has the government made to Country Health in recent years?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:47): Thank you to the member for Giles. What an advocate for the regions the member for Giles is, Mr Speaker. The 2014—

An honourable member: Point to two others that you've got.

The Hon. J.J. SNELLING: A much better advocate than anyone on the other side of the house, I have to say—

The SPEAKER: I call the Minister for Health to order.

The Hon. J.J. SNELLING: I'm sorry, Mr Speaker. The 2014-15 budget committed $778.9 million in 2014-15 to public health services in the country. This is a significant increase on the previous budget figure of $766.2 million. A large number of major capital projects have been completed in the Country Health Local Health Network. These include a $12½ million investment in the Port Pirie GP Plus Health Centre and a $3½ million upgrade of the Mount Barker maternity unit.

Chemotherapy services expanded across the state, and it has been a great pleasure, as a new health minister, to have the opportunity of travelling around this beautiful state, opening chemotherapy units right across the breadth of the country, to make sure that regional South Australians who are afflicted with cancer and other conditions that require chemotherapy are able to have chemotherapy delivered closer to home.

We have established more renal services across the state, including a project underway at Gawler to expand services at the site, and the renal truck, which travels to remote communities on the APY lands and other country areas. We are now operating six-bed acute mental health inpatient units at Whyalla and the Riverland, and soon the Mount Gambier mental health inpatient unit will be officially opened.

Mr Marshall: What about Mallala?

The SPEAKER: Mallala—if the opposition policy is to take over private hospitals and run them on their behalf, I am sure your Treasury spokesman would be interested to hear that that is now Liberal Party policy.

To further help country patients, last year I announced a $2½ million funding boost to the Patient Assistance Transport Scheme, which will benefit over 16,000 South Australians living in

regional areas. Once again, the member for Giles was advocating strongly on behalf of constituents over that particular issue.

Mr Marshall: He wasn't in the parliament!

The Hon. J.J. SNELLING: It is an exciting time for Country Health, as we embrace new technologies. He was still, as a candidate, advocating on behalf of his constituents. Our investment in digital telehealth is revolutionising the way we provide health care to people located across our state, from Ceduna through to Mount Gambier. There are currently 160 videoconferencing units in 80 locations across Country Health SA. Four hundred patients a month receive expert health advice from Adelaide-based specialists via videoconferencing without having to leave their community.

I am proud that our Country Health hospitals continue to punch above their weight. In 2014, all of our seven major country hospitals that are measured against these criteria exceeded the national benchmark of 82 per cent. I am committed to providing the best health care for all South Australians, whether they live in metropolitan or regional South Australia.

COUNTRY HEALTH SA

Mr GRIFFITHS (Goyder) (14:50): A supplementary: in the minister's answer, he referred to $779 million in this financial year for Country Health and $766 million in the previous financial year for Country Health. Being generous, that is $13 million, which represents a 1.7 per cent increase, which is only one-fifth of the approximate health increase in costs per year. So, why indeed is regional health suffering in comparison to metropolitan health?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:51): The figures I used were $778.9 million in 2014-15 compared to $766.2 million in 2013-14.

CHINA TRADE

Mr PICTON (Kaurna) (14:51): My question is to the Minister for Agriculture, Food and Fisheries. Can the minister inform the house about South Australia's recent participation in the 2015 SIAL event in China, as well as the upcoming delegation to China led by the Premier?

Mr Whetstone interjecting:

The SPEAKER: The member for Chaffey is warned.

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) (14:51): I thank the member for Kaurna for his question. SIAL is a huge food exposition that's held in Shanghai each year. Last year, I was up there and we had seven South Australian producers. This year, I am pleased to report that 13 producers went up from South Australia, including Bickford's, Tony's Tuna, Kinkawooka Mussels, Laucke Flour Mills, Mori Seafood and Vok Beverages.

I know the opposition spokesperson for agriculture, David Ridgway, was up there flying the flag for South Australia, and I think it is really important that all members of this house and the other house, no matter what our political allegiances are, get in and help our local areas to sell our premium food and wine to the world. I congratulate Mr Ridgway for his work up there, and I know that there are plenty of other people who want to get out there and help their regions. We are only too happy to give you any stats or any advice.

When we go up to China, and we will be up there with the Premier and the Minister for Trade on the biggest ever delegation to Shandong in a couple of weeks' time, it is really important that we have a narrative that fits in with what the national narrative is around the free trade agreement. Then we have to all fall into line with what the state narrative is and then your own regional narrative as well. It is very important that, when we engage with the Chinese in these discussions, we all stick to the same script.

We have done the research. We know what it is that the market is after. So, if anyone has any intention of doing travel to China or any other part of the world, please let us know if we can be

of any assistance at all. There were around 2,734 exhibitors, with more than 55,000 professional visitors coming through.

Mr Knoll: Come on, this is just from the website.

The Hon. L.W.K. BIGNELL: This is a huge industry, and someone whose family is actually involved in the food industry I would have thought might have sat here and actually played a bipartisan role—

Ms REDMOND: Point of order, Mr Speaker. Surely that last comment is debate on the part of the minister.

The SPEAKER: Is debate? It's responding to interjections, which is deplorable but it does happen.

Mr Knoll interjecting:

The SPEAKER: The member for Schubert is on two warnings, and he hasn't sent me an email establishing his contention that this is from—

Mr Knoll interjecting:

The SPEAKER: The minister.

The Hon. L.W.K. BIGNELL: Thank you, Mr Speaker. The government provided about $35,000 to support the visit to SIAL through Food SA and I want to congratulate Catherine Barnett and the Food SA team who do a tremendous job on behalf of government and industry in bringing our two bodies together for the common good.

The agribusiness sector is worth over $17 billion a year to the South Australian economy, and I know that so many of us are fortunate to have great food and wine producers in our local areas. So, if any of them are keen to get on board for SIAL next year, or for any of the missions that we are undertaking—of course we are up to Shandong in a couple of weeks and then in September we will be bringing a high-level delegation and hosting them here during Adelaide show week to show them again some of the great agricultural produce that we have here.

The Premier obviously has this as one of our key priorities. He has said in the past that, while we can't be Asia's food bowl, we can be the gourmet delicatessen. I want to congratulate all of those great food and wine companies around the state who are doing a tremendous job in not only coming up with great produce but value-adding to that produce, finding out what it is that the market wants at the other end of the process, so that we are not turning up trying to sell something they don't want. We are fitting in perfectly with what the market—whether that is in Shandong, the US or Europe—really wants. I congratulate all of those in the industry and those people in government who do such a good job in working with the industry.

SAFER NEIGHBOURHOODS

Ms HILDYARD (Reynell) (14:56): My question is to the Attorney-General. How is the state government assisting communities to reduce criminal activity and promote safer neighbourhoods?

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) (14:56): I thank the honourable member for her question.

Mr Marshall interjecting:

The Hon. J.R. RAU: I can't help but pass up the—

The SPEAKER: This is all a gift. All these interjections are a gift to the Deputy Premier. I urge the opposition to stop giving.

The Hon. J.R. RAU: I can't help but pass up the opportunity provided by the Leader of the Opposition to just mention that. For those of you who haven't already been down to Bank Street where the new vibrant aspect of the City of Adelaide is on display yet again with a very innovative light show—

Mr Marshall interjecting:

The Hon. J.R. RAU: The honourable member will be fascinated to know—

Mr Pisoni interjecting:

The SPEAKER: The member for Unley is warned.

The Hon. J.R. RAU: —that whilst they may have been blue the last time the honourable member saw them, I am reliably informed they can change colour, and if the honourable member wishes to provide me with his favourite colour, for example, we could see whether—

Mr Marshall: We like blue; we are happy with blue.

The Hon. J.R. RAU: You like blue, okay. The other thing I should mention, Mr Speaker, and even you may not be aware of this, not only do I believe that the colours can be changed in that magnificent lighting display in Bank Street but words can be put there. For example, if it were the Leader of the Opposition's birthday, it could say 'Happy Birthday, Leader of the Opposition' I am told.

Mr Marshall: I would like to see that.

The Hon. J.R. RAU: If the honourable member would like to let me know confidentially later on when the special day is, we will see if we can organise a surprise for him, but it will be in the evening because that is when the lights are on.

That wasn't the only thing the honourable member for Reynell wanted to know. She wanted to know other things as well. We have a series of grants which actually we encourage all communities to be involved in. These grants can be to all manner of ways of supporting communities in terms of improving community safety. In the most recent round, there have been a number of parts of the city—and I don't just mean the inner city, I mean metropolitan Adelaide in particular—where there have been grants sought, for example, for CCTV installations.

It is really important, we believe, that communities have their own opportunity to identify areas where they feel their public safety might be at risk and to make an application through their local government or agency so that they can actually say to us, 'Look, we would like some assistance with these particular areas being provided with additional security through CCTV.'

Lighting, of course, is another very important aspect, and the Leader of the Opposition has drawn our attention to that. It is one of the great programs we have. These things are local based programs, based in local communities, and it is an opportunity for them to actually participate in selecting the sort of security enhancements they want for their area. I know many of you in this chamber would have particular parts of your electorates where you feel there could be an enhancement of security—around a railway station, for example.

I know the member for Kavel has that excellent sporting facility we visited in his electorate, with that enormous photo of the member for Kavel, with the eyes. It reminded me of the F. Scott Fitzgerald novel, *The Great Gatsby*, where the eyes followed you as you drove past. Anyway, it did actually make it quite difficult for some of us to concentrate because, even though the member for Kavel wasn't there in person, we had this sort of spectral image of him peering over us.

The SPEAKER: Alas. The member for Unley.

NATIONAL LITERACY AND NUMERACY TESTS

Mr PISONI (Unley) (15:00): My question is to the Minister for Education and Child Development. Does the minister stand by her public comments this morning that South Australia's NAPLAN results have not deteriorated since the first NAPLAN testing in 2008?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:01): The briefing that I have received from the department is that, in absolute terms, the performance has held steady but that what has occurred is that a couple of the other states (I think, particularly, Queensland, that was fairly far behind) have put in a big effort and lifted and, therefore, the average has increased. I think the larger point is that what we are looking at is a system of measuring performance that is one of many ways in which we can assess

how we are travelling. In the case of NAPLAN, what we are really talking about is fairly close results in a band that isn't too broad.

If it may comfort some people who are concerned about some of the relentless negativity that we hear about our state schools and our general school population in South Australia, I can point out that, if we look at the PISA assessment (which is the OECD's way of assessing how different countries are performing) and if South Australia were to be treated as a country, it is ahead of both the UK and USA in maths literacy, for example, and better than the USA on science literacy.

We have a very good education system and we have kids who learn an enormous amount in the basics and beyond the basics as well. NAPLAN is a standardised test (about which there is much controversy across the world, and I think it is quite legitimate for there to be that controversy) that attempts, in one way, to assess the capabilities of students in literacy and numeracy. It is only one way of assessing that. It is not suitable for all students and that is why I am always at pains when talking about it to say that it has validity in terms of a comparison of systems. It is extremely data rich and is getting more data rich by the year and, therefore, enables different school sectors and different states to work on ways in which they can improve.

As I said in public this morning as well, we use that data as one of the bases for the school reviews that we are undertaking at the moment. We do take it seriously because it is one of the tools: it is one of the measures. But I am at pains to say that it isn't necessarily the best measure for an individual student and it is far better for parents to be closely engaged with their children's education than to wait every two years for a test that then takes several months to spit out a result.

EDUCATION SYSTEM

Mr PISONI (Unley) (15:04): My question is to the Minister for Education and Child Development. Why won't the minister fund grade 7 classrooms to meet higher teacher-student ratios like other states do as they teach their grade 7s in high school?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:04): The debate about where year 7 fits, that we have had several times here, is really divided into two sections, I think. One is a pedagogic question of whether year 7s are better taught in the—

Mr Pisoni interjecting:

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

The Hon. S.E. CLOSE: —in the secondary sector or the primary and where that works for pedagogy. Where we have settled for the present is that there appears to be no evidence of an advantage of moving year 7 into high school wholesale and, therefore, we have the kind of system that enables parental choice where we have separate primary schools and secondary schools and we also have a large number of schools where, because they go from either birth or reception to year 12, a middle school that reaches down to year 7 or even year 6 is possible.

