

HOUSE OF ASSEMBLY

Wednesday, 13 May 2015

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 11:01 and read prayers.

Parliamentary Procedure

VISITORS

The **SPEAKER**: We welcome to parliament today the English as a Second Language class from Elizabeth TAFE, who are guests of the member for Little Para.

Motions

E-CIGARETTES

Adjourned debate on motion of Ms Digance:

That this house establish a select committee to investigate and report on e-cigarettes and any legislative and regulatory controls that should be applied to the advertising, sale and use of personal vaporisers; and in particular—

- (a) the potential for personal vaporisers to reduce tobacco smoking prevalence and harms;
- (b) the potential risks of these products to individual and population health from vapour emissions, poisoning and the reduced impact of tobacco control measures;
- (c) make recommendations on approaches to the regulation of personal vaporisers under the Tobacco Products Regulation Act 1997, including addressing the following areas—
 - (i) availability and supply;
 - (ii) sales to minors;
 - (iii) advertising and promotion;
 - (iv) use in smoke-free areas;
 - (v) product safety and quality control; and
- (d) any other relevant matters.

(Continued from 6 May 2015.)

Dr McFETRIDGE (Morphett) (11:03): I rise to support the motion of the member for Elder. However, can I just preface my comments in supporting the motion that we now have a number of committees being set up through this place, and the time pressures on members are becoming more acute. That is not to say that the committees are not doing valuable work, but is there a better way of doing things?

While I am not a lawyer—and by that I am boasting, not apologising—I think perhaps some direct legislation might be the way to go. I think there is enough evidence out there to control things like e-cigarettes without having to form another committee. But, having said that, I might have to eat my words once the committee comes down with its recommendations.

How our attitudes to tobacco have changed. I spent many of my younger years out at Elizabeth. I grew up on Hogarth Road at Elizabeth South and went to Elizabeth South Primary School. I remember when I was a tiny kid in grade 3 I went to the Elizabeth South Primary School fete. There was the dart game there and I managed to fluke a dart onto a couple of cards and I won a prize. I was in grade 3 and do you know what the prize was? A packet of Craven A cigarettes. My three brothers and I were very tempted. How things have changed.

I do not remember it, but both my parents smoked when I was very small. Once again, their attitudes have changed like all of our attitudes. I did try smoking once when I was first appointed to Port Augusta High School. All the other guys smoked in Grotty Lodge, the house we shared, and so

I thought, 'If you can't beat them, join them,' but I am afraid that one attempt on half a cigarette was more than enough to say that this was not for me.

The health hazards of smoking are well documented. The economic impacts of diseases from smoking are well documented. The billions of dollars' impact on the economy is something we have to really address and we have been in many ways. The use of e-cigarettes has been put out there as a way of getting people off normal cigarettes. I cannot remember the exact number of toxic chemicals you are actually inhaling when you suck on a cigarette. To me, having done a lot of pharmacology, physiology and toxicology in my veterinary science studies, that concoction was more than enough to convince me that you would never want to smoke and anybody who does smoke is a dope because of the harm that you are doing to yourself. If e-cigarettes were a panacea then I think they would have been on the market a lot sooner.

I was at a car crash between Meadows and Strath. The car was upside down and everything in the car was strewn everywhere. This was at 10 o'clock at night with the CFS. There were these metal cylindrical implements there and I thought they were EpiPens or something like that. Fortunately, I spoke to the young girl driving the car afterwards and said, 'What are they?' They were e-cigarettes. They are a very complicated looking instrument. They had graduations on them and were very well engineered. I had never seen an e-cigarette up close like that before.

If e-cigarettes were working as well as they are supposed to be in stopping smoking, I think they would have been out there a long time ago. The problem we have with e-cigarettes is that, because of the regulations in South Australia, they are available for anybody to buy, including kids, so whether you are a grade 3 kid at Elizabeth South Primary School or somebody else, you can go and buy an e-cigarette now.

The next thing is what you put into that e-cigarette. I think it is a propylene glycol base, or some similar base, that has other aromatics and chemicals in with it that are then heated up by the electronics in the cigarette and you inhale the vapour. The problem for everybody though is that nicotine is a scheduled drug. Having said that, the nicotine juice, as I understand it, is in theory a S2, so that is a pharmacy drug, but because it has not been regulated to the extent that it should have been it is still under a S7 schedule which is a dangerous poison, so buying nicotine, even for personal use on the internet, is a very grey area. The need to change legislation and change regulation to keep up with the importation of nicotine is something that perhaps this committee will come up with some recommendations on.

In relation to the need to regulate tobacco products, the current legislation is there now, but lawyers interpret legislation however they want to and judges, in their wisdom, do this as well. I am not questioning their wisdom, but the intent of the legislation sometimes puzzles laypeople like me. Looking at the legislation, I would interpret it, as a reasonably intelligent person, I think, to say that you could encompass e-cigarettes in that without any real argument. I suspect that the legislation is there already. If it needs tweaking a bit, do so. I do not know whether we need to form a committee for it; but, having said that, I am certainly not going to oppose a committee being set up and members getting \$12.50 a sitting.

We need to make sure that we are informed in this place, though, and that is something that I would never ever back away from. In relation to the need to look at this issue, I think there is a way forward. We do not need a committee, but at the same time I am not going to be opposing the committee. I know about the member for Elder's background as a health worker, and she is obviously very interested in this area. Good luck to the committee. I hope that they are able to come up with some solid recommendations, so that any tweaking of the legislation or regulations can be done as quickly as possible so that we can eliminate any loopholes and any potential harm so that anybody from grade 3 at Elizabeth South Primary School cannot go out and access nicotine products, let alone win them on the school fete dartboard.

Mr PICTON (Kaurna) (11:11): It is my pleasure to speak today to support the motion from the member for Elder to establish this select committee to look at e-cigarettes, which I think is a very important issue for this house to investigate. I think it is exactly the right sort of issue for a select committee look into. There is a clear public health need, but it is a new technology, and laws definitely have not caught up with the technology as it has developed. It is definitely worth having a look at. I also congratulate the Minister for Health for working with the member for Elder on developing this

committee and for being supportive of the parliament looking into this rather than it being just a departmental process.

Tobacco control has certainly been a passion of mine for some time. I worked on a number of tobacco control measures, most particularly on the plain packaging of cigarettes, which was very controversial and it went through a number of legal and political challenges before its implementation. However, we are now seeing the tremendous effects of that legislation through the much reduced consumption of tobacco and lower smoking rates across Australia. Australia now has one of the lowest smoking rates in the world, which is important because we know that every cigarette you smoke causes you damage. There are no ifs or buts about it. It is not something like alcohol, where you can consume a safe amount of the product. Every single part of the consumption will cause people damage, and that is why it is a very important measure for both state and federal governments to take action on.

E-cigarettes uses a new technology, and there is debate about its merits. There are very strong public health advocates in the tobacco space, people like Professor Simon Chapman and Professor Mike Daw, who are leading the campaign to say that we should take action to stop e-cigarettes. They are worried about the aspect of e-cigarettes that will enable the promotion of smoking and that smoking will be seen as more socially acceptable and lead people back to smoking normal cigarettes, but they are also concerned about the health impacts of e-cigarettes. Of course, there are advocates of e-cigarettes and the vaping community, who are saying that this is a good way for people to stop smoking tobacco cigarettes and it will potentially improve their health.

I think that forming this committee is the right approach to look at all of the arguments and for us to come to some conclusions about the merits of each of them and also how the legislation can be improved in South Australia based on what the evidence shows. No matter what, there is clearly in South Australia a need to take some sort of regulatory action. This is now a very grey area of legislation, as this is a product and technology that was never envisaged when our tobacco laws were passed, and we do not want to see no action in this space. I think it is really a question for this committee of: how much action should be taken and what form should that action take? So, I absolutely support the member for Elder's motion. I hope it gets strong support from both sides of parliament and that we can work together in a bipartisan manner on this important public health matter.

Mr TARZIA (Hartley) (11:15): I also rise today to support the motion for a select committee on e-cigarettes. I note that a committee is very good, however, legislation in this area would be much better. I will refer to what has been done interstate with regard to this matter in just a moment. This is obviously a very serious issue. We on this side of the chamber will not stand in the way of a committee on this issue, I make that very clear. Obviously, there are these e-cigarettes out there, battery-operated devices that sometimes heat a liquid to produce a vapour that users inhale.

There is mixed feedback amongst health professionals about the potential risks and potential benefits of these items and they are the subject of much debate by tobacco control and public health experts. Some people claim that these devices assist smokers to quit, others say that their long-term health effects are unknown, and at a community level there is obviously a concern that this does have the aspect of being like a gateway item to cigarettes. I notice that the CEO of the National Health and Medical Research Council has recently said:

There is currently insufficient evidence to conclude whether e-cigarettes can benefit smokers in quitting, or about the extent of their potential harms.

He recommends that

...health authorities act to minimise harm until evidence of safety, quality and efficacy can be produced.

There are a number of current regulations concerning this matter and there may be a case that certain promotions of electronic cigarettes are in breach of the Tobacco Advertising Prohibition Act. In South Australia, specifically to electronic cigarettes, there are no legislative provisions.

I also make the point that the Cancer Council of Australia and the Heart Foundation of Australia have recommended that, given the serious risks in this area, there is sufficient information already to act against these cigarettes in three areas. They suggest: one, ban the retail sale of non-

nicotine electronic cigarettes, unless the product has been approved by the TGA; two, ensuring that smoke-free laws in each state and territory cover electronic cigarette use, and; three, prohibiting advertising and promotion of electronic cigarettes, consistent with tobacco advertising prohibitions.

As I alluded to, a committee is good, but legislation is better. The current definition of a tobacco product in the Tobacco Products Regulation Act states that a:

tobacco product means—

- (a) a cigarette; or
- (b) a cigar; or
- (c) cigarette or pipe tobacco; or
- (d) tobacco prepared for chewing or sucking; or
- (e) snuff; or
- (f) any other product containing tobacco of a kind prescribed by regulation; or
- (g) any product that does not contain tobacco but is designed for smoking...

Whilst I do not stand in the way of a committee, what this committee may do is look at what has been done interstate. What you will find is that Queensland became the first Australian jurisdiction to regulate e-cigarettes in the same way as tobacco products are regulated. So, if the committee recommended that e-cigarettes be included in that definition, it would fall within the Tobacco Products Regulation Act and, alas, there are requirements for licences in that act, and, alas, there are requirements that surround the sale and promotion of those objects if they are caught within that act. In addition, the act also already captures the sale and promotion to minors. In fact, it is already prohibited. Not only that, section 38A is about sale or supply of tobacco products to children as well.

Whilst we will not on this side of the chamber stand in the way of the committee, a committee is good but legislation is better. What we would call for is for this place to be used in the most efficient way possible and for the taxpayer dollar to be used in the most efficient way possible. I would encourage this committee to look at what has been done interstate in this area already. In New South Wales, legislation has been introduced to ban e-cigarette sales to minors. The sale of electronic cigarettes and accessories, including e-liquids to minors will be banned if a new bill introduced by the government is successful. I notice that Mrs Skinner interstate admits:

What we are seeing in other countries is a sharp rise in the use of e-cigarettes by children and young people.

No doubt this is a massive issue. The Queensland parliament amended the Tobacco and Other Smoking Products Act 1998, the tobacco act, to capture electronic cigarettes as smoking products. Electronic cigarettes will now be subject to the same laws as regular cigarettes from 1 January 2015, and that is a good thing for the committee.

Whilst we are not holding back the committee—we agree with the committee on this side of the chamber—it is positive to see that this research has been done quite recently (we are talking about January) on this area, and I note that other parliaments have, through legislative change, regulated what is a very important topic in the law. I would encourage the committee to look at how Queensland became the first Australian jurisdiction to regulate e-cigarettes.

I would also encourage the committee to look at how New South Wales will ban the sale of electronic nicotine systems to minors. I also encourage the committee to look at what is happening in Western Australia at the moment. In Western Australia, I believe that the Western Australian Supreme Court found that the word 'resemble' includes how a product is used as well as its appearance. I understand that an appeal to this decision was recently lodged with the full bench of the Supreme Court of Western Australia.

The member for Elder makes a number of points on the committee's terms of reference: sale to minors, advertising promotion, use in smoke-free areas, product safety, quality control, and any other relevant matters. We certainly support this motion on this side of the house, but at the same time let us be real about this. What I call for from the health minister, if he is serious about this issue, is legislative change. If he is serious about e-cigarettes and regulating them, let us see legislative

change, just like the health ministers of New South Wales, Queensland and Western Australia. We do not hold back—we support the committee—but we need legislative change as well.

I am hoping that, when this committee takes place, that it has regard to what has already been done interstate, as I alluded to, as early as January. In saying that, I am sure a number of positives will come out of this committee, so it is with those few comments that I hope I have been clear that I support the member for Elder's motion. However, in many respects we may not have to reinvent the wheel because legislative change has been made in New South Wales, it has been made in Queensland, and it has been made in Western Australia so, rather than just a committee, we need more than a committee: we need this committee to provide fruitful results, and I hope that will result in legislative change that addresses this very important issue because it is an important issue.

As we have heard from other speakers before us, it is very important that we get this issue right and that the law is adopted and amended to reflect new technology, just like we would in any other area where new technology is available. I support the motion before the house.

Debate adjourned on motion of Hon. S.W. Key.

Personal Explanation

YOUTH JUSTICE SYSTEM

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) (11:25): I seek leave to make a personal explanation.

Leave granted.

The Hon. Z.L. BETTISON: Yesterday in the house, in response to a question from the member for Morialta, I stated that a youth justice administration bill had been taken off the *Notice Paper* following the proroguing of parliament prior to the 2014 state election. I have since been advised that there was no bill introduced to the parliament prior to the 2014 state election. I can advise the house that, while the previous minister for communities and social inclusion had obtained cabinet approval to draft a youth justice administration bill, a draft bill had not been created prior to the 2014 state election.

Motions

SPEED DETECTION

Adjourned debate on motion of Mr Wingard:

That this house establish a select committee to inquire into and report upon—

- (a) the operation of speed cameras and speed detection devices in South Australia;
- (b) the relationship between the location of speed cameras and the incidence of road accidents;
- (c) the impact of constantly changing speed limits and the effectiveness of speed limit signage;
- (d) the effectiveness and appropriateness of current penalties for speeding offences, including a review of fines imposed;
- (e) the operation of the Community Road Safety Fund; and
- (f) any related matters.

(Continued from 6 May 2015.)

Mr SPEIRS (Bright) (11:27): I would like to return this morning to my remarks on the government's apparent lack of a policy framework to guide decision-making around the placement of speed cameras. Earlier, I mentioned the specific example of the government's refusal to look at a fixed red-light camera at the foot of Ocean Boulevard at Seacliff and Seacliff Park, outside Seacliff Primary School. I recounted how the students of Ms Dittmar's year 1/2 class had written to me directly, outlining their concerns about the safety of their school crossing, their numerous near misses and the school's constant fear that nothing will happen until someone is seriously injured or, worse, killed at the crossing.

This section of road, where Ocean Boulevard meets Brighton Road, has upward of 40,000 vehicles passing through it every day. It is at the foot of a hill and has the busy Scholefield Road intersection immediately to the south of it. It is a dangerous stretch of road. Our meeting with the Minister for Road Safety, while gratefully received, was light on outcomes and ruled out a red-light camera, with the excuse that the crossing was not dangerous enough. This beggars belief. Are we waiting for a fatality to understand the danger of the crossing before we have enough evidence in order to install suitable safety measures?

My constituents, including the children in Ms Dittmar's class and the Seacliff Primary School governing council led by chair, Jacinta Day, would like to understand why a red-light camera can be placed outside Seaview High School on Seacombe Road (perhaps a very worthy position) but cannot be placed outside Seacliff Primary School. On the face of it, you would think that older secondary school students would be safer on a straight section of road with less vehicle movement than primary school students who have to cross at the base of a steep hill on a busier road.

Is a red-light camera the answer for this crossing? The government and minister seem to think not, but it would be great if they could outline the rationale behind camera placement, rule out revenue raising and commit to real safety outcomes. At the moment, I am afraid that I have no confidence in the government's approach to speed camera placement.

Mr PEDERICK (Hammond) (11:29): I rise to speak to this motion by the member for Mitchell:

That this house establish a select committee to inquire into and report upon—

- (a) the operation of speed cameras and speed detection devices in South Australia;
- (b) the relationship between the location of speed cameras and the incidence of road accidents;
- (c) the impact of constantly changing speed limits and the effectiveness of speed limit signage;
- (d) the effectiveness and appropriateness of current penalties for speeding offences, including a review of fines imposed;
- (e) the operation of the Community Road Safety Fund; and
- (f) any related matters.

I must say there is nothing that causes more debate in the community than speed cameras. We note in recent times that the media make quite a show of telling us where some of these devices will be the next day. Perhaps that was because of public backlash over the number of speed cameras and where they are placed. Certainly, there is no sympathy for people who are constantly caught speeding and, probably, there is no-one in this place who can put up their hand (unless they are a complete saint) who has not been caught for driving a little fast at times.

As a country member (but not a remote country member, who would travel probably about 100,000 kilometres a year, apart from any air travel they need to do), I average somewhere around the 60,000 kilometres a year mark, so I see a lot of what is going on out on the road and certainly notice the changes as they happen. This is something that many members have brought to this place, and the former member for Fisher (Hon. Bob Such) had his own private war on speed cameras, but he also made it a public war.

As I was saying, in my many travels around the state, I can certainly see the changes that have been made over time. I am well aware of mobile speed cameras and where they are set up, and now infra-red cameras are fitted on those vehicles so they can detect you at night. Now we have more cameras that are fixed speed cameras, and coming from home at Coomandook or Murray Bridge there are the cameras at Crafers and Mount Osmond. This relates to the changing speed limits. The speed limits on the down track into the city now are down to 90 km/h and, quite frankly, I do not agree with that, but the limit is what the limit is.

There is supposedly a relationship between the speed that cars can do compared to slowing down trucks to 60 km/h, which I agree with. In fact, I do not think it has gone far enough. I think it probably should be restricted to 40 km/h, but there are probably a lot of people who would argue against that. But, in the interests of safety, I know the best way to manage a truck down a hill is by

using a very low gear and, sometimes, these days with trucks that have engines of 650 horsepower, you have to be well below even the gear you would use to climb up a hill.

Be that as it may, there are more fixed cameras in place, and we know there are some in Adelaide. I know there is one not far from this place towards North Adelaide that is quite a revenue earner. South Terrace has been a hot spot for mobile speed cameras and has raised many hundreds of thousands of dollars. Something that has sprung up over recent times is the point-to-point speed cameras; one of the first in my electorate was between Ki Ki and Coonalpyn. It certainly brings to mind the places where speed cameras should be.

I think that is probably a reasonable spot to have a point-to-point camera. However, as I have said in this place before, some of the overtaking lanes there, especially the one just south of Ki Ki is built in the wrong place strictly because they did not want to knock down any native vegetation on a straight. That is another argument but it should have been done because it has, sadly, accounted for at least seven lives, on that overtaking lane. I believe a lot of that is because it is in the wrong place and there is a lot of confusion as to where you should pull in.

There is a whole range of issues that we should be attending to in road safety because, allegedly, speed cameras are about road safety. The interesting thing with point-to-point cameras is that they are like porcupines; they are almost breeding on roads. I know Port Wakefield Road has several sets heading up towards Port Wakefield, and there are some being built on the freeway now. I am not sure if they are activated or not but if someone goes over the limit I am sure that they will let me know.

I get disappointed when I am heading home on the freeway and I go past four, sometimes five mobile speed cameras. This road could quite realistically be a 130 km/h road—no problem at all—and, in fact, you could probably go faster than that. However, for so-called road safety, they will have four or five speed cameras there on a dual-lane road.

I have seen traffic on the freeway on the wrong side of the freeway, going the wrong way. Luckily, I have a CB radio in my car so I can warn the trucks that are coming down towards them and say, 'You'd better watch out; you've got one coming at you.' I noticed there was some dashcam footage the other day on a single lane on the Dukes Highway down towards Bordertown where someone had veered in front of a truck at night. The truck driver managed to get out of the way, but that is another issue more linked to fatigue.

We certainly need an investigation as to where speed cameras are put. We really have to get out to the public the perception of whether these are really for road safety or just about revenue raising. I am afraid that the many thousands of people, in fact millions of people over time, who traverse the South Eastern Freeway certainly believe it to be revenue raising. I am not saying that they should not be in other places but put them where there is likely to be an accident. Do not have them at the bottom of the big dipper on the freeway, or the little dipper for that matter.

It is so obvious that someone who does not have cruise control—which a lot of us rely on now for the many kilometres we do—can just run over one or two kilometres an hour and get picked up. The fines for getting caught certainly are not cheap. If you go less than 10 kilometres over the speed limit you will be fined \$159; then it goes up in brackets and between 20 and 20 km/h you will be fined \$349; between 20 and 30 km/h it is \$709; and between 40 and 50 km/h an hour it is \$846. Then there are other fees that go on top of that. It is very expensive if someone makes a very simple error in exceeding the limit by just a small amount. It does not fit with some of our police very well—our hardworking police—when they are perceived as just revenue raisers in this line of work.

Yes, I think speed needs to be managed but it needs to be managed in a way that the people of South Australia do not believe they are just there to fund a bankrupt government's coffers. It must be seen as a proper road safety measure. The police like to tell us that they do not have quotas—they have benchmarks. Well, I reckon a quota and a benchmark is the same thing and certainly that pressure should not be put on the good-serving officers of the South Australian police force, and the government needs to be more transparent about where it places these speed cameras.

Mr WILLIAMS (MacKillop) (11:39): I think there is common belief in the community that the way our roads are policed, particularly with fixed and mobile speed cameras on police cars, is a

revenue-raising measure and not a safety measure. I congratulate the shadow minister (the member for Mitchell) for bringing this proposition to the house, because I think a number of things could be done by a select committee to investigate into the matters that he has listed in this motion.

We can either dispel the myth that the policing of our speed laws is a revenue-raising measure or, alternatively, we can highlight the fact that the way we police the roads is, at the very best, capricious and that we can do it better, to ensure that the road safety aspect that we are supposedly trying to achieve is the paramount concern. There are plenty of examples where speed cameras are placed on stretches of road where there are very, very few accidents or a very low accident record, but where it is common for people to go slightly over the speed limit.

One area that comes to mind is just up the road here in King William Road, through the Parklands, between North Terrace and before you get to O'Connell Street. I think it is one of the biggest revenue-raising fixed speed cameras in the state. I go back and forth through that intersection at least twice a day when I am in Adelaide, which is pretty regularly, and I have yet to see an accident there. I have never seen an accident there.

Mr Odenwalder: They are working.

Mr WILLIAMS: 'They are working.' I do not think that is the issue; they are raising literally hundreds of thousands of dollars a year. Let me talk about another part of the state that concerns me. It is also on a section of road that I traverse very regularly, and that is the Princes Highway going down to the South-East. If you drive out of Adelaide, turn right just the other side of Tailem Bend and go down along the Coorong, when you get to Meningie, after travelling all the way at 110 km/h, for the next 60 kilometres the speed limit is 100 km/h. When you get to Salt Creek it goes back up to 110 km/h. There is no difference between the nature of the road in that 60-kilometre stretch and the road either side of it.

The Hon. L.W.K. Bignell: It used to be bad; it was narrow.

Mr WILLIAMS: The Minister for Agriculture says that it used to be bad. I think minister Wright was the transport minister who reduced that speed limit, and I was very active, as were councils in my electorate and a number of citizens, in lobbying the minister to find out why that speed limit was reduced and would he reconsider it? I got a lot of information out of the then highways department on that particular decision as well. One of the pieces of information said, 'The road is relatively narrow and we have an ongoing program to widen the shoulders on each side of the road, and we will review it at the end of that.' That ended years ago and there has never been a review of putting the speed limit back to 110 km/h. It is a nonsense.