The second side of the argument, though, about year 7 is the way in which it is funded, and the funding model that the feds have developed is such that they choose to fund our year 7s at the primary school rate rather than the high school rate despite the fact that there is a single curriculum and despite the fact that several of our students are indeed sitting effectively in a high school by being in a reception to year 12 school. So, I have undertaken that I will raise that with minister Pyne as part of our ministerial council meeting in a couple of weeks' time and talk through the best way to do that. But I would point out that the funding differential is minute in comparison to the money that we are missing out because of the lack of commitment to Gonski's year 5 and 6 which is $335 million, and we have the federal budget this afternoon, and I am hopeful that that will have been resolved.

MALLALA COMMUNITY HOSPITAL

Mr GRIFFITHS (Goyder) (15:06): My question is to the Minister for Ageing. Has the minister been briefed on the closure of the Mallala hospital and aged care service, a community controlled facility that closed on 1 April, requiring 31 aged care residents to find alternative housing? Can the minister confirm the level of departmental oversight that occurs on community controlled aged-care services, particularly their financial control and their financial viability?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:06): It is unfortunate but we cannot step in every time that one of these country facilities closes. We do try to work with agencies but this will not be the first time nor will it be the last that one of these community controlled hospitals/aged-care facilities are unable to continue to operate. We, of course, make sure in terms of country health that we have facilities as best we can to assist in the relocation of those residents to alternative accommodation.

But as I said, if the Liberal Party in South Australia is committing to a policy of every country facility that closes down that they are going to step in and take it over, I am sure the Hon. Rob Lucas in another place will be very interested as he frames up your campaign costings for the 2018 election campaign. But don't give us crocodile tears about these country facilities when they close when, if you were in government, you would be doing exactly the same thing.

Grievance Debate

NATIONAL VOLUNTEER WEEK

Dr McFETRIDGE (Morphett) (15:07): This week is National Volunteer Week. I would like to recognise the 600,000 or so South Australians who volunteer on a regular basis. We talk about the value of volunteering but it is interesting to read some recent work that has been done by Dr Lisel O'Dwyer from Flinders University. Dr O'Dwyer's research into volunteering estimates that volunteering in Australia nationally is worth $290 billion a year. That is a massive figure in anybody's calculation, so valuing our volunteers has just taken a huge leap forward; that is 290 billion reasons why we should be valuing our volunteers each and every day.

If we work on the normal 8 per cent of South Australia's share, that is about $23 billion, but the 600,000 volunteers of the estimated six million volunteers that we have in Australia is 10 per cent, so the South Australian effort is about $29 billion—that is, $29,000 million each and every year. That is a massive figure and as Dr O'Dwyer points out in her evaluation:

> According to the latest report, the economic contribution of volunteering to Australian society surpasses revenue sources from major sectors including mining, agriculture, defence and retail.

When you put it in those terms, volunteering is more valuable than mining, more valuable than defence, more valuable than agriculture, and more valuable than retail. This is why each and every member in this place needs to value our volunteers.

We are all involved with volunteers in our own electorates, whether they are the service clubs, such as Rotary and Lions, whether they are going out and serving meals with Meals on Wheels, or whether it is through church groups. The latest down at Glenelg was the men's breakfast before ANZAC Day and, of course, on ANZAC morning the Salvation Army was down there serving the gunners breakfast. If it were not for the volunteers where would the thousands of sporting clubs we have in South Australia be? Where would South Australia be? Where would all of those aspiring athletes be if it were not for the volunteers?

Of course, let's not forget the other very lovable volunteers, the Lavender Ladies and others, who help out in our hospitals. The Lavender Ladies and other volunteers go into our hospitals and provide comfort, solace and companionship. They provide a service which you cannot put a dollar on, but let me just remind the house that the value of volunteers is $290 billion a year nationally. That is an enormous figure. We have heard figures in the past of about $5 billion a year used as recently as two or three years ago when valuing volunteering, but when you look at the value of volunteering—the emotional value, the lives saved, the whole impact of volunteering—it has increased exponentially.

Volunteers across the community, whether they are tourist guides, in the schools, with disability groups, or the volunteers that pop up when a community event is on, are people we continually need to admire and value in this place.

Interestingly, a comment on modern volunteering is that younger people nowadays are looking to more specifically commit to a particular event for a particular time period, rather than to join an organisation. I know Rotary are looking at ways that they can improve their membership because they have a decline. We have seen declining numbers of CFS volunteers because of

changes in lifestyles and changes in the demographics of suburbs. The regions and rural areas are changing as towns are getting smaller and properties are getting bigger. The effect on volunteering is something we cannot overlook, so we need to value our volunteers.

I will finish off by saying that part of valuing our volunteers is making volunteering easier, so why is this government department not using at least one of the private firms that I know of who can provide volunteer checks within one hour? I spoke to a man this morning who has a service and he has offered it to the Department for Communities and Social Inclusion. They will do 75 per cent of volunteer checks within one hour. He said to me that 97 per cent of checks can be done without secondary checks. Why can't this government do that when this particular firm is being used by other South Australian government departments? They are used by the federal Attorney-General's Department as well. They are able to prove they are accredited. Why does this government not value volunteers and help them volunteer?

ICAC INVESTIGATION

The Hon. J.M. RANKINE (Wright) (15:13): I wish to resume my remarks from the Supply Bill debate this morning about the outcome of the ICAC investigation into the appointment of Vicki Antoniou, a public servant, into a Public Service position for which on any measure she was more than suitable.

The member for Unley had pursued Ms Antoniou for two years under parliamentary privilege. At the 2013 estimates hearing into multicultural affairs, all of his questions were about her. At that time we had received FOI requests from the member for Unley costing taxpayers nearly $50,000. Not all, but many, centred on Ms Antoniou. By February it had nearly reached $90,000. It is now clear that what the member for Unley thought would be his $90,000 coup de grâce to my ministerial career when parliament resumed in February was rendered irrelevant by my unrelated decision to retire from the ministry after almost nine years.

The member for Unley was not going to risk saying anything outside of parliament. He would have been breaking the law and this time he would have blown himself up. The member for Unley could get away with it only under parliamentary privilege relying on one of your rulings, sir. So he crouched intently, waiting until I came into question time as a minister in the sitting starting on Tuesday 10 February. Michael Owen reported on 5 February, the Friday after my resignation, and I quote:

> Opposition frontbencher David Pisoni, who has pursued the matter since 2013, yesterday said the government would face questions about the matter when parliament resumed next week.

That day, Owen told listeners to ABC radio's Spin Cycle, and again I quote:

> I think we are going to see a lot from David Pisoni next week in parliament. Watch this space. Monday, Tuesday, Wednesday of next week there will be some explosive stuff coming out.

There have been more than 36 opposition grievance speeches since Michael Owen made that prediction. There have been more than 300 opposition questions without notice since Michael Owen made that prediction. Not one of them has been about this matter—nothing. The member for Unley had already set up Michael Owen to do his dirty work for him.

After I announced I was retiring from the ministry, but before my exit interview with Matthew Abraham on ABC radio, I believe the member for Unley or someone from the Liberal Party (but, on past form, you would have to say that Unley is a front runner) prepped Matthew Abraham with the claim that I had taken a ministerial trip to Borneo at taxpayers' expense knowing that I was going to step down as a minister within days. That tip went belly up when I was able to simply answer, 'No.' I was on leave and not a cent of taxpayers' money was involved. But smear again was the intention—no time to check, caught out because of my resignation.

Then Matthew Abraham tried another tack: was I aware of an investigation. I was unaware of any investigations but fingered the member for Unley's constant pursuit of Ms Antoniou. Obviously, he had been tipped off about the ICAC investigation (that is, Matthew Abraham), but to his credit he was a bit more cautious than Michael Owen. The questioning did not faze me as I knew nothing about it, as Commissioner Lander has made clear.

Matthew Abraham and Michael Owen may now feel about the member for Unley like the member for Waite feels about the member for Unley feeding him the dodgy documents and like the member for Heysen feels about relying on ammunition supplied by the member for Unley. Both former leaders of the Liberal Party are no longer leaders, partly owing to the information supplied by the member for Unley.

The member for Bragg also could not let an opportunity pass to make a baseless allegation against me. She was not going to let the member for Unley get all the credit for the kill. The Deputy Leader of the Opposition demanded that the government answer questions about Michael Owen's stories, though she knew full well that if we did so our answers would be unlawful under the ICAC Act. This woman is shadow attorney-general! I have not missed reports of the Leader of the Opposition on a whispering campaign to tell anyone who would listen the 'real reason' I resigned from the ministry was owing to an ICAC investigation.

The leader and deputy leader made the mistake of others before them, and that is to rely on information from the member for Unley. Whoever drafted the dodgy documents picked his or her mark perfectly when he or she put them in the parliamentary pigeonhole of the member for Unley. In a more ethical world, I might have hoped that the member for Unley and his dupes might have fronted the house and the public and apologised for making one of the worst allegations one can make about another person in public life.

FAIR TRADE

Mr SPEIRS (Bright) (15:18): We are currently in Fair Trade Fortnight, and I want to let members of this house know about the Bright electorate office's recent fair trade accreditation. I would like to take this opportunity to let the parliament know about the fair trade accreditation process and to inform members that it is my intention to encourage our parliament to become Australia's first fair trade accredited parliament. Since working in Uganda in 2007 and again in 2009, I have had a significant interest in fair trade and the benefits which it delivers to people living in developing countries. This interest was reinvigorated by my recent visit to Zimbabwe as a guest of World Vision Australia and through a meeting of representatives from VGen, the youth arm of World Vision.

Fair trade is worth pursuing, as it gives an alternative route for goods and products rather than traditional international trading systems, which often foster exploitation of produce and the environment, which in turn has a detrimental impact on people's livelihoods, cultures, communities and environments. The benefits of fair trade include:

- support for producers who are already disadvantaged by poverty, environmental and climate disasters, disease, conflict, government corruption and poor infrastructure; and
- emphasis on the importance of respectful and sustainable production and trading practices.

Fair trade also helps alleviate poverty and other disadvantages faced by producers and their communities throughout the world by enabling producers to create sustainable livelihoods and develop the capacity to compete in local and international markets.

Becoming a fair trade accredited office is quite an easy process. To achieve accreditation, an office only needs to have two regularly used fair trade products and commit to using their position as an employer, or a place where people visit, to promote fair trade practices. For the Bright electorate office, that has meant swapping to fair trade tea and coffee and displaying information on fair trade prominently in the office, as well as promoting it through our community newsletter, on social media and on our website. Organisations which are fair trade accredited are entitled to display their fair trade logo in their promotional material and in the office.

It is important to note that the South Australian parliament already uses fair trade coffee and was the first parliament in Australia to make this important switch. To become officially fair trade accredited, Parliament House will only need to regularly use one other fair trade product. I have been liaising with Creon Grantham about this and will continue to pursue it.

Those of us occupying seats in this house are uniquely positioned with the influence and resources to be leaders in our community, making a public commitment to decent, dignified work

practices and doing our bit to support sustainable economic development, living wages and developing countries. I urge all members of parliament to investigate getting free trade accreditation for their electorate offices. It has been a pleasure working with Chris Hartley and Kitty Weir from the Fair Trade Association of Australia and New Zealand throughout the accreditation process, and I am sure they will be able to help any other members of parliament who wish to follow this up.

SEAFORD MEADOWS

Mr PICTON (Kaurna) (15:22): I rise to talk about an important issue in the growing and new suburb of Seaford Meadows which, of course, as with all new suburbs, needs the associated infrastructure to go with the new houses that are moving in. Seaford Meadows now has many parks and gardens, and it has a railway station which this government built in the area, but some of the things that are raised with me when I doorknock and talk to people in Seaford Meadows are in regard to the infrastructure that you would not otherwise think of.

Late last year, two ideas were put to me in relation to things which this new suburb needed which I was happy to raise and I continue to raise; the first was a phone box in the area. Many people nowadays use mobiles, so it does not necessarily mean a lot, but for people who do not have a mobile or who have children who do not have a mobile having a phone box in the area is very important. I did think it would be quite difficult to convince Telstra to put one in, given that their budgets are always stretched, but I wrote a letter to Telstra and put in a submission, and they were able to say that they will be putting a phone box into the Seaford Meadows area. So I congratulate Telstra publicly on the attitude they have taken to helping out the people of Seaford Meadows.