I have had a number of conversations with our police constables on that section of road. I have to report to the house that nine times out of 10 the conversations have been effective, from my point of view, and I only have praise for the constabulary. I recall having a conversation with one officer and he said to me, quite frankly, 'I don't know why the speed limit is 100 on this section of road.' He said, 'It's no different than any other section of the road around here that I police and I don't know why it's 100, but it is and I am just applying the law.'

The Hon. L.W.K. Bignell: He said the same thing to me.

Mr WILLIAMS: The minister says he said the same thing to him. I am sure that any number of people who traverse that section of road on a regular basis would have had the same conversation with the same officer. He is a thoroughly decent bloke, but I warn any members, if you are driving to the South-East, he is always there. He is always on that section of road. I very rarely see him north of Meningie, where the speed limit is 110 but, invariably, he is south of Meningie on that 60 km/h section of road. Is that the way that the law should be in South Australia? That is the question I think we should be asking ourselves. Is that a reasonable scenario?

Mr Tarzia: Good bakery.

Mr WILLIAMS: Good bakery! Is it reasonable that we have that situation and we have that police officer doing what he is doing. He is only doing his job, but is that a reasonable thing to do? I have got to tell the house that my constituents, and I am sure the constituents of my colleague from the seat of Mount Gambier would agree, do not think it is reasonable. It is a nonsense, and that is one of the issues that I would like a select committee to look into. I can tell the house that I got a

briefing paper out of the department many years ago which said exactly what I have always believed; that is, there is no difference between the condition of the road between Meningie and Salt Creek and the rest of that section of the Princes Highway.

I come to another classic inconsistency. Generally, when I drive out of the city heading south-east, I drive down Glen Osmond Road. So, I turn off of South Terrace, go diagonally across the Parklands and up Glen Osmond Road. The speed limit through the Parklands is 60 km/h. Sometimes, I go down Pulteney Street, and from Pulteney Street to South Terrace to Unley Road. The speed limit is 60 km/h. If you happen to go down King William Street, cross South Terrace and go down to Hyde Park on King William Road, guess what the speed limit is? It is 50 km/h. If you come over the next road, and I am not sure what it is called—Sir Edward Cowan drive or something—it is 50 km/h.

Mr Bell: Edith Cowan?

Mr WILLIAMS: Edith Cowan drive. Yes, I think you are right—Edith Cowan drive. It is 50 km/h. So, there are four roads, basically running parallel to each other, although Glen Osmond Road is not parallel, with completely different speed limits. The condition of the road is no different. The amount of traffic on the road is no different. They both have car parking on both sides. It is an absolute nonsense, and I have paid my share of revenue to RevenueSA because of that nonsense. Again, it is an issue I think a select committee should look at. This is a live issue in the community. These are just two inconsistencies I can give.

Mr Pederick: What about east of Bordertown?

Mr WILLIAMS: Yes, east of Bordertown, I have raised this before. You drive out of Adelaide, you get just past the tollgate, and it is 100 km/h up to the top of the Hills. At Stirling, it gets to 110, and then you can drive all the way to Bordertown at 110, and from Bordertown to the border, guess what? It is 100. That road was rebuilt with commonwealth funds a few years ago, completely rebuilt from Bordertown to the border. I think it was 17 kilometres of road and \$15 million of expenditure, and there is a 100 km/h speed limit—that is another nonsense.

It is the same from Penola on the Casterton Road. There are a number of those in my electorate between the towns and the border with the same sort of thing. These issues need to be looked at. In the Mid North, there are all these speed reductions. I think they need to be looked at because I do not think that they are actually giving any benefit to our road accident rate. All they are doing is giving a benefit to the Treasury. I certainly commend the shadow minister for bringing this matter before the house and hope that the members on both sides of the house support it.

Mr BELL (Mount Gambier) (11:49): I too rise to support the member for Mitchell's motion. Let's be clear, there is no doubt that used properly speed cameras can be an effective deterrent to those motorists who break the law. However, there is also general cynicism that speed cameras are used more to raise revenue than to keep our roads safe, and there are a few things that give credence to that cynicism, and one of them is the budget: the government budgets over \$80 million a year in revenue from speed cameras, fines and the like. So, having that already budgeted in year in, year out gives some indication as to the value in raising this revenue for the state coffers.

I need to preference the following comment by saying that I have the utmost respect for our local law enforcement officers and the work they do; they are very community-minded people who support me in many ways. It is with regret that I say that, in the South-East, people do come to me and say, 'The Adelaide police are in town targeting speed.' It is not that issue I have a problem with; it is an issue to do with where they set up the speed cameras.

Quite often, they are at the bottom of hills; quite often they are in areas that are not risky roads, they have not had major accidents for a period of time, they are certainly not dangerous roads; they will be in side streets, where the speed limit is 50 km/h, trying to catch people doing 55 km/h. It is those type of issues that concern me with speed cameras in our local area. It also gives our local law enforcement a difficult time. They spend a lot of time building community will and community engagement, and then they have police officers from metropolitan areas coming down, in the community's eyes, just revenue raising from the South-East.

There was an article by News Corp talking about the fact that last year speed cameras along South Terrace earned in excess of \$630,000 for the financial year, which is around \$177,000 more

than any other site and which equates to about \$12,000 a week—about the same as Mr Bignell's wage. The problem with this is that South Road does not feature prominently in road crash statistics.

I support the shadow minister for transport in his calling for greater clarity in the way police select camera sites. There is actually a requirement in the guidelines that police consider four years of recent crash data, with specific mention of fatalities and serious injuries, when choosing sites. No South Terrace fatalities were recorded by the Department of Planning, Transport and Infrastructure from 2009 to 2013, yet speed, it is said, remains the number one critical factor for road fatalities in Australia.

Policymakers insist that speed plays a part in about 40 per cent of all road deaths and costs the community billions of dollars each year, yet in the Northern Territory controversial derestriction in speed has not amounted to a single fatality or serious injury in the seven months since it has been operating. The Northern Territory government is now considering extending the trial such has been its success. Since 1 February, there have been no deaths or serious injuries on the 200 kilometre stretch where they have increased the speed limit to what I believe is 140 km/h, but I will double-check that. Two infringement notices have been given, one to somebody who drove through a work zone at a ridiculous speed, and the other to someone who was involved in a rollover that was attributed to drink driving and not speed.

The problem that I have with speed cameras and their location is that they do not provide immediate feedback to the driver and a deterrent for their behaviour. If an accident has occurred due to speed, then receiving a bill in the mail from a speed camera on that stretch of road four weeks after the incident is little use in preventing that actual accident from occurring.

Speeding motorists need immediate intervention, and I have no problem with the police using radar devices followed up with on-the-spot fines to immediately deter speeding motorists. The contributing factors, as far as I am concerned, with the road toll are the quality of the road and the quality of the vehicle, in combination with the attitude of the driver.

The other concern I have with speed cameras is the presumption that the camera is working properly, that it is properly aimed and calibrated, and that the timing of the traffic light has not been adjusted so as to give the motorist insufficient time to react and so on. There may be multiple people involved in the calibration and maintenance, and the settings may have been altered since they were last set properly. It is difficult for the motorist to know this information, and local governments may be slow to recalibrate these devices.

Since tickets or fines are received weeks later, the accused has very limited ability to gather evidence in their defence. This is particularly true of speed cameras that would no longer be in the same location as originally placed. Tickets are issued to the owner of the vehicle, even if they are not the driver. Speed cameras do not remove the worst drivers from our roads the way a police officer can. Drunk drivers, or a person in a stolen vehicle, who might pose an immediate risk to pedestrians or other motorists, just ignore speed cameras completely.

Lastly, speed cameras encourage erratic behaviour. Drivers slow down as they approach a speed camera and then speed up afterwards, and nervous drivers continually look at their speed rather than the road. I support this motion and commend the shadow minister for transport for bringing it to the house's attention.

The Hon. T.R. KENYON (Newland) (11:57): I am rising to oppose the motion today, for a number of reasons, but I am very interested—

An honourable member: Unbelievable.

The Hon. T.R. KENYON: It is not really; you know it is not. The premise behind the motion is that speed cameras have no real effect on road safety and that in fact they are just set for revenue raising; that is what they are set for. There is so much evidence, not just from Australia but from around the world, that speed cameras reduce the road toll, and in areas where fixed cameras are placed they have been determined to reduce fatalities and serious injury crashes by 20 per cent. Conversely, when they are taken away—and there are experiences around the world and in Australia where fixed speed cameras have been removed—serious injury crashes and fatalities have been shown to go up by about 20 per cent.

The CASR, the Centre for Automotive Safety Research right here in Adelaide, part of the University of Adelaide, or working in conjunction with the University of Adelaide, and also Monash University in Victoria have both shown through extensive research that speed cameras are effective in reducing road tolls.

Also we have our own experience, the idea that somehow speed does not contribute. Underlying a lot of the contributions from members opposite is this idea that there are some areas where you can speed and it is okay to speed. It is couched in terms of 'You could go faster; the speed limit could be raised.' Essentially what they are saying is that, when there is a speed limit here, it is okay to speed here because it is safer; it is safer to speed here, it is alright.

Members interjecting:

The DEPUTY SPEAKER: Order!

The Hon. T.R. KENYON: Just tell me when you want me to seek leave to continue my remarks.

Mr Pederick: Have you got 68?

The DEPUTY SPEAKER: You will not have to seek leave, because the book is already drawn up and I am calling the member for Hammond to order. You can continue right now.

The Hon. T.R. KENYON: Thank you. The idea that speed is safe is wrong, and it is shown to be wrong throughout the history of our road toll in South Australia.

Mr Pederick interjecting:

The DEPUTY SPEAKER: The member for Hammond is warned for the first time; so early in the day.

Mr Pederick interjecting:

The DEPUTY SPEAKER: You have ignored me twice; it is not just me you are being rude to—it is the house.

Mr Goldsworthy: Disgraceful!

The DEPUTY SPEAKER: And the member for Kavel is called to order as well.

The Hon. T.R. KENYON: I seek leave to continue my remarks.

Leave granted; debate adjourned.

Bills

JUDICIAL CONDUCT COMMISSIONER BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 March 2015.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:01): I rise to speak on behalf of the opposition to indicate that we will be supporting the Judicial Conduct Commissioner Bill 2015. This bill was introduced by the Attorney on 18 March this year. It appears to have arisen as a result of one of the initiatives that he considered a priority after his Transforming Criminal Justice inquiries, of which there are myriad. In fact, there are so many: we have Transforming Health, we have Transforming Criminal Justice—wherever there is a problem we have a 'transforming' initiative or review underway.

Unfortunately, my desk in Parliament House is now chock-a-block full of review folders. There are so many of them, it just about makes your head spin. We have royal commissions and inquiries into tax, nuclear power, time zones—you name it. Well, this is another one. To my surprise, one of the highest priorities of the government appeared to be jumping in with a bill in March last year to tell us that we needed to have a commissioner—amongst the dozens of other commissioners we have in South Australia—in this case, to keep judges in order. On our understanding, it arises as

a result of these inquiries, and it seemed to come to the attention of the Attorney that we are one of the few jurisdictions that does not have an independent person to keep judges in order in this type of format and, accordingly, we have this bill.

At first blush, my response was: why would we be paying \$1 million a year to have another commissioner, which is about the going price for a commissioner these days. We have a KI commissioner—I think that was the last one appointed—and we have a legal practitioners' commissioner. Instead of moving to either a self-regulatory or a panel-type approach, it has been the initiative of the government to bring in another public servant and some ancillary staff and pay them about \$1 million a year to undertake the duty of scrutiny and supervision, as may be required.

The KI commissioner has to keep an eye on all the departments and make sure they are doing what they are supposed to be doing. That begs the question, of course, as to why we even have ministers these days. In any event, we have one of those; we have a commissioner for just about everything else. It did concern me, at first blush, that the priority of the Attorney in relation to criminal justice should be to appoint another bureaucrat when, quite frankly, he is busily slashing money from the following areas: to enable people to have access to our criminal justice system, particularly in regard to timely hearing of their trials; to be able to give priority to bringing our courts up to some sort of contemporary standard (let alone building new ones); and to allocate funds to ensure we have sufficient support and advocacy for those who are unable to represent themselves.

There are myriad other areas where the government has been stint in relation to its support, or where it has promised something and then cancelled it. For example, Port Adelaide court is to be kept but the poor old Holden Hill people are to lose their court, etc. Coming up with a million dollar a year proposal to have another commissioner is, at first blush, I think, hardly a priority for this state. However, we are informed—and I thank those from the government who provided a briefing on this matter—that in other jurisdictions (and there was some reference to this in the second reading contribution of the Attorney) the Federal Court has a system of dealing with complaints against judges by the establishment of an ad hoc judicial commission to deal with each case. So they have a process, not a permanent person sitting at home twiddling their thumbs if they do not have anything to do. They bring someone in on an ad hoc basis.

We have that system for lots of situations in our courts system in South Australia. From time to time we need extra judges in the Youth Court. We commission people to come in from time to time when we need extra people in the Supreme Court. We usually commission retired judges to come in to do that. We have a capacity to be able to provide for these things in the short-term, as required; however, in any event, the government has decided to go down the path of a permanent position.

The ACT has a scheme similar to the Federal Court, established under their Judicial Commission Act 1994, and the commissioner is appointed by the Attorney-General, not the parliament. In New South Wales they have a judicial commission established under the Judicial Officers Act 1986, which consists of the heads of the New South Wales jurisdictions ex officio. In Victoria there was the Judicial Commission of Victoria Bill 2010—which was similar to the New South Wales model—which, to the best of our knowledge, has not yet been enacted. The Western Australian Law Reform Commission examined the policy in 2012 and the New South Wales model was broadly recommended, and we are yet to see the implementation of that.

It seems as though other jurisdictions have moved on from what is effectively a self-regulatory arrangement. What happens in South Australia at the moment is that if a judge misbehaves or enters into some form of misconduct or is negligent in the duties that they are to undertake or in some way acts inappropriately for the standing of his or her office, essentially the process is that a general member of the public can write to their local MP or to the Attorney-General. The Attorney-General can then deal with the judge to the extent of, if necessary—and I would suggest that this would be on rare occasions—contacting the Chief Justice of the Supreme Court or the Chief Judge of the District Court saying, 'You understand that one of your judges has come to my attention; have you had any discussions with this person?' to internally, I suppose, manage the issue, if appropriate. If nothing is done or if what is done is inadequate, the ultimate sanction for a judge's misconduct is to be brought before both houses of parliament and dismissed, if the parliament sees fit.

We have very special rules about how we caution, discipline or ultimately dismiss, if appropriate, via the parliament. This is very different from other persons who serve the public, either in the Public Service or here in the parliament. If we do not behave ourselves, we of course face our electors at the next election. We can face the sanction of our own house or the parliament here and be excluded, which can in certain circumstances create a by-election, etc. So we have different ways of dealing with people who serve the public. Judges have a very special independence from individual scrutiny by, say, the Attorney-General, or indeed by the Chief Judge or Chief Justice of a judge in their courts, because the ultimate sanction is kept here for the parliament. Why? It is because we have a very strong principle of separation of powers, so we cannot have a situation where the executive has a direct role in the removal of a judge.

I think that is a good thing. In a way, this deals with the alleged dilemma of how we should deal with judges a step back from that, for someone who has not written their judgements on time, who is, perhaps, alleged to have improperly treated counsel before them or made ill-advised or inappropriate comments to witnesses or parties before them in a case. General alleged misconduct on the part of a judge is not a matter which, on the face of it, we would suggest the Attorney-General bring to the attention of the parliament, but how do we otherwise deal with it?

At the moment, the Attorney-General and the Chief Judge and Chief Justice may have a discussion with the judge in question to provide some support that may be necessary to assist that judge if there was found or acknowledged to have been some inappropriate conduct; so, arguably, caesar reviewing caesar, judges reviewing judges, heads of courts not really wanting to issue sanctions, discipline, cautions or counselling to people in their employment. It is not a very nice job to be the leader and to have to bring people in and have a discussion with them, especially if they have become close friends. So there is some justification for having some sort of external scrutiny of these matters.

What do you do if, in fact, the complaint or concern raised by someone is actually against the Chief Judge or Chief Justice? I am not suggesting, for one moment, that there is anything current in that regard; however, I make the point that, from a public perception, there is a case to say that some other person independent of the judges be available.

The bill, therefore, sets up a process that complaints against judicial officers would follow. Under the bill, a commissioner would be appointed—according to the Attorney-General that might be someone who is a retired judge, someone who has some understanding of the workloads and other duties of judges and some understanding of how the system works and how it should work—and that commissioner would be appointed on recommendation by the Attorney-General. They would hold office for seven years, and that could be renewed for a term of up to 10 years. As I said, it is likely to be a senior lawyer or a retired judicial officer. It is proposed that the appointment must be approved by the parliament's Statutory Officers Committee, and can only be removed by both houses of the parliament.

It is fair to say that we do have some other senior people who are, I suppose, watchdogs for the parliament and they include, for example, the Auditor-General, the Electoral Commissioner, and, I think, the Ombudsman (at least the principle ombudsman). They are people who are appointed by the parliament and who are accountable to us. They may be nominated and have a process that is under the supervision of a minister, but essentially they are appointed by us, they can be dismissed by us, they are accountable to us, and they usually provide annual reports to us. Similarly, to preserve the importance of having some independence, there would be a process of approval by our parliamentary structures to do that.

If a complaint is received by the commissioner he or she would then conduct a preliminary examination of the complaint. If the complaint is one to which the Independent Commissioner against Corruption applies, then that must be referred to the Office for Public Integrity and that, I should also add, is consistent with a number of other bodies that act as watchdogs for us. They have obligations to report to the Office for Public Integrity if there is conduct at that high level. Obviously we are talking of corruption and the like, so it is appropriate that any bill of this kind be consistent with that.

Further action is suspended until that process is complete but, for all the other matters, the commissioner would receive the information, notify the head of the jurisdiction relevant to the

complaint received and then, I suppose, go into a process of identifying whether the complaint is of sufficient note and moment to be satisfied that further action should continue; if not, they would dismiss the complaint. They may determine that it is frivolous, vexatious or trivial, perhaps not made in good faith or not within the jurisdiction of the commissioner.

What I think the Attorney has in mind there is to ensure that if a litigant, for example, is simply unhappy with the decision lawfully assessed and undertaken by a judge, but wants to mount a complaint against the conduct of the judge as a result of their unhappiness with the decision, that in itself is not justification to go off to a new judicial complaints commissioner. There has to be some error in the approach and conduct of the judge. It will not be used as a backdoor way to relitigate matters.

If the complaint passes through these threshold tests, the commissioner can then say, 'Is it a less serious matter or is it a very serious matter?' If it is a complaint, for example, that a judge made a public statement that was ill advised or intemperate, the commissioner may say that there is no direct harm in assessing that. It is not frivolous or vexatious. There is a genuine concern, but it goes into the category of lower significance than more serious, which personally I would put into the category of unacceptable conduct by a judge during the course of a trial.

If there was treatment of persons before them that was just totally unacceptable or uncalled for, that may be something that would attract a more serious approach. There, the commissioner can still refer it across to the Chief Judge or the Chief Justice who then, under this bill, will be given powers to resolve it. One of the arguments for codifying this process of complaint is to also add into the system a means by which the Chief Judge can deal with the matter.

It is fair to say that I am sure this applies already. Sometimes, if there is behaviour of one of their judges that comes to the attention of the Chief Judge or Chief Justice, they do call them into the office and have a general discussion. It may be that a certain behaviour or apparent misconduct is as a result of some personal circumstance of a judge and that it was a unique and out of character outburst. I am just providing this as an illustration.

Judges are human after all and there will be circumstances when they are under pressure, perhaps as a result of some personal circumstance, and, with some support, that situation can be remedied. As commonly happens through these processes, the alleged victim or complainant can be brought in to have some discussion about some acknowledgement or apology where appropriate. This is something the Ombudsman does on a regular basis when he is dealing with complaints against public officers. It can have a summary and informal disposal of the matter, but this bill will help to provide for what is to occur.

Of course, the commissioner can come straight to this parliament and issue us with an interim report saying there was a serious concern. I would expect that if that were the case, that there was a complaint to the parliament directly, that would only occur, I would suggest, and I am hopeful in this regard, if the Attorney-General of the day refused to bring the matter to the attention of the parliament, and that is possible.

The existing Attorney-General may decide that there is no merit in bringing the matter to the parliament, which would be the ordinary course currently, and therefore the commissioner will have the responsibility and right to bring this matter to our attention, and we could deal with it as a parliament if we felt there was a justification of an application to remove the judge from their judicial duties by the parliament.

I have referred to the Chief Justice and the Chief Judge who deal with our superior courts in South Australia, that is, our Supreme Court, District Court and Youth Court for the moment, although that is about to get a big slice into it. It is fair to say that, in an operational manner for the magistracy, the Chief Magistrate has historically had a role in attending to the management of the behaviour of her magistrates, again with the support of having the backup of a referral to the Attorney-General.

It has a little more influence, I suggest, at the magistracy level because magistrates, from the best I can recall, do not require two houses of parliament to meet to actually dismiss them; they can be disposed of in other ways. There is a different relationship in respect of their appointment and dismissal process, and the Attorney-General and government obviously have a bigger role in relation to that.

From memory, there was an attempt to change some of that because some magistrates wanted to be upgraded to judges, and I am sure that governments love to do that, provided they do not have to pay them any more money. In any event, we have a slightly different role and certainly different jurisdictions and different powers that apply to judges compared with magistrates. The principle in this bill is to provide an independent body—in this case, a commissioner—to hear and review complaints against the conduct or misconduct of a judicial officer and, that being consistent with other states, the opposition will accept this.

As I say, we are not overjoyed that this is the big priority for the government, to rush in to make it look like they care about what is happening in the legal system, as so many South Australians are currently not able to get into court—their trials are waiting a long time and the remedy they have for redress of either compensation or seeing an alleged offender convicted is remote from them. They cannot even get access to the Victims of Crime Fund extra money, which the government has promised since before 2014—another error of remiss, I think, by the government. If they really cared about the government of South Australia they would be advancing the reforms that are necessary in those areas.

We had a Victims of Crime Fund bill tabled for consideration and further consultation back in 2014, and in six or seven months we have not heard a pip out of the Attorney-General as to what he is doing to remedy that. Meanwhile, people having their cases dealt with are still limited by the \$50,000 threshold, which the government promised nearly two years ago to increase to \$100,000. There is a lot he could be doing that, frankly, should have a much higher priority than this and on which \$1 million a year or thereabouts would be better spent. However, we will support the passage of the bill.

Yesterday, I received a hand-delivered letter from the Attorney confirming one issue I had raised on a question of process, and that was raised by Mr Wayne Lines, the Ombudsman. As members would be aware, we now have lots of different commissioners and ombudsman-like persons who look after complaints. We have the Auditor-General, the Ombudsman, the health and welfare complaints commissioner. We currently have a police complaints commissioner who took over from the authority, although she has actually resigned and I think we have an acting one and, there is a big review happening about what happens to them. We have myriad people who look after complaints in the public arena. More recently, we have had the ICAC established, and Mr Lander is the commissioner in respect of that.

So, we have a number of them, and Mr Lines quite properly pointed out that if we are going to have another one which is to deal with judges specifically, we need to be clear about what his role is going to be. He felt that under the Ombudsman's Act that there is room for a complaint to go to the Ombudsman about a judge in certain circumstances. Historically, if that has occurred and it is of a minor nature, he may deal with it. He may refer it to the Attorney-General, he may refer it back to the Chief Justice, he may make some inquiry about that. He has some legal obligations, if there is corruption of anyone or conduct within the terms that apply under ICAC, and he is obliged to refer it to ICAC.