In vast comparison to that, I have been trying to deal with Australia Post, and dealing with Australia Post on a very simple request to put a red postbox in the area—what they call a 'street postbox'—has been very difficult. I first wrote to Australia Post in September last year, saying:

> Seaford Meadows is a rapidly expanding housing development in the southern metropolitan region, with over a thousand residences, but Australia Post has not yet installed a postbox in the suburb.
>
> I believe it would be of great convenience to the residents of Seaford Meadows, if Australia Post were to install a postbox in this area.

I thought that should quite easily get a good response and that they would turn around and say, 'We've missed the mark here, let's install a postbox.' But I received a response in October last year from Cheryl Ondrasek, from Australia Post, and she said no, essentially, that they would not be installing a red postbox in this large growing suburb for two reasons: the first was that they had reviewed the SPB policy and there were two SPBs located within two kilometres of Seaford Meadows shopping centre, one on the corner of Cliff Avenue and Norseman Street and the other on the corner of Seaford Road and Flinders Avenue, 1.8 kilometres away. She states:

> Furthermore, we do not believe a new SPB in Seaford Meadows would attract the minimum level of daily postings required to make it commercially viable (i.e. an average of 25 articles per day) at this stage.

I was very happy to take up that challenge. I sent a letter to every single resident in Seaford Meadows, with a survey and a petition, and received 159 responses to that petition, which is a very high percentage response rate to such a thing, asking whether they supported a postbox, which they did, and also asking how many articles per day they would post. If you add up all of the responses, it would be an average of 31.8 articles per day just on the basis of those 158 people.

I was very happy to provide that information to Australia Post, as well as the fact that the postbox would be at least a 20-minute walk away for people in Seaford Meadows, which is obviously difficult for people who cannot walk that far very easily. I also noted that Australia Post made $116 million profit after tax and that Telstra had been cooperative about the phone box. Last month (in April), I received a response to my letter and the survey and the petition, basically saying no again. Even though I wrote to the chief executive of Australia Post, Mr Ahmed Fahour—

The Hon. P. Caica: He wouldn't have responded to you; he didn't respond to you.

Mr PICTON: He did not respond to me, no, as the member for Colton predicted. I received a response from B. Crosbie (no first name), who is the board and shareholder liaison. He has said that, essentially, no, they will not be doing it because it is within two kilometres of the area. It is a very long letter, but that is essentially the gist of it. So, I looked at the whole area of my electorate

and thought, 'Well, is there anywhere that doesn't have a postbox within two kilometres of a residential area as per the Australia Post policy, because surely they are enforcing this policy everywhere?' and I was very interested to see that, no, Silver Sands in Aldinga does not have that. I have raised that with Australia Post and hope that they see the light of day. I also note that I have raised this matter with the Ombudsman and the Ombudsman is now investigating this matter. So, I call on Australia Post to change their position and very quickly install a street postbox in Seaford Meadows.

SOUTH AUSTRALIAN ECONOMY

Mr KNOLL (Schubert) (15:27): Last week, the member for Kaurna lectured this parliament about so-called conservatives stifling innovation and change in South Australia. His arguments were flawed and hide an underlying truth that is perhaps not as positive as he would lead us to believe. The member cites some fairly obscure statistics to prove his point, stating that 55 liquor licence applications is a measure of a vibrant economy.

I am a fan of the Royal Croquet Club, small bars, pop-up food trucks and the like, but the South Australian story is so much more than that. To this parliament and to the people of South Australia I would say that increased vibrancy is a good thing, it is a good thing, but there is no such thing as a small bars-led recovery. If the simple act of drinking more alcohol could somehow fix the underlying structural problems in our economy I would say, 'Drink another glass of Barossa shiraz. In fact, drink two.' But even if there was such a thing, we would not be having it. ABS statistics show that in 2010 we had 601 pubs, taverns and bars and in 2014 we had 615. Yes, that is right, we had a net increase in new bars of 3.5 bars per annum. Hardly what you would call vibrant growth.

At a statewide level the figures are even worse. At the start of 2010 South Australia had 148,668 businesses. At the end of 2014 we had 143,585, for a net total loss of 5,083 businesses. Why are these businesses closing? According to the Grants Commission, we have the highest taxes in the nation. Water prices are 236 per cent higher than when Labor first came to power. A 2015 UnitingCare report shows that we have the highest electricity prices in the nation.

Contrary to the member for Kaurna's assertion that people are coming back, people are not coming back to South Australia, with an average loss of net migration of 3,300 people per year over the last decade. Property rates and charges are 17.3 per cent higher than they were 12 months ago. Regulation is so burdensome in this state that it is actually keeping people who have jobs from going to those jobs, keeping those people out of work. We only need to look at the 4,000-person backlog currently waiting for background checks to see that fact.

Conservatives are not looking at the 'vibe', as the member for Kaurna asserts: they are looking at the statistics. They are the ones on the ground, laying off staff and struggling to keep things growing, and dealing with the lack of confidence that exists in South Australia. As Ancient Rome was burning, Nero fiddled, instead of dealing with the underlying structural problems with the empire: is this the same thing that is happening here?

We need government to do the boring things, and we need them to do them well. Keep spending modestly and be disciplined to ensure that taxes are lower over the longer term. Invest in fixing the fundamentals of our economy so that South Australia is the best place to do business. Block new regulation that in isolation seems like a good idea but cumulatively boils the proverbial frog. Pop-up bars and small bars have lower regulation burdens than bricks-and-mortar businesses, from planning and development regulations to permanent overheads and full-time staff, the playing field is anything but level.

The answer, however, is not to shut down pop-ups. The answer is not to shut down small bars. It is to find ways to lower unnecessary regulation for all businesses in South Australia and not those chosen few, so that instead of a vibrant Victoria Square or a vibrant Rymill Park, we can have a vibrant South Australia, where our business numbers head north and not south. The Rt Hon. John Key, Prime Minister of New Zealand, said in a speech to the Latin America-New Zealand Business Council:

> As a country, we can't get rich simply by selling things to ourselves; we need to be competitive on a global stage and take advantage of international opportunities if we are to lift New Zealand's economic performance.

Since the 2011-12 budget, this Labor government has slashed funding for the main state government program aimed at stimulating exports from $30 million to $19 million. As a result, the latest merchandise export figures are stagnant, at $11.61 billion. John Key is right—vibrancy is not turning on some fairy lights on Bank Street: it is working to improve our export economy and our jobs market. These are the measures by which we should judge our state. Hopefully, by improving these figures, the ensuing real jobs growth may mean that we have a few extra dollars to spend on an extra glass of Barossa shiraz at a small bar in Adelaide.

GILES ELECTORATE

Mr HUGHES (Giles) (15:31): Over the past few weeks, I have had the opportunity to visit a number of the more distant communities in my electorate, while also taking part in the celebration of the 50th year since the commissioning of the Whyalla Integrated Steelworks. If it was not for that great state building project, I would not be standing here—a project that acted as a magnet, attracting people from around the world to work at the steelworks and contribute to the development of Whyalla and the state.

Given the importance of the steelworks to the development of our state, and its importance at a national level, it is more than appropriate that, in the coming weeks, I will move a motion recognising just what was achieved. I look forward to telling the story of that great endeavour; an endeavour that had strong bipartisan support through the 1950s and into the 1960s. I would like to thank both Kyam Maher (Minister for Manufacturing) and Geoff Brock (Minister for Regional Affairs) for attending the 50th anniversary dinner in Whyalla. I also acknowledge the presence at the dinner of the Hon. Terry Stephens and Rowan Ramsay (member for Grey).

Last week in the house I talked about Coober Pedy's centenary. It is another vibrant community built on mining, and I also look forward to more fully acknowledging Coober Pedy's centenary over the coming weeks. Both 50 years and 100 years are noteworthy milestones, but it is another part of my electorate, with an inhabited presence dating back thousands of years, that I want to discuss today. I am of course referring to that vast tract of land in the far north-west of our state: the APY lands.

I had the pleasure to visit the lands with Minister for Aboriginal Affairs, Kyam Maher. While in the lands, we visited Umuwa, Pukatja, Kaltjitji, Amata and Mimili. Unfortunately, the visit to Oak Valley had to be cancelled due to rain. This is my second visit to the APY lands since my election, and I have two other visits proposed for later this year. I fully acknowledge that I am on a steep learning curve, as someone from a community based on heavy industry, when it comes to the APY lands.

It is clear that over recent years there has been significant investment in facilities, and with the commitment on the part of the federal government and the state government, we should see a marked improvement in the road network over the coming years. The constant refrain in the communities we visited was the need for employment, and especially employment for young people.

The APY Trade Training Centre at Umuwa commenced operation in 2013, and it is certainly an impressive centre and will at least get young people closer to being work ready. We all know that training does not guarantee jobs, but it can be an important stepping stone to employment, assuming work is available. That is the big challenge. The vocational education provided covers certificates in agriculture, automotive, bakery, construction, engineering, horticulture and hospitality. The accommodation located next to the training centre is of a high standard and is used by students from more distant communities and visiting trainers.

One company that is rising to the challenge of providing jobs for Anangu is Wiltja Constructions and the owners, Tony Rodgers and Aileen Shannon. It is a company that has made a real effort to employ local people and, since its inception in 2011, has completed over $3 million worth of construction projects, employing over that period in various roles 88 Anangu, which represents approximately 80 per cent local employment on those projects. Tony and Aileen offered some very worthwhile insights into how best to generate genuine local employment, and I am keen to see some of those insights incorporated into our state's procurement practices. I look forward to my next visit to the lands and continuing to build what I hope will be long and lasting relationships.

Bills

STATUTES AMENDMENT (YOUTH COURT) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:36): If I may refer back to the Statutes Amendment (Youth Court) Bill and indicate that, of the number of amendments that the bill proposes to the Youth Court Act, the most concerning to us is the potential for someone other than a District Court judge to be appointed to conduct the management and administration and trials within that court. Can I say that, of the material presented in the Attorney-General's second reading, there is nothing disclosed that suggests that the current operation of the court, with its current composition of its judiciary, in any way compromises the important work that it does or that it does not conduct it in anything other than an efficient manner.

In short, in addition to the composition of the Youth Court, there are a number of amendments which flow from that, in particular to enable the magistrates to step up to undertaking a number of the duties that currently occur in the court. They include the capacity for magistrates to undertake and hear major indictable matters (that is, the trials of these), which currently is reserved for the Senior Judge of the Youth Court and/or another judge who may be brought in to hear a particular case. The bill includes the capacity for magistrates to do this in addition to their current role where they do have a capacity to impose sentences in major indictable matters where the accused has pleaded guilty.

The Attorney-General did point out that during 2012-13 there were a number of major indictable matters listed for trial. There were 52 of those; 12 proceeded to trial. In 2013-14, 28 major indictable matters were listed for trial. Of those, only four actually proceeded to trial. I think implicit in that statement by the Attorney is that somehow or another the Senior Judge is sitting around with not much to do, which does beg the question, if that were the case, then why is another judge brought in from time to time to hear cases as required to supplement that work?

Quite frankly, if there is to be this innuendo that somehow or another they do not need a full-time judge in this role—that is, there is not enough work to do—then surely the better approach is to look at whether the District Court judge who is in this role resumes some other duties as a District Court judge, rather than leaving a situation where the District Court, as we all know, is exploding with trials that are awaiting hearing and of which there are long waiting lists. There is no explanation given as to why that would not be done or considered or suggested or any way accommodated if that were the case.

The other amendments which the bill brings about would allow magistrates to impose a sentence of detention for up to three years. He says that, as there is a maximum period of detention that can be imposed when sentencing a person as a youth under the Youth Offenders Act, this change is in line with the position in the Magistrates Court where magistrates can impose sentences of imprisonment of up to five years.

Also, the measure is to allow magistrates to hear applications for extensions of time, and to allow magistrates to hear applications under the Adoption Act and the Family Relationships Act. So, in essence, if we are going to get rid of the judge or judges from the court, then magistrates have to have these extra powers to undertake the work of the Youth Court.

So let's go back to what others say. Bear in mind that the Youth Court was established in 1978 by the Hon. Don Banfield, and in its earlier form at that stage it was pursuant to the Children's Protection and Young Offenders Bill. At that stage this bill was introduced subsequent to the Royal Commission into the Administration of the Juvenile Courts Act 1971-75, and it also followed not only that royal commission but there were some substantial allegations raised by Judge Andrew Wilson at that time.