He wanted some clarity on whether the bill that is currently before us will just add to the confusion. He wanted it specified in the bill that his concerns be covered so that if he were to receive a complaint against a judicial officer after the passage of this bill, he would know where to refer it straightaway and there would not be an expectation that he had to otherwise deal with it. So, let's try to trim down the overlap and minimise the frustration of the complainant to start with, who might have a problem with someone in public office and think, 'Well, it's my MP, it's a judge, it's a public servant, it's someone in a public hospital somewhere, it's a welfare agency. It's corruption, so should I go to the Office for Public Integrity?' and, with myriad people, it is really quite a concern. They might be a police officer, so do you go to the Police Ombudsman? It is a bit of a nightmare for the poor old complainants.

Whilst we keep allowing for the mushrooming of all the specialist ombudsman-type roles, we are inevitably going to have overlap. We have some inquiries going on at the moment as to whom should deal with what. For example, the fracture that came upon the Police Ombudsman and her resignation last year, and the general debacle that is happening there, has required Mr Lander QC to undertake an inquiry referred to him by the Attorney to try to sort out what we do with that and, as

people are reading in the paper, various bodies take different views about how that should be dealt with.

Unsurprisingly, some of the usual suspects say if you are representing the police, they say, 'We handle our own complaints and we do a pretty good job. We do not really need all these others,' and across to perhaps those who say it needs to have complete independence and the Ombudsman's office does not need to deal with it. It needs to go to ICAC or police complaints. Really, before the government just keeps coming into the house and presenting to us another specialist commissioner, it needs to sit down and appreciate that we are creating another problem, a knee-jerk reaction to come up with some quick policy to make it look like the Attorney is doing something to deal with criminal justice in this state. Dumping in another appointment is not going to resolve the bigger picture issues and it can even inadvertently add to the burden of the poor old consumer who is left with their head spinning as to whom they deal with for what.

Finally, I would like to say that, during the early announcement of this proposal, the Attorney and I both made some public statements on this. I think his initial statement, made on radio on 12 January 2015, to justify the independent judicial conduct commissioner being appointed and for him to progress this legislation was to suggest that there really had not been any great rush of complaints, and that he envisaged that this person appointed might only be needed for short periods in each year.

I suppose the terms of appointment and the obligations they will have can somewhat affect that. It may be that we end up with a judicial commissioner who only has one or two cases referred to them in a year, but they are still obliged to table an annual report in this parliament, so we may end up establishing a structure which is hardly called upon. Personally, I hope that is the case.

The other thing is that, although we are going to set up this structure, there appears to be absolutely no role for the commissioner in the discipline or management of the action to be undertaken. I am not saying that is a bad thing, but I think we need to understand that, instead of a complaint going to a Chief Justice or Chief Magistrate at the moment and generally sorting that out with the Attorney-General or representatives from his office, all we are doing is adding in someone at a commissioner level.

This role will be a bit of a watchdog, not only for that process, but obviously to review the complaint, dispose of it if it is frivolous and vexatious, or progress it back into the system, with an ultimate sanction to be able to come directly to the parliament if there is no action taken or complaint that there has been a lack of impetus into the investigation of the matter.

We are yet to see how that is actually going to operate. I thank those from the Attorney's office and, in particular, the Attorney himself, for providing a short briefing on the matter. No-one was actually provided to go through the bill itself, so we are still a little in the dark as to how it operates, but, from our side of politics, we are comfortable with that process occurring, particularly as there is no direct power of the commissioner to name and shame in the parliament, which is a process that the government seems to be following these days. This is a bit like the KI commissioner; they do not have any direct powers other than to come back to us and say, 'This naughty judge has acted in this manner; I find it unacceptable and I think you should act.'

So, we do not actually have an independent deliverer of some disciplinary action: we have an external adjudicator who is a reporter. Expensive as that is, we will not oppose the passage of this bill. We certainly hope that whomever is appointed in this role does not have a lot of work to do, but if they do, we look forward to receiving their annual report and considering their deliberations.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the next speaker, I would like to acknowledge in the gallery today visitors from Woodcroft College, years 3 to 7, who are guests of the member for Mawson and are being looked after very capably by the member for Reynell. We hope they enjoy their time with us today and welcome them to parliament.

I would also like to acknowledge some guests who are with the member for Waite, two of whom seem to be from the RAR Association. I would like to welcome them to parliament as well.

*Bills***JUDICIAL CONDUCT COMMISSIONER BILL***Second Reading*

Debate resumed.

Mr TARZIA (Hartley) (12:35): I also rise today to support the Judicial Conduct Commissioner Bill 2015. Much has been said about the independence of the judiciary and the separation of powers. There are three kinds of powers that are generally exercised, one being the legislative power that we here exercise, followed by the executive power, and then the judicial power, which is seen as the power to give what is a binding decision according to a law and which usually follows from a dispute between certain people, sometimes also involving the state.

The independence of the judiciary is certainly a very important thing. In fact, Montesquieu wrote once that '...there is no liberty, if the judiciary power be not separated from the legislative and executive.' It is a very important thing. It is extremely important.

There are a number of factors in judicial independence. Judges are appointed by the government of the day and so the decision that is made by the executive of the day is a very important one. Obviously judges are not appointed based on their political leanings. They are appointed on the basis of how suitable they are and the merits. It is extremely important. We must, as a parliament, show very high respect for the decisions of our judges and the decisions of our courts. A judge is certainly not accountable in the same way we are. Judges have a tough role and we need to respect that role. They are open to scrutiny. Their judgements are made public and, whilst we can critique those judgements, we must respect the judgements that they make. The law is equal for all and we need to respect that independence of the judiciary.

Here we are: another day, another inquiry, another commissioner, same Attorney-General—who talks about access to judgement, talks about all kinds of new—

An honourable member interjecting:

Mr TARZIA: It is the same Attorney-General, I know. There are a number of things in the courts that need improving. We all know that he has cut funding to the Courts Administration Authority, which I keep harping on about. We all know that courts are being shut down left, right and centre, and there was especially the appalling decision to shut down a court in the north-east. There are talks about access to justice. There is no doubt that we have significant issues in our court system that need fixing, but here we are talking about the Judicial Conduct Commissioner Bill today.

Whilst the independence of the judiciary needs to be protected, sometimes there are complaints amongst judicial officers. I understand that there is no current system in place that deals with complaints against those judicial officers, other than the complainant contacting what would usually be the head of the jurisdiction of the judge in question.

There are obviously many available avenues to pursue with regard to these sorts of disputes interstate. The ACT has a similar scheme to the Federal Court, but it is established under the Judicial Commissions Act 1994 and the commissioner is actually appointed by the Attorney-General and not the parliament. The Federal Court has a system of dealing with complaints against judges by the establishment, I believe, of what is an ad hoc judicial commission to deal with each case. New South Wales has a judicial commission, notably, and that is established by the Judicial Officers Act 1986 and that consists of the heads of the New South Wales jurisdiction's ex officio.

In Victoria, there was, I believe, a judicial commissioner bill in 2010, which was similar to the New South Wales model, but it has not been enacted. Finally, in Western Australia their Law Reform Commission examined a policy on this in 2012. The New South Wales model was broadly recommended, but it has not been enacted to date.

The Law Society have a fair bit to say in regards to this bill, and they raise a number of very important issues. The first concern that I would like to raise with the house is the provision for dealing with lower-level misconduct. I think it is important, and I ask the Attorney-General to take this feedback on board, from the Law Society, because they certainly express some concern that there

is no provision for dealing with lower-level misconduct. They also make mention of the fact that there seems to be a very high threshold for section 14. I certainly encourage the Attorney-General to take those comments on board.

The Law Society say that there is substantial concern in the profession that relates to lower-level misconduct. They refer to it as mostly being judicial bullying. They also have a concern, on the second page of their submission, about delayed judgements. We have only scratched the surface in relation to delayed judgements. There are a number of judgements that have not been delivered for sometimes horrendous amounts of time that certainly need attention; that is for sure.

We have to take the Law Society seriously, because many practitioners are part of the society. They believe, for various reasons, that judicial heads have not succeeded in positively influencing low-level misconduct by a judicial officer. They recommend that the commissioner is empowered to discipline or take action against the judicial officer in the event of an unsatisfactory outcome after the matter has been referred to the jurisdictional head. I hope that the Attorney-General will also take that into consideration.

In relation to what exactly misconduct is, the Law Society also make a very sensible assertion, and that is that the bill does not provide a guide in the nature of the code of conduct which identifies modes of behaviour amounting to misconduct. I think the Attorney should certainly look at that. What is the Attorney-General's view of what misconduct is? I hope that that will certainly come out in the debate. The society has recommended the inclusion of a form of a code of conduct, if only in general terms and expressed inclusively.

The society also has concerns about whether a complainant should be identified. I look forward to hearing the Attorney-General's view about why a complainant needs to be identified. The Law Society says that it appears unnecessary and it seems to discourage the making of complaints. I think that is quite valuable. Obviously, sometimes a complainant may want to make a complaint and remain anonymous. Why should a valid complaint in such a sensitive area have to have the requirement that the complainant identify who they are? I am sure that sometimes there may be merit for a complainant not to be identified. I understand a complaint must have credibility, but I am looking forward to hearing the Attorney speak to us about that.

They also make the interesting point that it is worth noting that sometimes the complainant will not always be the victim. Whilst we may sometimes think that the complainant will be the victim, and sometimes they will be the victim, that is for sure, it is not always the case. I think the Attorney should definitely have reference to that point from the Law Society; it is a very good one. The complainant will not always be a victim of judicial misconduct. They may, for example, make a complaint on behalf of a legal practitioner, perhaps after they have seen an incident, it may have been in court, and the Law Society says that it is unnecessary and counterproductive to mandate identification of the complainant.

So, there are some very interesting points of view from the Law Society. I hope the Attorney-General will keep them on board. I look forward to hearing his explanation on those matters in due course, for the benefit of the society and this bill. Overall, I am happy to support the Judicial Conduct Commissioner Bill 2015 and I commend it 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) (12:45): I thank those members who have contributed in relation to this legislation. First of all, I do appreciate the fact that there is general support for this proposition. This is a great thing and I am very impressed.

Mr Gardner interjecting:

The Hon. J.R. RAU: I am being very careful; I am not overcooking it. We have had a number of submissions from different people about this bill. Broadly speaking, there is support for the bill. I say to you, Madam Deputy Speaker, and other members, that my expectation is that the actual need for this legislation to be used, even in its preliminary form, will be relatively small. One matter that has been of concern to me is that this does not become yet another vehicle for the disgruntled, the slightly obsessive—

Mr Tarzia: Vexatious.

The Hon. J.R. RAU: —and the vexatious. Whilst we have attempted to remove the declared vexatious people from this—and I believe the commissioner who oversees the legal profession looks with envious eyes at that particular proposal and would love that to be extended to him, and I intend in due course to do that, can I say, because I think Mr May deserves to spend his time doing things of merit rather than things that have no merit—I have listened to the comments that have been made and I think this piece of legislation provides an opportunity for the public in general, members of the legal profession and, quite frankly, the judiciary to see an improvement in what is, by and large, not a bad system as things stand but can always be improved.

What I propose to do is to, in a moment, close the second reading debate and move into committee, but I indicate to members that my intention is to then immediately adjourn so that I can consider all of the remarks that have been made today in light of, for example, the submissions from the Law Society and whatnot, and if there are little bits of tweaking that I can offer the parliament, my intention would be to work on those between now and when we resume tomorrow and provide members opposite with as much advance notice of those tweaks as possible. Then, in the committee stage, I can explain in more detail why the tweaking is going on and what the tweaking is intended to do.