I must say I read with interest the contribution by minister Banfield at that time because what he said in respect of the work of the children's court has a sort of ringing similarity to what we have all been reading in the Chloe Valentine case. With regard to the policy of the government as enacted in section 3 of the Juvenile Courts Act 1971-75, the contribution states, namely:

In any proceedings under this Act, a Juvenile Court or a Juvenile Aid Panel treat the interests of the child in respect of whom the proceedings are brought as the paramount consideration and with the object of protecting or promoting those interests shall in exercising the powers conferred by this Act adopt a course calculated to—

(a) secure for the child such care, guidance and correction as will conduce to the welfare of the child and to the public interest;

(c) conserve or promote as far as possible a satisfactory relationship between the child and other members or persons within his family or domestic environment and the child shall not be removed from the care of his parents or guardian except where his own welfare or the public interest cannot in the opinion of the court be adequately safeguarded otherwise than by such removal.—

any and, if so, what changes by legislation or otherwise are necessary or desirable for the proper implementation of that policy.

There was a report to government in July 1977. That was undertaken by Judge Mohr, formerly of the Supreme Court. There was a working party then consisting of Judge Kingsley Newman, the then senior judge of the juvenile court, Mr Gordon Bruff, deputy director-general of the community welfare department, and Ms Anne Rein, the research officer from the Attorney-General's Department.

Of course, the language has changed and, for some consistency with the history of this matter, I also place on the record that at that time we moved to change the language (obviously, to make it more contemporary) and the juvenile court became the children's court, and there was a very clear distinction between its civil jurisdiction and its criminal jurisdiction. I think it was pointed out by a number of members in the debate at that time that, even at that stage, members accepted that it was utterly absurd that, in a case of neglect by a parent or a guardian of a child, the child should not be identified as if they had committed some offence—that they were a neglected child and somehow or other it was presented in the court approach as though, in fact, this was an in-need-of-care case, somehow or other placing the responsibility onto the child.

The parliament of the time acknowledged the importance of recognising the distinction and that there should be a distinct civil jurisdiction to accommodate that: and let's not have any more language, at that stage, of children being treated as in need of care and control as if in some way this was their responsibility. There were some other reforms at that stage which are not relevant to what occurred.

Since then, in 1993, we changed again, contemporising how we managed the children's court. It changed its name to the Youth Court, again accommodating a more contemporary view. At that stage, the judicial structure of the court was retained. There was no interruption or interference with the senior judge, being a District Court judge, being designated by proclamation as the Senior Judge of the Youth Court, together with other designated judges and magistrates, as we have already discussed. The only thing that occurred in 1993 in respect of this was that there was a limitation on the length of appointment of a judge or magistrate to the Youth Court to a term not exceeding five years.

There were also some amendments to accommodate victims having the right to be present in court. Remember that the environment in which the Youth Court operates is one in which the public is not admitted and media publication is extremely limited, essentially to ensure that, whilst the public is entitled to have particulars of the outcome of cases, names of the children, and sometimes other parties' names that could effectively identify the child, are prohibited from publication.

That is the general history in the last 40 or 50 years. We have recognised the importance of having a separate court, we have acted to secure that, instead of being allocated into three different courts that adults have to be sent to to deal with their matters, all of their matters are dealt with in the Youth Court.

If it is the government's contention that we do not need to have a senior judge, that is, a District Court judge as the Senior Judge, surely it follows that we do not need judges for anything. Under the Transforming Criminal Justice reforms of the government, are we going to go to the lowest qualified, to the least experienced, in all of our courts?

Is this just the beginning? Judges are going, we do not need them in the Supreme Court? Chris Kourakis, His Honour, can start cleaning out his desk. The District Court, we do not need them. Why would we need them? If magistrates are accepted as the cheaper option, as being suitable or

adequate to undertake all levels of determination in our courts and tribunals, then why would we need judges at all? We would get rid of all the judges in the Industrial Court, we would just appoint a few more magistrates, and it would be transforming criminal justice. We would have the cheap option.

I do not for one minute advocate that, but I find it quite offensive and quite concerning that the government would start as almost the lowest hanging fruit and pluck out the Youth Court as being one of the most important courts in terms of the business they do in our court structure and that it should be marked out for downgrading in this way. I have said in opening that I do not in any way reflect on the work that the magistrates already do in this court, but it is of great concern to me that this is the approach the government has taken.

Unlike 1978, after there had been a royal commission into juvenile justice and juvenile court processes when the government introduced a bill to set up the new structure, here the government has decided that, before Commissioner Margaret Nyland—a former Supreme Court judge herself—has reported on her inquiry into children's protection systems, it is going to progress the matter. Why would you progress a reform in respect of the Youth Court before you had the report of the royal commission? I have asked that question a number of times in this house just in recent times.

In the environment in which we have had the Chloe Valentine coronial findings, we have already heard in this parliament the Minister for Education and Child Development tell us that she is not going to be progressing—in fact, her government is not going to be progressing—any reforms in respect of adoption until they have concluded an inquiry in relation to that by a professor from one of the universities. She is awaiting the findings of Ms Nyland's royal commission before she progresses consideration of the children's commissioner, which has been the subject of litigation and much debate in this house. When she has that, she will progress it. I am paraphrasing this but, in essence, she is respectfully taking that into account.

We have an option, though, and one option is that the Attorney-General asked the commissioner to give a view prior to considering the introduction of this bill; that is, 'I know that you are undertaking considerable terms of reference, but before I progress with this could I have your opinion on the Youth Court reforms that I propose?' It appears that is what he did—that is, the Attorney-General did provide a copy of the draft bill to Commissioner Nyland and she provided her view to the Attorney.

In the course of other consultation with Ms Nyland some months later, it appeared that there had been at least her view sought. More recently, on 1 May, I received a letter from the Attorney answering a number of other questions I had asked about remuneration of judges and magistrates, and in that he forwarded a copy of Ms Nyland's letter. There had been no mention of this in either the second reading or during the course of the debates in this to date, which I think is concerning in itself.

In any event, it is absolutely clear, now that the letter has been provided by the Attorney, that Ms Nyland had a different view. Her view, in short, was that the management of the court and leadership of it should remain with a senior judge, who should be a District Court judge. She also had this to say:

> You will appreciate that the Youth Court plays a significant role in shaping child protection policy and practice in this State. It has the responsibility of making some of the most important judicial decisions affecting our community, ie decisions which impact on the welfare and development of vulnerable children. It has therefore long been regarded as a specialist jurisdiction in which judicial officers are required to have a comprehensive understanding of the special challenges involved in child protection work, including knowledge of such matters as child development and attachment issues. It is important that the Court be consistent in its expectations and in the application of relevant legal principles to difficult family situations. I believe that specialist leadership is necessary to ensure that those aims are met. I am therefore concerned that the positioning of the Court under the management and leadership of the Chief Magistrate, who has responsibility for the much larger and more generalist Magistrates Court, will undermine the Court's capacity to fulfil its special functions.

I can hardly believe that the Attorney-General, having received this letter of advice from Commissioner Nyland, would even progress this bill, but he did. For reasons I have already outlined in this debate, we are not at all confident that it has been done for the benefit of children but to, in fact, try to save money. In the face of this advice, the following statements are concerning to me:

There have also been suggestions that the Court have an expanded role in the management of short-term care and protection orders, as well as family reunification projects.

In light of recent events, the confidence of the public in the ability of government organisations to protect our vulnerable children from harm is at an all-time low. I believe that confidence will be further diminished as a result of this proposal, which removes the specialist leadership of a senior Judge of the Youth Court and effectively downgrades the Youth Court to simply being a branch of the Magistrates Court.

Commissioner Nyland's words obviously have gone unheeded, and yet I can confidently say that she is someone who has served on our Supreme Court for an exceptionally long time in a well-recognised career, with decades of work in jurisdictions in which children were the centre. I worked with Her Honour in private practice, although in different firms, and I saw firsthand her level of experience, understanding and expertise in this area. She then had significant service in the District Court and the Supreme Court and now has this role after being appointed by this government as a commissioner in this most important area of children's protection systems. It just seems almost incomprehensible that the government would want to progress this bill in light of that.

As if that was not enough, the government invited Judge Peggy Fulton Hora, a Californian Superior Court judge, who has decades of experience, to come to South Australia as a Thinker in Residence, a program initiated by the former premier. Her Honour obviously had considerable experience, and in particular she was very keen to travel the world and see and share her experiences, particularly in the area of juvenile administration. She was a refreshingly dynamic speaker; in fact, I attended a number of her forums and read her papers, and ultimately I was able to view reports to the government about how she felt we should be dealing with our children in a number of fields, and one of them is the juvenile justice area.

I think it is fair to say that she was a strong advocate of the view that not only should administration in respect of juvenile justice and child protection have senior judges lead and administer them but she also had a very strong view that would also help in juvenile justice, for children who were in breach of their obligations—on bonds or parole and the like—to be brought back before the judge and not be left under the supervision of parole officers or persons in charge of their bond, and the like. She saw the role for the Senior Judge in the effective management and scrutiny of these children's recovery and rehabilitation, and that if they slipped off the fence, if they failed in some way, that they should be brought back into the court. She was quite strong on this view.

She also gave very valuable advice to us, particularly me, when I considered her work on how we treat repeat offenders in the juvenile arena. She was very clear that the type of approach that the government took forward, which was to treat child repeat offenders with mandatory sentences, as quite abhorrent. There were a number of other academics and bodies at the time who understood how significant that legislation was in breaching our United Nations' obligation in respect of children. I have always revered her contribution, which she finalised in her report, entitled 'Smart Justice', to the government, and of course it was then available for us to view. I think she had a lot of wise words and advice to give us, and this bill suggests that it is in direct contradiction of that approach.

The other matter which is now public—and we have the bill—is that the government forwarded a consultation draft of this bill to the Law Society of South Australia. They have also made it quite clear that they have concerns about the bill. They have covered a number of other areas of concern that we have not introduced as part of foreshadowed amendments, because we take the view that there is an opportunity for some reform provided it is under the supervision of the court.

In short, the society says that it is not opposed, in principle, to the removal of full-time judges from the Youth Court provided that what the higher court will hitherto reserve for the judge remains with the judge with experience in the Youth Court, and I have referred to that before. If there is any suggestion somebody is sitting around with nothing to do, then we can change that process. However, their job at the moment is to run and administer the court and deal with all the major indictable matters. They claim that dealing with youth is an area of specialty and all major indictable matters should be dealt with by a judge.

I also place on the record that the society also raises the following in respect of the importance of having a District Court judge in a leadership role:

It is generally accepted that developmental, emotional, psychological and dependency issues, and their impact on offending, rehabilitation and sentencing generally have a much greater relevance in youths. We therefore suggest that it would be counter-productive, if not imprudent, for specialists to be removed from the Youth Court.

This is one important reason why the Society believes the Youth Court should not be seen, and therefore treated, as the equivalent of the Magistrates Court for young offenders.

The other important fundamental difference between the two jurisdictions is seriousness of the offences in the Youth Court. Unlike the Magistrates Court, there is no ceiling in the Youth Court. If there is to be an analogy drawn with the adult jurisdictions, it should be that the Youth Court is part Magistrates Court and part District/Supreme Court.

Transforming the Youth Court into one administered by magistrates, expecting the oversight of the Chief Magistrate, tends to undermine the seriousness of the major indictable matters in the Youth Court. Major indictable matters are no less serious, if not more serious, in the Youth Court than in the adult jurisdiction. We therefore cannot comprehend the policy behind the proposal that a magistrate will preside over major indictable trials in the Youth Court.

The Society's position is that only a judge should hear, determine and otherwise dispose of major indictable matters in the Youth Court. The fact the charged people are youths cannot justify empowering a magistrate to deal with such matters.

I also point out that it is folly to have magistrate decisions then be appealable to the Full Court—which would be the logical extension of that and be a waste of money. Currently, of course, they get appealed to a judge and that reduces the call on the valuable resources of the Full Court. There is also an expression in respect of giving the judicial officer an unfettered discretion to require a youth matter to be joined with an adult matter. Again, the problem of this would be overcome, of course, if we maintain the current position, namely, the Senior Judge being a District Court judge.

There have been expressions of concern raised by people we consider the government should be listening to, and it remains of concern to me as to why the government would want to advance this in light of Commissioner Nyland's recommendation, even before she presents her report. I do not understand why it is acceptable that the government does not progress and make any decision on whether we have a commissioner for children with investigative powers, a reform which we say would provide some protection for children—and in light of recent events that I have referred to, a very necessary one—when that report is available, yet they want to progress some of the amendments arising out of the Coroner's findings in respect of the child protection act reform without having received Ms Nyland's advice on that.