Ms Chapman interjecting:

The Hon. J.R. RAU: Yes; a few people have highlighted things and I have gone through the thing again and again in an attempt to make sure I have covered off everything I intended to cover off. I will give one example which occurred to me only recently, and I am working on a form of words which will capture this at the moment, and, Matthew, this is probably news for you too, but here we go. It did occur to me that there may be a material difference between a person making a complaint about the conduct of a judicial officer post trial to a person making a conduct complaint during a trial.

If a conduct complaint is made during a trial, it is not inconceivable—because there are some very reprehensible people out there, fortunately very few, and some of them are lawyers and a number of litigants—that someone might decide that, in order to try to intimidate this judicial officer who is hearing their case, they will start peppering the conduct commission with all of these spurious grievances about that judicial officer, in the expectation that the commissioner will then have to initiate the initial investigation, that the initial investigation will come to the attention of the judicial officer, and the judicial officer thereby will be intimidated by the fact that this is going on. That would be a very unsatisfactory outcome from my viewpoint. It would in fact deliver the opposite of what the Law Society is concerned about: it would deliver the opportunity of bullying of judicial officers, which would be a perverse outcome, in my opinion.

Ms Chapman: What about civil matters?

The Hon. J.R. RAU: And in civil matters, indeed.

Ms Chapman interjecting:

The Hon. J.R. RAU: Yes. My initial thinking was that we should say that the complaints would need to be complaints that were made post the disposition of the matter. The only problem I have with that is: what if the complaint is, 'I had my trial four years ago and I still haven't got a judgement,' which I would think would be a legitimate matter to complain about.

I am looking for a form of words that will capture, as best I can, what I have just tried to explain to the house, which is that I want to eliminate the possibility of this progressive opportunity for members of the public to be able to have recourse if a judge goes off the rails to be perverted into something that allows some sort of thug to bully a judge. Anyway, more of that tomorrow.

Ms Chapman: Solve it overnight.

The Hon. J.R. RAU: I think Matthew has solved it already, now that he has heard about it. I appreciate the support I am picking up from members opposite. I know the member for Bragg and the member for Hartley would know that from time to time some judicial officers overstep the mark, and they may need to be acquainted with the fact that doing so would not go at least unnoticed. You would notice also that in this legislation we have picked up, virtually word for word, the federal court

provisions, which enable the Chief Justice of the Federal Court to be able to provide some sort of supervision or management of Federal Court judges, and that is something that is completely absent here, totally absent.

It not only means that members of the public have more opportunity to try to ask questions, if they legitimately have them, but it also means that the Chief Justice, the Chief Judge of the District Court and the Chief Magistrate will be given more capability to provide instruction and some degree of management of their own people, rather than just asking them to do it and hoping they will do what they are asked. That is really the end of my contribution on that, and in a moment I will move that we go into committee.

Bill read a second time.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: I acknowledge in the gallery today a group of visitors from Woodcroft College; we welcome them to parliament and thank them for being here. They are guests of the member for Mawson, being very ably looked after by the member for Kaurana. Thank you for being with us today.

Bills

JUDICIAL CONDUCT COMMISSIONER BILL

Committee Stage

In committee.

Clause 1.

Progress reported; committee to sit again.

Sitting suspended from 12:55 to 14:00.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Premier (Hon. J.W. Weatherill)—

Remuneration Tribunal—Determination No. 1 of 2015—Auditor General, Electoral Commissioner, Deputy Electoral Commissioner, Employee Ombudsman and Health and Community Services Complaints Commissioner Report

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

SACE Board of South Australia—Annual Report 2014

Ministerial Statement

FEDERAL BUDGET

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:01): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. KOUTSANTONIS: I regret to inform the house that the 2015-16 federal budget delivered last night by the federal Treasurer Joe Hockey continues the assault against South Australia. As members would recall, last year's federal budget, without consultation or warning, ripped \$898 million from South Australian hospitals, schools and pensioners over a four-

year period. Over a 10-year period, South Australia stands to lose over \$5.5 billion as a result of the commonwealth Liberal government's cruel and heartless cuts.

Last night, we were hoping that the federal government had received South Australia's message to reinstate these cuts loud and clear. We stood up and fought these unfair cuts on behalf of all South Australians. The 2015-16 federal budget has failed to reverse funding cuts to South Australia's hospitals, schools and pensioners, with cuts now totalling more than \$1 billion over the next four years.

The federal government has missed an opportunity to be fair and reasonable to the people of South Australia. The fact that the federal Treasurer only once mentioned South Australia in his budget speech last night speaks volumes. Last night's federal budget failed to reverse the cuts to health and education, costing South Australians \$912 million over the next four years. It failed to reverse cuts to pensioner concessions, our most vulnerable citizens, costing \$126.8 million over the next four years. It failed to reverse cuts to the local government funding indexation of South Australian supplementary local government roads funding. Any extra revenue delivered from GST is dwarfed by the size of these massive, ongoing cuts and falls in our own source revenues.

The fight does not end here. Right across the country, state and territory leaders are standing up against these unfair cuts to health and education and are calling on the Abbott government to reinstate vital funding. Where there was once one voice, there are now many. I was pleased to see the New South Wales Liberal Treasurer say this morning that she remained deeply concerned about the cuts to health and education and would keep fighting the commonwealth on the issue.

We will join with the New South Wales Liberal state government and others to continue to stand up and fight these cruel cuts. We will not walk away from our commitment to delivering Gonski funding and transforming our health system. While the federal government has refused to reverse the cruel cuts to our most vulnerable pensioners, we will not stand idly by and see our community suffer. It is simply not in our DNA. We will protect the most vulnerable, and we will have more to say about that soon.

Last night's federal budget also delivered no additional support for our auto manufacturing sector ahead of the closure of Holden in 2017. The Abbot government's Automotive Transformation Scheme is simply a cruel hoax which will deliver only up to \$100 million of the \$900 million available to car manufacturers. There is no support for the supply chains, the parts and component suppliers that so desperately need access to the federal government's funding to help them diversify and survive—

Ms Sanderson interjecting:

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

The Hon. A. KOUTSANTONIS: —past 2017. We also received no guarantee that future submarines will be built in South Australia and not overseas. These are vital decisions that need to be made now by the federal government if they are serious about protecting the future of the industry in South Australia. It seems—

Ms Sanderson interjecting:

The SPEAKER: The member for Adelaide is warned.

The Hon. A. KOUTSANTONIS: —that the federal government has missed the mark, allocating billions of dollars for stimulus for the north of the country rather than in the north of Adelaide, which needs it most. In a further blow to South Australia, the federal government has chosen not to commit—

Mr Pisoni interjecting:

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

The Hon. A. KOUTSANTONIS: In a further blow to South Australia, the federal government has chosen not to commit to further vital infrastructure projects in South Australia—no new roads, no new rail, no new ports and no new grade separations. The budget has missed the mark. The budget

is defined by what it has not done. The Prime Minister and the Treasurer had the opportunity to right the wrongs from last year's horror budget.

We all hope the small business package might help restore shattered business confidence as a result of the Treasurer's previous budget. Every state and territory in Australia will continue to feel the effects of the federal government's cruel cuts for years to come. That is why our Premier will lead discussions on commonwealth funding when state premiers and the Prime Minister meet later this year. We have chosen to stand up to those who do wrong by our state. We were elected to fight for all South Australians and that is what we will always do.

Members interjecting:

The Hon. A. KOUTSANTONIS: Last night's budget did not point to one key initiative that the South Australian federal Liberals have delivered. The member for Sturt and the member for Mayo failed to point to one vital project for the people of this state. They stand idly by as the federal government turns its back on this state and the people of South Australia. The federal budget delivers some wins but many losses. There is a big tick for small business but it has failed the fairness test for the most vulnerable in our community, our hospitals and our schools.

The SPEAKER: I have given the opposition and, particularly, the leader, as I always do, enormous scope to interject on what was a ministerial statement with a rhetorical tinge.

The Hon. A. Koutsantonis: A rhetorical flourish, sir.

The SPEAKER: A rhetorical flourish, thank you. I would now like a return to order.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today Professor Thad Kousser from the politics department at the University of California, San Diego, who is a visiting Fulbright professor at Flinders University. I also welcome, if we have not already done so, students from Woodcroft College, who are guests of the member for Mawson.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Little Para) (14:09): I bring up the seventh report of the committee, entitled Subordinate Legislation.

Report received.

Question Time

COUNCIL RATE CONCESSIONS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:09): My question is to the Treasurer. Given the extra \$977 million in funding the state government is set to receive under last night's federal budget, will the Treasurer now cease his threats to end pensioner concessions on council rates?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:10): First and foremost, it is not us who have ended council concessions.

Members interjecting:

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

The Hon. A. KOUTSANTONIS: Shouting doesn't make it true. It is not the state government that has cut funding for concessions for pensioners. There was a very clear commitment made in the 2013 federal election by the Prime Minister. The Prime Minister often said that he wanted to make an honest prime minister of former prime minister Gillard. That is what we aspire to, as well, for him: we want to make him an honest prime minister.

Members interjecting:

The Hon. A. KOUTSANTONIS: Shouting won't change your support for these cuts.

The SPEAKER: No, I don't support these cuts.

The Hon. A. KOUTSANTONIS: It is not us who have made these cuts. I refer members opposite to the commonwealth's own budget papers. I refer them to their own budget papers. But I say this: whatever the number the Leader of the Opposition is relying on, our state Treasury does its own analysis on the relativity of our GST receipts from the commonwealth. I note that from the Mid-Year Budget Review, as I said this morning, yes, we are receiving an extra \$136 million in GST, and that is welcome. That is through no work of the commonwealth government; that is because of the nature of the Commonwealth Grants Commission and the GST implementation.

However, it pales into insignificance with the cuts made to our hospitals, our schools and our pensioners, to training, to education, to national partnerships and special purpose payments. It doesn't touch the sides. The problem has always been this: the GST was always intended to be an unencumbered grant so that we could spend it on growing our economy, on investing in small business, on investing in tax cuts, on investing in products and infrastructure.

What has happened is that the commonwealth government, by making cuts to health and education in recurrent funding, are forcing the states to allocate more and more of the GST money to recurrent funding in health and education because the commonwealth is making these cuts. They don't make up the difference for the cut. I give this warning to the opposition: these cuts grow and every year there's a new surprise—

Mr GARDNER: Point of order: it was a fairly specific question about whether the Treasurer will end his threats on pensioner concessions on council rates, and he is well into debate now.

Mr Treloar interjecting:

The SPEAKER: The member for Flinders is called to order. Yes, pensioner concessions—I think the Treasurer is on the outer edge of the scope of relevance.

Members interjecting:

The SPEAKER: He is within the orbit.

Mr Pederick: He's somewhere near Darth Vader.

The Hon. A. KOUTSANTONIS: A personal hero of mine, Darth Vader. Let's talk about pensioner concessions. Let's talk about pensions. I think it is important to note the changes in this budget towards pensioners. I think we can claim a small part in that victory. Let's be serious about this. Perhaps the Leader of the Opposition can point to a public statement where he has called on the government to reverse its changes to pensions—silence. Perhaps we can see the public calls for them to reverse their cuts to health and education—silence.

We ran a campaign, and the commonwealth government was prepared to change the way pensions were indexed from average weekly earnings to CPI which would have meant a real cut for South Australian pensioners. That decision has been reversed, and we take credit for it. We held the flame to the Liberal Party and now they have reversed that decision—victory! They have not gone far enough on concessions, and every state government acknowledges that those cuts were made by Canberra. It is not true to say that we have not stepped in.

Members interjecting:

The SPEAKER: Treasurer, alas, time, like an ever-rolling stream, has carried you away. Before we get to the next question, I call to order the members for Heysen, Hartley, leader, deputy leader, Mitchell, Kavel, Schubert, Chaffey, Finniss, Stuart and Morialta; and I warn for the first time the member for Unley. The leader.