We understand from questions in this house that Ms Nyland has been shown that other piece of legislation. It has been introduced in the house, so I will not go into detail, we will be debating that, I think, in early June, although I did receive an invitation to consider whether we do it this week. As the Attorney knows, we have not had an opportunity to put that before our party room to consider it or, indeed, receive the submissions back from those we have sought advice from in that short time.

The Hon. J.R. Rau interjecting:

Ms CHAPMAN: The Attorney wants to be assured that he is not going to be accused of dawdling on that matter. I think it is fair to say that the government's response to Mr Johns' coronial findings was swift (relative to historical matters), and I commend him for that, but do not think that in any way will protect or shield him from the shower of criticism I will be giving him with respect to his government's failure to protect children, I can assure him of that. I will give him credit for the fact that he at least rushed out to protect the Minister for Education and Child Development in his new gloried role of Minister for Child Protection Reform to answer all questions on this matter. That was an act of chivalry which was certainly noticed. In any event, it does not mean that we can compromise that position.

It is fair to say that in saying that we are not going to be criticising delay, nor will we compromise our responsibility to properly consider the legislation. It is quite clear that the content of the bill is not one of which there is some urgency to require it. I think that any member of Families SA who has not read Coroner Mark Johns' findings should do so immediately and, secondly, should be left in no uncertain terms, even if they have only read the directions that have been issued by the chief executive, of what their obligation is. There were very significant deficiencies in their handling of the Chloe Valentine case and the matters of which we are seeking legislative endorsement have already well and truly been brought to the attention of those personnel, and I would hope that Mr Harrison, as the chief executive, has also had a very good read.

As to the question of a new trigger for the implementation of automatic guardianship in favour of the minister, to the best of my knowledge (just for the record on this) there are no known cases of which there is some imminent birth which would need the protection of that piece of legislation. In any event, the government is still working on how the process is going to work, according to briefings we had today. I do not want there to be criticism either way with respect to the government's preparedness to act promptly on those matters, but nor should we be compromised. Should any matter come to the attention of the government which should justify the advancing of legislation, for any matter but particularly the protection of children, then of course we are happy to hear from them.

We will, therefore, be progressing with amendments in committee to remove, where it applies, reference to the chief magistrate as being the optional alternative to be the leader and senior judge in the Youth Court. There are a number of amendments to cover that, but I indicate for the purposes of this debate that that is the ill we say will be remedied by that.

The other matter I mention, which was actually brought to my attention by Mr Johns' coronial findings in April, is that there was a letter from the Senior Judge of the Youth Court entered into the evidence of that coronial inquest in respect of the question of numbers of applications under the Children's Protection Act. There has been a lot of discussion around the processes that the department used, or failed to use, in dealing with applications for assessment before the Youth Court.

Again, these are very serious matters, but what is of concern to me is that there was evidence in the findings by Coroner Johns suggesting, as a rebuttal to the assertion that officers of the department were concerned that if they made applications to the court they would fail, that the Senior Judge provided in his letter to the Coroner details of the hundreds of applications that had been brought over the past three years. He confirmed in detail that an order had been made on every single application for the preceding year—not all, in terms of exactly what they had sought; however, not one single application had been rejected.

It concerns me that we have a situation of a court which, on that information, was a direct contradiction of the department's excuse for not applying provisions. I must say, we are still awaiting answers to questions in this parliament as to the number of drug assessments that have been ordered and/or implemented pursuant to provisions of the child protection act. It makes me feel very pleased that we have a senior judge—a District Court judge—in there, independent of other responsibilities and strong enough to be clear about providing that information.

Remember, the Youth Court is a court of record. It stands on its own. Most of its hearings and determinations are conducted outside of the public eye and scrutiny. It gives me significant confidence to know that we have someone in there running the show who is prepared to make it absolutely clear that he will give advice without fear or favour, and he will provide that information. In this instance, he has confirmed to us, on the information that had been presented by the department, that an order was made on every single application. In the face of having a tribunal circumstance where there is some secrecy in the hearings, that maintains the confidence I have, and other members of the public should have, in those who work in the Youth Court.

There will be some other matters that I will raise in committee, but I think that otherwise concludes my contribution.

Mr DULUK (Davenport) (16:19): I also rise to speak to the bill, and thank the deputy leader for her contribution. I will not ever propose to be as detailed as she has been.

The Hon. J.R. Rau: Oh, come on.

Mr DULUK: It is the joys of not being a lawyer. Deputy Speaker, the ultimate objective of the Statutes Amendment (Youth Court) Bill 2015, from the way it has been presented, is unfortunately to save money. As Professor Rick Sarre, from the University of South Australia and Adelaide University Football Club fame, has observed—

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr DULUK: —it appears the government is changing the court for cost rather than philosophical reasons. This is a great shame for this, and I suppose this is on the back of a

government that has sold the forests, increased the emergency services levy, closed down police stations, and the next step is the Youth Court, which is very disappointing. Those funds that will be saved will principally come from allowing magistrates rather than judges to hear Youth Court matters and allowing magistrates to hear and determine major indictable trials within that court.

A youth court or children's court has been a feature of the South Australian justice system since the Kingston government way back in 1895 when they introduced the State Children Act. As a community, we have a youth court so as to do everything possible to prevent young offenders from becoming adult offenders. Accordingly, the present Youth Court has specialist judicial officers, family conferencing and a ban on media reporting. These measures, together with a special culture within that Youth Court, assist young offenders in their rehabilitation.

By and large, the current specialised system works. Very few young offenders become repeat offenders in their adult life. Young offenders often only offend once, face the court and its processes, and thereafter become productive young people in society, which is absolutely what we want, and full credit to the Youth Court in the way it handles these issues. It is wrong to think of the Youth Court as just another court.

Judge Peggy Fulton Hora, Adelaide's Thinker in Residence, emphasised in 2010 that the Youth Court judges must be experienced. The judges and lawyers of the Youth Court are, as I have said, specialised. Importantly, they are also experienced when it comes to developmental issues facing young people. The sentiment of Judge Peggy Fulton Hora and that of myself and those on this side of the house is a sentiment shared by the Law Society in its submission to the Attorney. Self-evidently, young people are our future. They require the most experienced judges and the most professional youth justice system. South Australia should always be aiming to meet or exceed best practice.

For reasons that I have already outlined and the reasons outlined by the shadow attorney-general, and no doubt by my colleague the member for Hartley to follow, this bill puts South Australia's youth justice system at risk for little financial benefit. Of course, the problems we face in the Youth Court are probably symptomatic of the problems that we face throughout our whole judicial system currently under this government and the general failure to resource our courts. The justice system is not a luxury. Instead, it is one of and perhaps the most important organ of our just society.

This government for many years has failed to provide for the courts and, amongst many of their failures, South Australian courts do not have a comprehensive e-filing system. This increases the cost of dealing with the courts, particularly for litigants. The IT system overall is no longer fit for purpose. His Honour Chief Justice Kourakis has remarked in this respect in regard to the IT system failures. The Supreme Court itself is a complex and ageing relic. When former chief justice Doyle broke his leg, he found his own building did not have disabled access. The building has been subject to rising damp, plaster sometimes falls from the ceiling, and the Premier himself has remarked, 'Those who use the courts have had to put up with substandard facilities for too long.'

There are insufficient judicial officers to process the workload of criminal cases in our state. As David Edwardson QC observed late last year, 'Our courts are the worst in the country, we are completely under-resourced and there are not enough courtrooms or judges…it's that simple.' The failure to resource the courts has real consequences. It has been reported that inmates yet to be tried are being held at G division at Yatala. That division comprises punishment cells. It is only designed for short-term occupation. David Edwardson QC also remarked:

> It's all very well to have a 'pack, rack and stack' mentality but you have to be able to process all these prisoners. To do that, you need adequate prisons, resourced courts and the right number of judges.

The Chief Justice sat recently as a magistrate, and I commend him for taking an active interest in front-line justice. He has made measured and thoughtful comments about the state of the courts and the need for more resources. I urge the Attorney to listen to the Chief Justice, the Law Society and to those on this side of the house, and to do the right thing by the Youth Court and not slash its capacity as a court for the sake of saving money.

Mr TARZIA (Hartley) (16:25): There is nothing more important than ensuring that our youth have the best opportunities they can in life. Sometimes when things go wrong it is extremely

important that, as members of parliament, we give them all the support we can to ensure that systems and processes are in place to make sure that they get the best step-up they can in life. I think it was Aristotle who wrote, 'Good habits formed at youth make all the difference.'

It is definitely accepted that the developmental, emotional, psychological and related issues are certainly very sensitive around that youthful age, and sometimes when things go wrong it is really important that we have allocated and that we continue to allocate the resources needed for youth who are sometimes in trouble to be rehabilitated to ensure that they become good moral citizens, law-abiding citizens and productive citizens.

So, what we need in this area are more resources allocated to this court, not fewer. The Youth Court is a specialist court and, like any specialist court or tribunal, it is that for a reason—because youths are dealt with in a different manner from adults. To bundle it all up into the same area is completely ridiculous.

We should come back to the central ethos when determining what to do in this manner: what is best for the youth? I put to the Attorney, what is best for the youth is a specialist court and more resources not fewer. The government wants to talk about efficiency and what have you, and it is sad to see that it has made a decision in the past to cut funds to the Courts Administration Authority, which has led to the closure of many courts, partial courts and also full courts.

I do not have to harp on about the savage cuts in the north-east that are going to lead to the closure of the Holden Hill Magistrates Court. Unfortunately, the Youth Court seems to be on the chopping board. It presents a strong message: maybe no court is safe. Who knows? It is very disappointing to see that, whilst I applaud that they are committed or they say they are committed to a fairer system, a more effective system, a more efficient system and a more accessible system, it goes without saying that when you are shutting courts you are definitely not giving accessibility, that is for sure.

The Youth Court was established in 1993 by the Youth Court Act and it has jurisdiction, as we have heard, in relation to criminal matters involving young people. This bill focuses on the composition of the Youth Court and removes any requirement for the judge of the Youth Court to be predominantly occupied in the court. I, too, would like to thank those who drafted the bill and also those who have provided feedback on it.

I think the Law Society hit the nail on the head, and I congratulate Rocco Perrotta and his team, when they say:

> The Society is not opposed in principle to the removal of full-time judges from the Youth Court provided that the higher court work hitherto reserved for the judge remains with a judge with experience in the Youth Court.

They base that on two principles:

> (1) Dealing with youth is an area of speciality…
>
> (2) All major indictable matters should be dealt with by a judge, as they currently are in both the youth and adult jurisdictions.

This is a specialist area of the law, and I think we are definitely taking a step in the wrong direction if we move in the manner in which the Attorney would like.

I appreciate that the government has provided a briefing, and there has been consultation with the Chief Justice, the Chief Judge, the Chief Magistrate, the Law Society, the Bar Association and the ALRM. We have heard that justice Nyland, former Supreme Court judge and current head of the royal commission into child protection systems, recommended that the Youth Court still be led by a District Court judge, and the member for Bragg has extensively listed her past experience in the area, and I think we should certainly give much weight to Margaret Nyland's suggestions.

There is no doubt that retired Judge Peggy Fulton Hora in 2010 also suggested that the most experienced of judges should deal with youth matters. Then we have also heard comments from the member before me that David Edwardson QC also raised concerns similar to those of Ms Nyland; that is, the court should be led by a District Court judge. He actually suggests removing the option in the bill allowing for a Chief Magistrate to be appointed, even though he has the same powers as a

District Court judge. Further, he points out that the Chief Magistrate currently declines to hear major indictable offences, such as murder, for adults.

I will support the bill with or without amendment. However, I humbly ask the Attorney to give great credence and thought to what he is doing because it can, potentially, be a dangerous step. Where does it stop? As I said, it comes back to the youth. We have a civil duty here to ensure that when these citizens in our community—our future leaders and our future—run into problems with the law they are addressed with the TLC that they deserve. What we need is more resources in this area, not fewer. With those comments, I commend the bill to the house.

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) (16:32): I thank all of those who have made a contribution today. I think it is probably nice to start with the good bits. Madam Deputy Speaker, do you think that is fair, to start with the good things? I am going to have a crack at that, anyway. I think it would be nice for all of us to think that we agreed that the welfare of children is a significant priority for all of us and that anything we can do to improve that is a good thing, and that has certainly been a matter of great concern to me.

If we look at the present structure of the Youth Court, the Youth Court used to be an inverted triangle. Madam Deputy Speaker, you are probably wondering: what on earth has that got to do with triangles? It used to be an inverted triangle because it used to have a couple of District Court judges at the top and a single magistrate at the bottom. It was a funny structure. Most courts go the other way: they are like a conventional pyramid that has the big flat bit at the bottom and the little pointy bit at the top, but this one was not like the conventional pyramid. It was like a pyramid in topsy-turvy land, with all the weight at the top and a little point at the bottom, being a magistrate. That sort of defies common sense.

Then what happened was that one of the District Court judges, through illness, was unable to continue in the role. That was regrettable: he had provided excellent service to the court. We found ourselves down to one District Court judge. I think at that stage another magistrate came in to help out, if I remember correctly. At that stage, we at the very least went from the inverted pyramid to either the straight line or the conventional pyramid. The world did not end, clocks did not stop, everything seemed to be okay and it then occurred to me, amongst other things—

Ms Chapman: Another light bulb moment.

The Hon. J.R. RAU: Perhaps, one might say that. As a matter of interest, it occurred to me in conversations with a great many people, some of whom were members of the judiciary, that given the fact that most of the volume of the work in this jurisdiction already is being discharged by magistrates and given the fact that—to pick up the member for Hartley's reference to TLC, I would add to the comment of TLC 'practical on the ground experience of the rough side of life'—it would be fair to say magistrates get to deal with that a lot more on a day-to-day basis than District Court judges do in the sense that magistrates are seeing 50,000-odd people collectively a year through their court. They get to see all of the minor matters but they also get to see the major matters first before they are flicked up somewhere else. They have a pretty good idea of what is going on out there and they have a pretty good feel for what is going on on the ground.

The idea was let's have a specialist team within the magistracy who can be the people who deal with these young people. There were two propositions advanced in the consultation that I had about the initial draft, and I make the point that there was an initial draft of this bill which was the one that former justice Nyland was having regard to in her remarks in her correspondence, not the bill that is in front of the parliament—and I will explain a little further about that in a minute.

There were two things that came back in terms of matters of concern for those people who were bringing a genuinely constructive mind to this issue. The first one was this. We do not want, whoever it is who is going to be hearing these cases, circulating in and out of these cases as if you are standing at Woolworths and just taking a chit out of the thing and you are No. 72. The first case you have is a Youth Court case, the next one is an indictment on a murder case, the next one is this, the next one is that.

They did not want this revolving door of people dealing with youth matters. They wanted a dedicated cohort of magistrates who are going to become select specialist magistrates and, although that was always my intention, I did return to the draft bill that I was working with with a view to making sure that it was crystal clear that that was exactly what that bill was saying, that there was going to be a hiving off, if you like, of particular magistrates from the broader body of the magistracy. They would be popped into this youth stream, if you want, of the magistracy. They would still be magistrates for all purposes but their normal day's work would be to go to the Magistrates Court and deal with Youth Court matters day in, day out, year in, year out. We have dealt with that matter.

The second matter was some people, many of whom have been referred to in dispatches today—and Mr Edwardson, by the way, did not actually get in touch with me about this matter as best I can recall, although the fact that he has a view on this which does not coincide with mine does not hit me as if it is a bolt of lightning. Mr Edwardson routinely goes into the media expressing views contrary to mine and the government's and has done for some considerable period of time.

He is entitled to do that, of course, but I believe it is possible that one can set one's compass in respect of Mr Edwardson on the basis of asking what does the government say and then, if one moved through 180º, we would get approximately something approaching his point of view on a particular topic. He is entitled to have a different view to me and that is his right and good on him. I make only the point that he is nothing if not regular in being different in his point of view. One could say similar things about the Law Society, although I must say there have been tiny flickers of sunshine coming from that direction in the last few months.

An early version of the bill was also provided, as the member for Bragg has indicated, to Commissioner Nyland because I thought that, given the fact that she is working in this space, it would be courteous of me to give her a look at the bill. In fact, my recollection is that I went and met with her and had a bit of a chat about this. I cannot remember whether or not the Minister for Education came with me on that occasion, but there was a general discussion, the particulars of which I now do not recall about this proposal and other things. At the end of that I thought to myself that here is the second stream of concern that is coming out of this, and that is that maybe there should be a District Court judge at the head of this because there is some degree of perceived aplomb or panache or—I am trying to find another French word—elan or—

The Hon. S.E. Close: Je ne sais quoi.

The Hon. J.R. RAU: —je ne sais quoi or something attached to having a District Court judge there, never mind the fact that the Chief Magistrate is, in fact, by force of statute, a District Court judge. Yes, I know that is a revelation, but it is true.

In response to that concern and in order to underscore the fact that we were hoping that we were not going to be in any way dismissive of the concerns about this being a jurisdiction that was to be taken seriously, I added, in order to accommodate those concerns, the proposition that said, 'or a District Court judge'. That was put there to accommodate those concerns, but can I say that I have enormous confidence in the capacity of the chief magistrate (who is incidentally a District Court judge and paid exactly the same so there is no saving involved at all) and I have no doubt whatsoever that she could discharge this function very well.

I also believe that if you look at all of the changes collectively it is obvious, at least to me, that the role of the presiding member of this court is by no means necessarily a full-time role. That is not to say they will not have things to do—they will—but the idea that they would necessarily be occupied day in, day out discharging functions under this legislation does not hold up. I base that on the changes in this legislation and on current experience, having regard to the fact of the change in personnel in the court as it has actually tumbled out.

The other point is that there is something to be said for a court structure, such as this one, to be contained within a particular jurisdiction. It is not without its complexity that a 'court' which we call the Youth Court is, in fact, presided over by a judge who is completely in a different court altogether. All around Australia it is not uncommon, for example, that the head of a county court in Victoria has the standing of and is technically a Supreme Court judge or that in New South Wales a county court judge—whatever the terminology is in those jurisdictions—is notionally a Supreme Court judge, but that does not mean that they sit in the Supreme Court all of the time.

It means they are the head of that court, they work in that court all of the time, they have the seniority equivalent to a Supreme Court judge in that example, but they are not an active participant in the other court and thereby, in their headspace, sitting in that court. In the same way the head of the District Court here has been made effectively, to all intents and purposes, a member of the Supreme Court, but he does not sit in the Supreme Court. His business and his time are fully occupied in the District Court.

The point I am trying to make is that there are inherent problems with having a head of jurisdiction who is not a part of the jurisdiction. I am not saying they are impossible to be overcome in any circumstance. I am not saying a particularly tactile and gifted District Court judge could not adequately negotiate their way through that, but I am saying it is a complexity that needs to be borne in mind. The other point that I would ask people to bear in mind is this: where does this place the Chief Judge of the District Court in managing his or her judges when one of them is a judge of another court?

Ms Chapman: They've done pretty well for the last 25 years.

The Hon. J.R. RAU: I am just pointing out some of the interesting little nuances. If we want to look around the country at what other jurisdictions do—and I am focusing here in particular on child protection—the ACT uses a magistrate to do this work; New South Wales has a judge and a magistrate, which is, incidentally, what I am proposing; Northern Territory has a magistrate; Queensland has a judge and a magistrate; Tasmania has a magistrate; Victoria has a judge and a magistrate; and WA has a judge and a magistrate.

What I am saying in this bill is that I am happy enough for the person who is to be the head of this notional court to be a person who ranks in the hierarchy above the magistracy in its normal form; I am fine with that. I think there would be inherent problems in saying to one magistrate over another, 'Look, you're more senior than your colleagues.' I think that would cause, potentially, some difficulty in terms of people accepting the hierarchy within the court. I am confident that having the Chief Magistrate, who is a District Court judge, or, if it was deemed more appropriate for some reason or another, a District Court judge—it does not preclude a District Court judge; it just says there is an option—is the most flexible model, and it would be probably the most effective model.

The point is this: the concerns that the opposition are voicing and attempting to deal with in their draft amendments, which I have just seen, would remove the option altogether of the Chief Magistrate performing that role. The bill as it presently stands says one or the other can do it. Let us wait to see who is available, who is the best person on the day, and let us work it out from that perspective. Quite frankly, I would prefer to keep the flexibility in the legislation. That would mean that we have, either way, a person who is, by reason of their rank and pay and entitlements, a District Court judge at the apex of the pyramid; but I want to be able to retain the flexibility of having that person also be the person who is responsible for the overall administration of the Magistrates Court. I think that seems to be our real point of difference.

Looking at the amendments circulated by the member for Bragg, they do not appear to address any other matters; so that is really where we are. I think this is a more flexible model. In the case of us having, as we do, an excellent Chief Magistrate, who would be more than capable of managing this in a very compassionate and comprehensive way, particularly given that most of the work would be done by magistrates, and the Chief Magistrate is their immediate superior, I think that to have those two alternatives available inside the legislation is entirely appropriate. I also gather from what has been said, or rather what has not been said and what is not contained in the circulated amendments, that the balance of the provisions in here are broadly accepted. If that is the case, that is good.

I have to say again that I have taken into account the views of former justice Nyland in formulating the current framing of the legislation. Just to round off again: the two points that were made to me in feedback—there were lots of little points, but the two themes that came back—were the status of the head of the jurisdiction, which I think I have addressed comprehensively, and, secondly, the notion that the members of the court should not be circulating in and out, in and out, and getting no degree of expertise and skill base; they should be dedicated people who stay in there. I agree with that, and that is what we have tried to do in the bill.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Ms CHAPMAN: Attorney, when you sent out the drafts of this bill for consideration, I think you said you sent an early draft to Commissioner Nyland. Did you send her a subsequent draft?

The Hon. J.R. RAU: I am not sure. As I said on a couple of occasions, I recall having a general chat to the commissioner and, in the course of that chat, I have recollections about canvassing this matter. My belief is that I said to her at the time, 'I have seen your stuff and I'm making amendments.' I think I told her what I was intending to do, but whether I sent her a draft of this before as well as that, without checking I cannot say. I do not know. I am pretty positive I conveyed to her what I intended to do about the feedback I had received from her.

Ms CHAPMAN: In any event, she maintained the view that she considered the head of the court should be a judge of the District Court?

The Hon. J.R. RAU: I do not know whether that was the case at all. All I am saying to you is that I circulated an early draft which did not mention 'or a judge of the District Court'. She provided me with a comment on it, which is contained in the letter that the member for Bragg has referred to in the house today. Some thinking about the matter took place; there was an amendment made to the draft which added in the bit 'or District Court judge, as the case might be'. My recollection is I then had a chat to her. I do not recall there being any further conversation entered into about that matter.

Ms CHAPMAN: Prior to introducing the bill and, in fact, prior to going to cabinet, I assume—which is required to introduce the bill—had you consulted with the Minister for Education and Child Development, who covers child protection matters, and/or the Minister for Youth, who covers our facilities for juvenile justice about the proposed change of composition of the Youth Court?

The Hon. J.R. RAU: I will do my best to answer that question. I have to say that one of the delights I have had in the last few months has been almost daily interaction with my esteemed colleague the Minister for Education; we talk a great deal. Each one of those is a highlight, but to pick one diamond out of a vault full of diamonds is difficult.

Mr Gardner: Actually, it is pretty easy. If you have a vault full of diamonds, to pick one diamond you just reach in.

The Hon. J.R. RAU: Yes, the member for Morialta makes a good point—it would be easy—but to pick the right diamond; to find the diamond in the haystack, that is the thing. I speak frequently to the Minister for Education, and it is always a privilege and a delight. But in relation to this particular matter, all I can say with absolute certainty is this: the cabinet process requires us to go through a cabinet submission, and there is a 10-day rule. Part of that process involves associated agencies, particularly, I would imagine, the agencies for the Minister for Education seeing that, and coordinating comments would appear on the cabinet submission from them. I hope they were positive. I cannot recall.

Ms Chapman interjecting:

The Hon. J.R. RAU: It is confidential anyway, exactly. I can assure the member for Bragg that there is a process whereby for these things to go through it is necessary for comment to be given. Without recalling an occasion, I am sure the Minister for Education and I have talked about this. On what day and whatever, I am not able to help the member with, but there is a process for cabinet which would have involved all government agencies being given an opportunity to comment.

Ms CHAPMAN: So, the Minister for Youth, I take it, is in the same category; that is, that her department would also have a chance to have a look at it and provide any comment. If there had been any adverse comment, or comment which would be there to suggest that you have some change in it, you would have acted on it, even if it was to reject it.