COUNCIL RATE CONCESSIONS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:15): My question is to the Treasurer. Does the fact that the member for Croydon has reassured one of his constituents that he

believed the concession would continue mean that the government is merely playing politics with this issue?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:15): Playing politics with pensioners is not something the government has ever done. It is not us that made a virtue in a commonwealth budget by cutting pensioner concessions. It is not us that made a virtue of attempting to change the way pensions were indexed.

The people politicising pensions are the people who stand up the night before a federal election and say, 'Vote for me, there will be no changes to pensions. Vote for me, there will be no changes to health or education.' They are the people who politicise pensions. They say one thing before an election and do another after. It is this government and it is this Premier that stood up for our pensioners. We have stood up and filled the gap. Not one pensioner in this state has felt the harsh, cruel blade of those commonwealth cuts.

Members interjecting:

The Hon. A. KOUTSANTONIS: I notice members opposite yelling out 'ESL'. I point out to them that pensioners had no increase in their ESL. Again, this government is standing up for the most vulnerable in our community. The only people playing politics with pensioners are members opposite.

Members interjecting:

The Hon. A. KOUTSANTONIS: Why they won't stand with us and fight the commonwealth government when they want to cut their pensions, when they want to cut their concessions, is beyond me.

The SPEAKER: I warn for the first time the members for Chaffey, Hartley, Heysen and Mitchell. I made a mistake earlier: the member for Kavel should have been warned the first time, not merely cautioned, because he was called to order by my deputy before lunch. The member for Unley is warned for the second and final time. The leader.

COUNCIL RATE CONCESSIONS

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:17): My supplementary is to the Premier. Will the Premier commit to the house that he will not waste further taxpayer money on ongoing television ads regarding pensioner concessions in South Australia?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:17): I will commit to the house to keep the promise I made the people of South Australia at the last election—and that is to stand up for South Australia. I will use any and all means at my disposal to do that. Indeed, I think some of the changes that we have seen in the federal budget, as has been noticed by the Treasurer, have been as a direct result of the campaign of resistance that we led against the federal budget.

I remind those opposite that it is fashionable these days to say that the 2014 federal Liberal budget is friendless; it was not as fashionable the day after the last federal budget. Indeed, I can remember them all standing up applauding the budget, and those on this side were all part of the cheer group, but when it all started to unravel—when those of us actually stood up and pointed out the inherent unfairness of this budget—we began to build a community coalition, the Federal Cuts Hurt campaign, which was funded by this government, which reached out across South Australia and indeed across the nation, against these cuts.

When, of course, we had the examples of the resurgence of support for our party, most visibly reflected in a famous by-election, I think people began to realise that this was resonating around not only this state but indeed the nation. Are we going to continue to stand up and fight for South Australia? Of course we are. Are we going to use whatever means are at our disposal to do that? Absolutely, of course we are; especially when they are beginning to yield results. We would be enemies to ourselves if we chose not to do that.

I know there are those people who should be standing up for South Australia in the federal Liberal caucus who are not doing the sort of service for South Australia that we all expect. In the past, we had powerful representation in the former federal Liberal government: leaders such as

Mr McLachlan, Mr Downer, Ms Vanstone, Mr Minchin and Mr Hill—powerful advocates for South Australia. Anybody who was on the inside of some of the key decisions about defence would know that federal decisions were powerfully influenced by the advocacy of those strong South Australian leaders.

We should be calling on our federal representatives to stand up for South Australia instead of us seeing a federal budget which has \$900 million of cuts to automotive assistance—which you could probably forgive them for if they took it back to the bottom line and said that this is all part of their budget emergency. But the gall of them: making that cut from South Australia and then sending it up to the north of Australia on some basis that there are future growth prospects out there when they ignore the massive structural adjustment that is going on here in the very suburbs in the north of Adelaide which are going to be most dramatically affected by the changes to the automotive sector. So, this is clearly a federal—

The SPEAKER: Premier, I believe you have strayed into debate.

The Hon. J.W. WEATHERILL: Thank you, sir; I will come back. The essential point is this: we will continue to stand up for South Australia, and we will continue to do that by whatever means necessary.

Members interjecting:

The SPEAKER: Before we get to the next question, I call to order the members for Mount Gambier and Morphett; I warn for the first time the members for Schubert, deputy leader and Morialta; and I am shocked to find myself warning, for the first time, the member for Flinders. I warn for the second and final time the members for Heysen and Mitchell. The member for Fisher.

FEDERAL BUDGET

Ms COOK (Fisher) (14:22): My question is to the Minister for Health. Can the minister inform the house about the impact of last night's federal budget on the health of South Australians?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:22): I thank the member for Fisher for her question. I don't think there are many people in this place who are better placed to understand the enormous effect that federal budget cuts will have on our public hospitals.

Last night's federal budget confirmed the commonwealth will proceed with the drastic cuts to health that it brought down last year. Last night also confirmed that South Australia will face an additional loss to the health budget of \$293.3 million in 2018-19, when compared to previous arrangements under the National Health Reform Agreement. That's on top of the \$655 million lost in the previous budget. These dollars aren't just numbers in a column. Once again, that loss of \$293.3 million in 2018-19 is the equivalent of the closing of more than 600 hospital beds—that's about the same size as closing our second-largest hospital, the Flinders Medical Centre.

After the savage cuts were announced by the federal government last year, I promised to engage with doctors, nurses, paramedics and other health professionals, people who have helped create our world-class health system to help respond. I am pleased we were able to drive the Transforming Health process, which is about ensuring that we have a quality health service, despite the federal government's drastic measures. Nevertheless, the commonwealth clearly thinks that health is an easy target for savings. Last night's budget may have even more devil in the detail—much of which we are still awaiting further information.

The commonwealth announced savings of \$113.1 million over five years associated with reductions in functions of the commonwealth Department of Health; \$144.6 million over four years for changes to the Medicare benefit schedule for child assessments; and \$962.8 million in savings associated with rationalisation and streamlining of funding across a range of commonwealth health programs.

The health department, Health SA, is seeking further advice on the details of these savings measures so we can understand what might be the impact on South Australia. I am concerned that the budget does not contain clear information about the continuation of the project agreement on the National Perinatal Depression Initiative. I am advised the commonwealth is yet to offer

South Australia a new agreement, despite the current agreement expiring on 30 June this year. My department is seeking more information on that as well. For 12 months, those opposite have had an opportunity to speak up, as indeed their interstate Liberal colleagues have had the courage to do. It is unfortunate that we haven't seen that.

Ms Digance interjecting:

The SPEAKER: I call to order the member for Elder. This is not an American revivalist meeting and ministers do not need reinforcement for their utterances.

Members interjecting:

The SPEAKER: I warn the leader for the first time, but not for that contribution, and I warn the member for Hartley for the second and the final time. Leader.

FEDERAL BUDGET

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:26): My question is to the Treasurer. Given the extra \$977 million in funding the state government is set to receive under last night's federal budget, will the Treasurer commit to reinstating the emergency services levy remission paid to South Australian households and keep the Repatriation General Hospital open, both of which could be afforded with a 977 windfall gain from last night's federal budget?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:26): Mr Speaker, first and foremost, I dispute the \$900 million figure.

Mr Marshall interjecting:

The SPEAKER: The leader is warned for the second and final time. I would be most reluctant to suspend a Leader of the Opposition under sessional orders, particularly on the day after the federal budget. I now ask him to comply with standing orders. Treasurer.

The Hon. A. KOUTSANTONIS: Sir, on the very next page, alongside the numbers the member for Dunstan, the Leader of the Opposition, is quoting is a proviso of the commonwealth government to say that state governments' relativities can change depending on own source revenue fluctuations, and our Treasury makes the same assessments on what we think we will receive. Our figure is about 600 million; but, let's take for the sake of the argument that the Leader of the Opposition on a rare occasion is right—he's not, but let's say he is. The truth is that it doesn't touch the sides of the cuts made by the commonwealth. This year alone—

Mr Marshall: Just answer the question.

The Hon. A. KOUTSANTONIS: I am answering the question. This year alone the cuts are \$160 million—\$160 million. Returning \$90 million in remissions to the ESL makes our task harder. Yelling out 'get a briefing' means you don't understand the problem of the task before us. Your colleagues in Canberra are assaulting our hospitals, they're assaulting our schools, they're assaulting our pensioners. We have increased our concessions to pensioners by up to \$50 a year. Some pensioners are receiving up to \$250 in pensioner concessions from the South Australian government. We have increased our commitment to South Australian pensioners. Those who have cut their commitments are the commonwealth. To get up here and say, 'Oh, look, just because you've got some extra money in the GST—

Members interjecting:

The Hon. A. KOUTSANTONIS: Again, Mr Speaker, on the very page, on the other side of the page that the Leader of the Opposition sources his information from, are provisos the commonwealth put in themselves, talking about the state government's own source revenues and own source relativities. They change every year. As I said this morning, we can only really take as gospel the first year. The other years are an estimate. We factor in our own assessments, and it's around \$600 million. That is good, Mr Speaker.

I am glad that our GST receipts are increasing, but they don't make up the cuts made by the commonwealth; they simply do not touch the sides. I wish they did. I wish they did, and if they reverse those cuts we would be returning the remissions to the ESL; but they haven't reversed those cuts,

and increasing GST receipts does not make up the difference. It simply doesn't add up. No matter how many times we tell the Leader of the Opposition this, he just thinks it is a magic pudding; he just says, 'Well, we'll just make it up.' In a by-election the Leader of the Opposition promised nearly half a billion dollars' worth of promises to win a safe Liberal seat. He cannot be believed on these issues. He cannot be believed.

Mr GARDNER: Point of order.

The SPEAKER: Yes.

Mr GARDNER: I think we are well into debate now.

Members interjecting:

The SPEAKER: I uphold the point of order. In the pause created, I call to order the member for Goyder, and I warn for the second and final time the member for Hammond, who had warnings hanging over from before lunch, and the member for Schubert. Deputy leader.

FEDERAL BUDGET

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:30): My question is to the Treasurer. When the Treasurer claimed last night, and I quote, 'The Torrens Junction upgrade pushed out another year by Joe Hockey,' was he aware that the South Australian government had negotiated the delay?

The SPEAKER: I will be listening very intently to this answer.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:30): This is not the Torrens to Torrens project, sir, it is the Torrens Junction project; it is a different project, have no fear, Mr Speaker.

The SPEAKER: Still of great concern to the state district of Croydon.

The Hon. A. KOUTSANTONIS: It is, sir, as to the people of West Torrens, Mr Speaker. The MYEFO released by Treasurer Hockey at the last update showed \$232 million being spent in the year 2015-16. The previous 2014-15 budget showed \$232 million being spent in 2015-16. We had an arrangement with the commonwealth government where we were going to spend our money first on the Goodwood Junction, and then they would give us the money to profile the Torrens Junction work as the government saw fit because we had spent our money in advance on their rail line.

A spreadsheet from some junior official in DPTI is not government negotiation. We had an arrangement with the commonwealth government that was endorsed in previous budgets and the MYEFO and it was changed without consultation with the state government. The federal Treasurer was in Adelaide just last week saying he wanted to invest in infrastructure-ready, shovel-ready pieces of infrastructure, and what does he do? He pushes Darlington out by \$30 million without even an explanation and then he reprofiles Torrens Junction. Why? No explanation, and then claims it was all our idea. Minister Mullighan and minister Briggs were fully aware that this government was ready to go in 2015-16. We had an arrangement in place, we had spent money on a rail track owned by the commonwealth in advance and they have reneged yet again.

Members interjecting:

The SPEAKER: Excuse me, Treasurer. The member for Unley is suspended for the next hour under sessional orders.

The honourable member for Unley having withdrawn from the chamber:

The Hon. A. KOUTSANTONIS: It just reinforces the fact that last year assistant minister Briggs issued a press release trumpeting the massive infrastructure spend in South Australia. This year, silence. Not a single project in South Australia—\$5 billion in the north of the country but not half a billion in the north of Adelaide. I have to say, when the Prime Minister, the Leader of the Opposition and assistant minister Briggs stand by the side of South Road and say, 'Let's do the entire north-south corridor within a decade,' yet in this budget, not a dollar—not a dollar for South Road extra. In fact, not a dollar extra for any infrastructure projects improving ports, rail or road. Nothing.