The Hon. J.R. RAU: The process would be basically this: the document would come to cabinet. The document would have attached to it comments from agencies. More often than not, agencies say, 'Support,' or, 'No opinion,' or whatever the case might be. I have no recollection and could not say anyway what the agency comments were with respect to this one, but in general terms I can say this: it is not uncommon for a matter to come before cabinet where one agency or another has some concern about the matter, and that is normally resolved by way of conversation around the cabinet table. I know this is talking out of school here, but Treasury, for example, often has a view about things.

The Hon. P. Caica interjecting:

The Hon. J.R. RAU: The member for Colton would know that. They quite often have things to say and, unfortunately, they are usually pretty effective, are they not?

The Hon. P. Caica interjecting:

The Hon. J.R. RAU: Yes; but it is common for these things to come up and common for them to be discussed. I honestly do not remember but even if I did I do not think I could go into the particular of this submission.

Ms CHAPMAN: I am not entirely sure, even with the response, Attorney, as to where this idea came from. There is no mention of it in your second reading, but in response I think you suggested that there had been some conversation with judges. Are you able to identify anyone who brought this proposal to you?

The Hon. J.R. RAU: Not with any absolute confidence, no. I just have this—

Ms Chapman: Vibe.

The Hon. J.R. RAU: It is more than a vibe, but I have this general recollection that in the course of some interactions I had with members of the judiciary, amongst probably a great many other things that were rolled out, this proposition, in one form or another, was put forward and, like most things they raise with me one way or another, I give some thought to it. I tried to be more particular about that, but I could not say exactly who said what on what day. My recollection is that, amongst a great many things that were raised and are raised frequently with the courts, one of the things that was floated was whether this model might work.

Ms CHAPMAN: What has been advised to us is that the saving in the first year is about $200,000 in this structure, compared to the existing structure. Do I understand that to be the saving on the second judge's salary? Where is the saving? Perhaps you could identify that.

The Hon. J.R. RAU: Over and above what we have now, I do not think there is any saving. I am advised as follows: currently, the Youth Court operates with a senior judge, an auxiliary judge, and magistrates. Auxiliary, by the way, is an as-required proposition. My understanding, from what I have been advised, is this: if we were assuming that the current arrangements were operating with an auxiliary as a permanent fixture (which I do not necessarily think we can assume), the difference between that and this model would be the difference between the cost of the auxiliary and a magistrate, which I believe would be something in the order of $200,000. But that saving does not come from the head of the jurisdiction because, by either methodology of calculation, the head of the jurisdiction is, and is paid as, a District Court judge. So, there would be no difference at all from that point of view.

Ms CHAPMAN: If you had a District Court judge, and the District Court judge was actually over in the District Court but had a role as head, the same as the Chief Magistrate, they would not actually be over in the Youth Court; they would be in their own respective courts. So, there would be a role played, obviously, in administration, but they would not actually be sitting and hearing cases in the Youth Court, would they? Are you suggesting that, if Elizabeth Bolton is going to be the head of this court, she is somehow going to be sitting over in the Youth Court hearing cases in addition to her current job, which is pretty full, I would suggest?

The Hon. J.R. RAU: My conception is that the head of the court would primarily have an administrative or supervisory function. It might happen, but it would be infrequent, that they would be

called upon to exercise their jurisdiction or actively engage in cases. They would not be at the coalface, so to speak, very much.

If the person running the thing were a District Court judge—and I mean a District Court judge alone—my expectation is that they would be significantly available to the senior judge of the District Court, although I can foresee potential complexities with the senior judge listing that judge when the senior judge does not know what that judge is doing. We might wind up with—the Chief Judge, I beg your pardon. I apologise to Chief Judge Muecke.

It might create practical difficulties for the Chief Judge, in that for him to list matters before the District Court judges without first having particular regard to the rosters that may or not may not be determined by that particular District Court judge, having regard to the fact that they were potentially occasionally rostering themselves to do things in the Youth Court, it might actually make Judge Muecke's job reasonably complicated in respect of that individual. That would not be the case if the individual were the Chief Magistrate because there would not be that dichotomy of lists.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Ms CHAPMAN: I move:

Amendment No 1 [Chapman–1]—

Page 4, lines 4 to 7 (inclusive) [clause 4, inserted section 10(2)]—Delete subsection (2) and substitute:

(2) The Judge of the Court is a Judge of the District Court designated by proclamation as the Judge of the Court.

As foreshadowed in the debate, this amendment is to substitute the head of the court:

The Judge of the Court is a Judge of the District Court designated by proclamation as the Judge of the Court—

as distinct from the current provision, which provides for a District Court judge or the Chief Magistrate. I also indicate that the further amendments as published in my name are consequential to that being successful. For example, provision for a change to deal with the training review panel, if the government's bill is successful, would need to accommodate the words 'the Chief Magistrate'.

I have outlined the opposition's position on this at length. It is of great concern to us that, in the face of very significant and experienced people in this state saying that this would not be acceptable and, furthermore, the Attorney's own statements here today confirming what we always expected—that is, whoever is going to be in charge of this court would be doing it by remote—there may be some other administrative staff in their offices not co-located in the court who would be setting out the administration of this court and a pool of magistrates dedicated by the proclamation process would be sent over to sit in the Youth Court. Of course, that could change.

The government could decide after a while, after running the court by satellite, that they would close the court, move it over and just put it into one of the back rooms of the Magistrates Court or District Court, depending on whoever at any one time the Attorney might decide is the best leader of the court. The opposition finds that whole situation wholly unsubstantiated and quite offensive to the importance of the work of this court.

I confirm again in the course of this contribution that this in no way is intended to reflect upon any District Court judge or the current District Court judge who is the Senior Judge of the Youth Court, whose term expires, I think, in the next 18 months or so, or indeed on the Chief Magistrate, Ms Bolton, for whom I have very high regard and who is extremely competent in the work she undertakes. But the fact that the Attorney confirms that this will just be a tacked-on addition to her already fulsome areas of responsibility I just find completely unconscionable, especially in light of the public concern, indeed outrage, at the conduct of other agencies of the government which need to have the supervision of senior people in the judiciary.

Similarly, not to have a dedicated District Court judge—that is, if that were to change as well and it were to be someone just sitting in the District Court somewhere and again operating the

administration by remote control—that model, if that is even considered by the Attorney, is not workable. This court has a senior judge at its head, a District Court judge who is commissioned specifically to do that job, and they are doing that well. They need it, our children deserve it, and it is utterly unconscionable that the government should act to diminish that court in the manner that is proposed.

The Hon. J.R. RAU: Just very briefly, the conversations that I have had and discussions that I have had with the courts, I can say that, to the best of my recollection, the Chief Magistrate has not said anything to me along the lines of, 'I can't manage this. Don't do this,' and inasmuch as it might be necessary, there is capacity within the bill for the head judge, whether it be the Chief Magistrate or somebody else, to delegate some functions elsewhere if that was of any assistance, but I have not been getting push back from the Chief Magistrate about that matter.

The second thing is—and I can be positive about this—that the Chief Judge of the District Court has certainly not been urging me to make sure that the Senior Judge of the Youth Court is a District Court judge. So I am reasonably confident that in fact if the circumstances in this place were that an amendment saying that it could only be a District Court judge were to be successful, I do not believe that that would be well received by the District Court because of the complexities, amongst other things, that that might cause in terms of management of that court and listing, if it were said that it could only be that judge.

Ms Chapman interjecting:

The Hon. J.R. RAU: Yes, but, in the end, I think it is better for us to preserve this degree of flexibility. I think the advantage of the flexibility is that, at any point in time when there is a retirement or whatever of the existing leader of this court, the attorney of the day should have the opportunity of having a conversation with whoever the Chief Magistrate is and whoever the Chief Judge of the District Court is, and say, 'Look, folks, we've got this issue. What is the best solution to fill this position with the best possible person, given the particular activity that goes on in here?'

I would like the attorney of the day and the chief of both the Magistrates Court and the District Court of the day to have as much flexibility as possible in ascertaining what the correct answer to that question is. For that reason and for that reason alone, I oppose the amendment. I make the point that I have put in here myself the option of a District Court judge and I am not saying it should never happen, but I am saying that, at particular points in time when these questions come to be answered, it would be useful from the point of view of everybody that there was the maximum flexibility where the parties affected—the Magistrates Court, the District Court and the attorney of the day—could sit down and talk about this and try to work out the most practical solution at that point in time and for the term of the office.

The committee divided on the amendment:

Ayes 17
Noes 21
Majority 4

AYES

Bell, T.S.	Chapman, V.A. (teller)	Duluk, S.
Goldsworthy, R.M.	Griffiths, S.P.	Knoll, S.K.
Marshall, S.S.	McFetridge, D.	Pederick, A.S.
Pisoni, D.G.	Redmond, I.M.	Sanderson, R.
Speirs, D.	Tarzia, V.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Williams, M.R.	

NOES

Atkinson, M.J.	Bettison, Z.L.	Bignell, L.W.K.
Brock, G.G.	Caica, P.	Close, S.E.
Cook, N.	Digance, A.F.C.	Gee, J.P.
Hamilton-Smith, M.L.J.	Hildyard, K.	Hughes, E.J.

NOES

Key, S.W.	Odenwalder, L.K.	Piccolo, A.
Picton, C.J.	Rankine, J.M.	Rau, J.R. (teller)
Snelling, J.J.	Vlahos, L.A.	Wortley, D.

PAIRS

Gardner, J.A.W.	Weatherill, J.W.	Pengilly, M.R.
Kenyon, T.R.	Treloar, P.A.	Koutsantonis, A.
Wingard, C.	Mullighan, S.C.	

Amendment thus negatived.

Ms CHAPMAN: On clause 4 if I may ask the Attorney, how long has the current Senior Judge of the Youth Court got to go to conclude his 10 years?

The Hon. J.R. RAU: I am advised 30 June next.

Ms CHAPMAN: Is it the intention, once we have passed this bill, that the Attorney will make a decision as to interrupting that and appointing a different District Court person or the Chief Magistrate?

The Hon. J.R. RAU: Yes.

Ms CHAPMAN: Which is it?

The Hon. J.R. RAU: My point is that Judge McEwen is a judge of the District Court and, assuming this passes as I envisage, I would have the conversation to try to ascertain whether it would be the Chief Magistrate, Judge McEwen continuing on or another person.

Ms CHAPMAN: At the moment, obviously we have Judge McEwen and we have, I think you called it an auxiliary judge, Mr Alan Moss who comes in from time to time as required for reasons we have both discussed in this debate. Why would it be necessary to introduce the new regime prior to the conclusion of the contractual term? Is there any urgency for that?

The Hon. J.R. RAU: I just have not really turned my mind to that. My belief is that, as a matter of law, once this passes it would be necessary for me to make the necessary arrangements with the Governor for the declaration or proclaiming of particular individuals because this would then be the law. It would be a matter to be ascertained at that time who the best placed people were to do the job, so I have not really resolved that matter in my own mind other than to want to have, as I explained before, for myself at that point in time the broadest possible range of options available. I would hope any future attorney in my position, whenever this position came up, would be similarly given a range of options.

Ms CHAPMAN: So, if you did decide that you want to go to the Chief Magistrate model/option and Mr McEwen would then be sent back to the District Court, he could continue his duties as a District Court judge. In those circumstances, would there be any extra staff allocated to the office of the Chief Magistrate to undertake the role as the administrator of the Youth Court?

The Hon. J.R. RAU: The short answer is I do not know the answer to that question, but the administration of the Youth Court would remain intact and whatever they required would be there to be servicing whoever it was who was running them. My present feeling on the matter would be that there would probably be no need for additional particular staff if it were to be the chief magistrate, because whoever it was who became the head of this jurisdiction would be able to basically utilise the existing administrative capabilities of the court and administer it as it presently is being administered. My expectation is that there would not be, but I guess we just have to see how that panned out.

Ms CHAPMAN: I think the current two magistrates in the Youth Court, Mr Broderick and Ms Makiv, undertake the work as we have previously discussed, but has there recently been another magistrate proclaimed to take on the role in the Youth Court?

The Hon. J.R. RAU: I am not sure of the answer to that question. We will check. I know that there have recently been some magistrates appointed. I am advised that all magistrates are already ancillary members of the Youth Court, so I assume that is then an administrative matter for the head of the court or the Chief Magistrate to work out who are going to be the people in there.

Ms CHAPMAN: In the discussions that you had with the Chief Magistrate, to the effect that she had not raised any objection to undertaking this role, had she indicated any desire to have extra resources to undertake that role?

The Hon. J.R. RAU: Not to the best of my recollection, no.

Clause passed.

Remaining clauses (5 to 27) and title passed.

Bill reported without amendment.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (17:25): I move:

That this bill be now read a third time.

Bill read a third time and passed.

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

Second Reading

Adjourned debate on second reading.

(Continued from 18 March 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:26): This bill was introduced on 18 March this year and it covers the bill that had previously been in the parliament back in July 2014. With the proroguing of parliament that lapsed and the bill has been reintroduced this year by the Attorney. It does have a significant difference from last year's bill in that it makes provision for employees who are in emergency departments and the like to also have protection in addition to the police in the terms as set out in this bill.

Essentially, the bill amends the Criminal Law (Forensic Procedures) Act 2007 to require an offender who bites or spits at a police officer, or now an emergency worker, to undertake a blood test for an infectious disease. The threshold essentially requires a reasonable suspicion that the victim, in this case, has been assaulted or that the offender has committed other specific offences of violence. Again, this is something that we traversed last year, but the government introduced the bill originally consistent with a 2014 election commitment.

There was a general concern that police officers exposed to an offender's bodily fluids might be at risk of being exposed to or contracting a communicable disease. To date, there is no obligation on the part of the offender to be tested. Essentially, what would occur is that police officers would have a blood test, I think at the government's expense, but they would have to wait, usually for some time, before the results were confirmed.

This is a risk, as some 700 police officers each year are assaulted in the course of their work, and it was estimated that 250 to 350 of those were either spat at or bitten. The risk was not insignificant, and that the police officers had to wait to have their own tests done was unacceptable. Essentially, the identification of whether there was some contamination was delayed because of the time that the communicable disease contaminant needed to develop in the system for the purposes

of testing, whereas if the offender already had that condition that would be evident from a simple blood test, and the outline could be obtained in a timely manner.

The government, it appears, has since acknowledged that persons who are working in emergency circumstances should also have the same protection. Clearly, they are also at risk of contracting an infectious disease, owing to violence inflicted on them in the course of their occupations. It is a little disappointing, but pretty predictable, that the government would make the addition in its bill that was tabled this year and introduced to the parliament with no recognition whatsoever of those of us who have presented and put forward this proposal, no acknowledgement of the opposition. It is discourteous at best and a bit churlish; nevertheless, we are used to that. We are pleased that the government has at least accommodated the amendment and appreciates what we were arguing for last year.

I put on the record for the Attorney that quite often members in this house bring forward private members' bills or the opposition presents bills for the consideration of the parliament and they are rejected on the basis that they are not comprehensive enough, that they need some other work, some massaging or an amendment. The government has the resources to do that; they sometimes do it and then reintroduce the bill and frequently acknowledge the private member, especially if they are an Independent, for the work they have done previously.

I make that point because it is a little disappointing that, whilst we have a role in this parliament as an opposition, the Attorney, or those who prepared his speech, has not seen fit to acknowledge that that idea has come from the opposition. Nevertheless, the bill is better for that inclusion, and I indicate on behalf of the opposition that we will support its passage through this house.

Mr PEDERICK (Hammond) (17:34): I rise to speak to the Criminal Law (Forensic Procedures) (Blood Testing for Diseases) Amendment Bill. I note the comments from our deputy leader, the member for Bragg, that the government has not acknowledged the work of the opposition, and I note the good work that has been done on this side.

When this bill was reintroduced this year, there was a vast improvement in who will have the ability to get an offender's blood tested in certain situations in regard to emergency work across the field. The specified offences detailed within this bill include assault, causing harm, causing serious harm, acts endangering life or creating risk of serious harm, riot, affray, assaulting and hindering police, violent disorder and any other serious offence of violence prescribed by regulation.

It is correct to say that the bill tabled last year related only to police officers, which we were seeking to amend. It obviously fell off the table with the proroguing of parliament, but it is a welcome move to include other emergency workers and other people in the field who may come in contact with someone who has the potential to have a communicable disease and who may be spitting on them.

The bill talks about where an offence like this could happen—it could be in the accident or emergency department of a hospital—and the definition in the bill states:

> …the part of a hospital dedicated to the hospital's major accident and emergency functions, including those areas of the department used for administrative, waiting, reception, storage, diagnostic, treatment, consultation, triage and resuscitation functions and the access bays for ambulance and police.

Any biological material of a person:

> …means the person's blood or bodily fluids or any other biological material of the person that is capable of communicating or transmitting a disease;

The greater spread of people who will be incorporated under this bill appears under the listing of the emergency services providers. It is good to see that the first one listed is the South Australian Country Fire Service, of which I am a member, as is the member for Morphett and many members on this side. Also listed are the South Australian Metropolitan Fire Service, the South Australian State Emergency Service, the South Australian Ambulance Service, St John Ambulance Australia South Australia Incorporated, Surf Life Saving South Australia Incorporated, a volunteer marine rescue association accredited by the State Marine Rescue Committee to perform search and rescue functions, and the accident or emergency department of a hospital. It certainly is pleasing that the

government has seen fit to spread the bill over all these emergency services because it is absolutely vital that people believe they are getting protection in the field.

There has been a bit of concern expressed by some people consulted along the way about guidance around the testing, and it has been indicated that senior police officers will have regard to expert guidance of the risks of the transmission of infectious diseases in deciding if testing is appropriate under the bill. A protocol will have to be developed between SA Health and SAPOL, in close consultation with the Chief Public Health Officer, to ensure that senior police officers are properly informed and that testing under the bill is performed appropriately.

From the speeches I have read when this bill was introduced, and from the briefings we have had on this side of the house, the beauty of this bill is that it spreads to other emergency workers who, as we are well aware, can be assaulted in the course of their occupation. Certainly, in light of what occurs in emergency wards, medical and nursing staff and paramedics are right at the cutting edge of situations out there in the street or in the community. In light of that, I commend the bill and I believe it should have a speedy passage through this place and the other place.

Dr McFETRIDGE (Morphett) (17:40): About 12 months ago, I left home, travelling towards Kangarilla, came around the corner and there was a head-on smash. Being an active member of the CFS, plus wanting to see what I could do anyway, I stopped to assist. The driver of one particular car, although very badly injured, was, shall we say, less than cooperative. It took quite a number of members of the CFS and ambulance service to ensure that this chap's welfare was being protected, despite his own actions.

There was blood everywhere, there was quite a lot of saliva and he was obviously in extreme pain from the severe injuries he had suffered. There was some danger to members of the CFS and the ambulance service working inside the confined space in the car with a guy who, it turned out, was not only drunk but on ice. He was incredibly strong. I can remember that—incredibly strong. So, to protect emergency services workers, police and others going about their job is something that we need to do. We really do need to do this.

I remember back in 2011, when we debated the South Australian Public Health Act, we talked about compelling people to undergo an examination or a test, and that was division 2—Controls, section 73—Power to require a person to undergo an examination or test, which provided that, 'The Chief Public Health Officer may impose a requirement under this section if,' and there are a number of things that apply.

This piece of legislation is going to provide similar recourse to force people to undergo forensic testing for communicable diseases if there is any suspicion that they may have, during their interactions with emergency services workers (whether police, CFS, MFS or SES), transmitted any bodily fluids by spitting, biting or wiping onto that particular person. So, it is important that we provide not only the opportunity for our emergency services workers to know what they have faced and then give them the support they need, but also to make sure that people realise that if you are acting up and you get involved in this you are going to be tested and you are not going to have any say in it; this legislation is there to do that.

There is still an outstanding issue, as I understand it, about crown law advice to the government on what doctors and nurses in hospitals can do to restrain patients, whether they can be charged in some way. I understand there is some confusion, so it will be interesting to see what the Attorney has to say on that, on protecting our doctors and nurses in hospitals. As we know, there are code blacks all the time and they are under threat from drunks and drugged out patients.

It is sad that we need this piece of legislation. It is necessary, just as we had to put section 73 in the South Australian Public Health Act. This piece of legislation is something that, I hope, goes through both places very quickly so that we can make sure we give our emergency services workers, medical practitioners and nurses, the whole spectrum of people who are trying to help individuals in distress, or otherwise, the best protection we can.

Mr SPEIRS (Bright) (17:44): It will be a very quick contribution from me, Deputy Speaker, on the Criminal Law (Forensic Procedures) (Blood Testing for Diseases) Amendment Bill. I rise to indicate my support and to show, I guess, gratitude for the government's decision to broaden the definitions and scope of this particular amendment bill. I think it is incredibly important to recognise

those working at the coalface of our public services. I spoke at reasonable length on the motion put forward by the member for Elder on International Nurses Day, of the difficulties often faced by nurses and other people who work at the coalface of public service, and the real need to do whatever we can, not only to protect them but to support them and ensure that we are giving them the same protections as other emergency services.

For me in particular, nursing is something of a personal interest, because as I have shared here before, that is a profession that my wife works in. Also, as an active surf lifesaver, I was very pleased to see, under the definition of 'emergency services provider', we have been able to include Surf Life Saving South Australia Incorporated. Along with the member for Kaurna (the co-convenor of the Parliamentary Friends of Surf Life Saving) I just want to again put on record my appreciation that the government has come to the table, broadening the definitions, and making this bill more inclusive.

Ms COOK (Fisher) (17:46): It would be totally remiss of me not to rise today to speak in support of this bill on 12 May, which is officially International Nurses Day. As a health worker for 28 years, I have experienced blood and bodily fluid contamination, and I have also supported dozens of healthcare workers through that very gruelling process of waiting and not knowing whether or not they have suffered some kind of infection from a contamination event.

It is one of the most gruelling and terrifying situations that a healthcare worker can experience. In respect of this bill, I would hope that it is supported very quickly through both houses. That is all I have to say on this, in support of International Nurses Day.

Mr TARZIA (Hartley) (17:47): I also rise to support the Criminal Law (Forensic Procedures) (Blood Testing for Diseases) Amendment Bill. It is fantastic that the government has come to the table on this and broadened their definition of emergency service workers, and it now encompasses many more in the community. I commend the member for Bragg, who has tirelessly advocated on behalf of these emergency workers. Why should we discriminate, like the government wanted to do in its original bill? Absolutely shameful.

The Hon. J.R. Rau: It has reduced the tone; it was going so well.

Mr TARZIA: It was, but it needs to be said. There needs to be more of this sort of thing. When there is a good idea—and it is a good idea—the government owe it to the people of South Australia that, if that idea does come from opposition and benefits the people of South Australia, they should adopt it. I commend the Attorney for taking on the views of the shadow attorney, and I commend the bill to the house.

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) (17:48): Particularly for those members who have not been here for as long as some others have been, this is one of those moments I hope you will treasure for the rest of your parliamentary career. This is one of those ecumenical moments, where, in spite of the member for Hartley lowering the tone a bit by a couple of cheap shots, we are all basically joining hands and singing *Kumbaya.* It does not happen very often. Madam Deputy Speaker, you have been here longer than I; how often do you see this sort of ecumenical joining of hands?

Just for those people who have not been here as long, can I say: savour this moment. At some point later in your career, when you are trying desperately to find that happy psychological thing that you can put in your head to move you to the other higher place, try this one, because it is going to be good: there will not be many of them, at least during the tenure of the current member for Bragg.

Mr Pederick: Talk about cheap shots!

The Hon. J.R. RAU: I don't mean that. I only said that as sort of a sparring thing.

Ms Chapman: How many of these did you do to the Hon. Stephen Wade?

The Hon. J.R. RAU: He's in a different category altogether, and can I say, when we are on the topic of him, there is nothing I can tell members opposite that they do not already know, but let me leave it at that. Let's get on with it, then.

Members interjecting:

The DEPUTY SPEAKER: I'm sure there is a standing order against mirth. There is a mirth standing order and I am invoking it.

Bill read a second time.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (17:50): I move:

That this bill be now read a third time.

Just to say to the member for Bragg, it is not often that I have really warm things to say about her, at least in here, but she has added value. In this spirit, I hope that we both see a lot more value in the next weeks and months that lie ahead.

Bill read a third time and passed.

ANIMAL WELFARE (LIVE BAITING) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 17:53 the house adjourned until Wednesday 13 May 2015 at 11:00.