So don't come in here and lecture us about being an infrastructure government. We are the ones who are spending money on infrastructure: the O-Bahn upgrade, the most patronised piece of public transport infrastructure anywhere in the state, and we are upgrading it. We are upgrading roads, Torrens to Torrens—

Mr GARDNER: Point of order.

The SPEAKER: Point of order, member for Morialta.

Mr GARDNER: Under standing order 98, the minister is debating and he has gone a long way from this question.

The SPEAKER: I uphold the point of order.

Mr Goldsworthy interjecting:

The SPEAKER: Was that the member for Kavel interjecting again?

Mr van Holst Pellekaan: He was talking about infrastructure, sir.

The SPEAKER: He was, after a manner. The deputy leader.

FEDERAL BUDGET

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:34): My question again is to the Treasurer. If the Treasurer is so concerned about the lack of new infrastructure projects being approved in last night's federal budget for the benefit of South Australia, why hasn't his government followed up the letter of request in respect of the Strzelecki project issued in February 2014 with a full submission and application with the cost-benefit analysis to progress that project?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:34): Mr Speaker, before we raised the Strzelecki Track, the only person on that side of the chamber who knew where it was the member for Stuart. No-one else would have known where it was, Mr Speaker.

Members interjecting:

The SPEAKER: Point of order.

Mr KNOLL: The Treasurer is not responsible for the opposition; he is clearly debating the matter.

The SPEAKER: I uphold the point of order.

The Hon. A. KOUTSANTONIS: That is true, sir; I am giving them far too much knowledge. The truth is it is this government that is advancing infrastructure programs through Infrastructure Australia and to the commonwealth government. We are the ones who have advanced the Strzelecki Track in our infrastructure and land use upgrades. We are the ones who identified a vital piece of road infrastructure. We are the ones who have put it on the map. We are the ones, Mr Speaker—

Mr Bell: You just didn't do anything about it!

The Hon. A. KOUTSANTONIS: —who have called on the commonwealth government to start considering this as an infrastructure spend, and we are prepared, Mr Speaker, to partner with the commonwealth government to do it.

Members interjecting:

The Hon. A. KOUTSANTONIS: The people who have done nothing under the traditional 80:20 split as offered by Deputy Prime Minister Truss, but is there any money in this budget for it? No, not a cent, Mr Speaker. Is there any money for it in the other further upgrades or grade separations? Not a cent, Mr Speaker. Is there any money for infrastructure upgrades in the Riverland? Not a cent. Any infrastructure upgrades on Eyre Peninsula? Not a cent. Anything for the Adelaide Hills? Not a cent.

Members interjecting:

The Hon. A. KOUTSANTONIS: Mr Speaker, this budget misses the mark. This budget looks after northern Australia, not northern South Australia.

Ms Chapman interjecting:

The SPEAKER: I warn the deputy leader for the second and final time, and I warn the members for Stuart and Mount Gambier for the first time. Member for Elder.

FEDERAL BUDGET

Ms DIGANCE (Elder) (14:36): Can the Minister for Small Business update the house on the impacts of the 2015-16 federal budget on small businesses in South Australia?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:36): I thank the honourable member for her question. I stand here today to welcome the \$5.5 billion Growing Jobs and Small Business initiative announced last night as a part of the 2015-16 commonwealth budget.

When there are positive policy announcements by the commonwealth government, we will stand up in support, because by doing so we stand up for the people of South Australia, but we will always oppose those things that hurt our economy and our citizens. The government understands the important role that small business plays. Members should make no mistake that a vibrant small business sector is the foundation of South Australia's economy and the driving force of our employment and growth.

There are approximately 135,000 small businesses in South Australia with turnover of less than \$2 million who could potentially benefit from last night's federal budget. For a small business with an annual turnover of below \$2 million, the package includes:

- a cut of 1.5 per cent in the company tax rate to 28.5 per cent for small businesses with an annual turnover below \$2 million;
- unincorporated small businesses receive a 5 per cent tax discount of up to a maximum per individual of \$1,000 per annum, and an immediate tax deduction for every asset they buy costing less than \$20,000 between now and June 2017—any assets over \$20,000 can be added together and depreciated at the same rate; and
- a \$1.2 billion national wage subsidy pool targeting long-term unemployment with greater flexibility to help with up-front costs of hiring and training staff.

These tax changes go hand in hand with the initiatives that this government has launched, which will benefit the South Australian business community and encourage investment and job creation in the long term. I was pleased that the federal budget has taken steps to address the lack of confidence in the small business sector. This builds on steps we have already taken to provide an environment that supports small business.

In February 2015, the government launched a state tax review to ensure that our tax system continues to support those who are investing in the state and trying to create new opportunities that will provide jobs for South Australians. I intend to shortly announce our response to the issues raised during that review process, and to outline how our state's small business sector will be assisted.

South Australia's business environment already boasts the most competitive payroll tax regime in the nation, ranked by the Commonwealth Grants Commission as the second-best small business tax system as ranked by KPMG. In addition to reviewing state taxes, the government has committed to regulatory and planning reforms aimed at minimising cost to businesses, and the government's recent WorkCover reforms are expected to deliver savings to business of around \$180 million per year each year from 2015-16. That should further improve the state's business cost competitiveness and stimulate business investment and jobs growth in the South Australian economy. So when the Treasurer does something right by South Australians it is this Labor government that will congratulate him.

I welcome the reforms he has made and I congratulate him on this initiative. They certainly need a confidence boost after the last 12 months of dysfunction in Canberra, they certainly deserve

a confidence boost. Small business is the engine room of the South Australian economy and we want them firing on all their cylinders. I also note that of all the changes announced in the commonwealth budget for small business, none of them, not one of them, has ever been called on to be implemented by the opposition.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:40): My question is to the Minister for Youth. In relation to the minister's proposed youth justice administration bill, which the minister confirmed this morning has never been introduced or given notice of in this parliament, has a bill now been circulated to stakeholders for consultation? If so, when and to whom?

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): There is no draft at this moment. It is with parliamentary counsel. I do have approval to draft, and we will be looking to distribute that exposure draft and to the next round of consultation. I look forward to the member for Morialta being part of that consultation; I know he has an interest in this area.

YOUTH JUSTICE SYSTEM

Mr GARDNER (Morialta) (14:41): I have a supplementary. If, as the minister says, a bill has not been drafted yet—so it certainly has not been provided to stakeholders such as the Aboriginal Legal Rights Movement and the guardian for children that the minister mentioned yesterday—what has been provided to those stakeholders? Are there any other stakeholders that have been consulted on this matter at this stage?

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) (14:41): Our discussion paper, which was launched by the previous minister, was updated. I have met with different groups—the Attorney-General's Department, the Guardian for Children and Young People, the Aboriginal Legal Rights Movement, the Department for Education and Child Development—and the Youth Justice Aboriginal Advisory Committee has met with people from my department. As I said, my plan is to introduce it this year. When we have the exposure bill we will distribute that and continue more consultation.

FEDERAL BUDGET

Ms HILDYARD (Reynell) (14:42): My question is to the Attorney-General. Can the Attorney-General inform the house about the impact of the federal budget on legal aid funding and the operation of community legal centres in South Australia?

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) (14:42): I thank the honourable member for her question. I have to say that I have been increasingly concerned over recent times about the indications that the federal government was, in effect, going to be abandoning some of its support for the most vulnerable people in our community through, particularly, their subsidisation of community legal centres here in South Australia.

As members would know, community legal centres provide a very important service to people who would otherwise not have access to legal services, and often prevent those people, by reason of having timely advice, from getting into difficulties that might otherwise have caused them and others a considerable amount of trouble. I know that a number of members in this place would be aware that there are community legal centres operating in their electorates, or at least providing services to people who are constituents in their electorates.

As I understand it, the commonwealth budget resulted in a 20 per cent cut—and this is in the context of the community legal centre sector being a federally funded sector, full stop—in funding for community legal centres in South Australia. That represents a total of \$870,000 when compared with the funding provided in 2014-15. I make the point that the penny pinching involved in attacking a basic service like this, provided by the commonwealth, in the context of the scale of their budget, is breathtaking.

The cuts are even greater when compared to what was previously budgeted for 2014-15. The reduction to community legal centres funding is closer to \$1 million in 2015-16 compared to the previous amount expected from the commonwealth during that 2015-16 period. However, the commonwealth has pinned the bulk of the cuts upon two—just two—of the community legal centres in South Australia because, for reasons that are a little obscure but are possibly to do with an error made by the federal Attorney-General, there was a guarantee of continued funding at existing rates to six of the eight community legal centres here in South Australia.

What they decided to do was go ahead and make their cuts anyway, but of course those cuts mean that, of the six that have their funding guaranteed, they do not get to share in any of the cuts at all. These two organisations are the Central Community Legal Service and WestSide Community Lawyers, and I am sure a number of members here are aware of the great work that they have been doing—

An honourable member interjecting:

The Hon. J.R. RAU: A lot of volunteer work, indeed. These two organisations are to receive a total of \$350,000 in 2015-16 compared to the \$1.2 million they were supposed to receive—a reduction of \$860,000 in funding. The commonwealth will not guarantee the funding to the other six community centres for any more than two years, and some of these centres, I emphasise for those members opposite, are based in regional South Australia.

Can I implore all members, but particularly those opposite—and those opposite who have the privilege of representing regional communities, I am sure all of you know the importance of these community legal centres to your communities and how much assistance they provide—if there is anything that you can do to assist by way of communication to your colleagues in Canberra about how miserable, mean and obtuse this move is, it would be greatly appreciated because this is a wholly commonwealth funded program, and it is something that I hope all members would share serious concerns about.

FEDERAL BUDGET

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:46): Supplementary: could the Attorney advise the house how much of the extra \$25.5 million that the commonwealth government announced on 26 March 2015 is to be distributed to South Australia over the next two years?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (14:46): I haven't the faintest idea what the \$25.6 million is referring to. If the honourable member wants to give me particulars of what that is and how that has any implication whatsoever for what was announced in last night's budget, I would be pleased to hear about it.

ONLINE SCREENING APPLICATIONS

Ms SANDERSON (Adelaide) (14:47): My question is to the Minister for Social Housing. Now that the minister has had a week to get a briefing, can the minister inform the house what steps will be taken to prevent identity theft with the proposed online applications for screening checks?

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) (14:47): I think the question is to me as Minister for Communities and Social Inclusion. As you know, in the past budget this government committed to \$500,000 for an online form. As I said many times, we see about 12 per cent of the forms incomplete or incorrect and they need to be sent back.

What we will be using is the government Document Verification Service, which I understand the Department of the Premier and Cabinet uses. However, people with passports, birth certificates and driver's licences will be able to use their ID online or ID can be shown at a verified organisation's requesting officer who can physically sight the 100 points. Of course, we will continue to have the option of having the printed form and having it sighted by a verifying officer at the screening unit.

ONLINE SCREENING APPLICATIONS

Ms SANDERSON (Adelaide) (14:48): Supplementary: how will applicants provide a signature and how will that be verified online?

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) (14:48): That detail will obviously be through the government Document Verification Service.

Ms SANDERSON: Supplementary.

The SPEAKER: A supplementary, if indeed it be a genuine supplementary.

Ms SANDERSON: Yes, it is.

ONLINE SCREENING APPLICATIONS

Ms SANDERSON (Adelaide) (14:48): I am just wondering what is to stop someone from getting my birth certificate or information from my bin or recycling bin and using that? If they don't have to see me in person and they don't have to sign, couldn't they just use my documents? What is to stop them from doing that?

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) (14:49): It is my understanding that this verification service is used in different ways throughout the SA government. I will bring back a full brief to the minister—

Members interjecting:

The Hon. Z.L. BETTISON: As I said, I said I would take it on notice last week and come back to the house. What I have given you are the details of how this will happen. As far as the actual signature, I will have to come back with the details.

The SPEAKER: I call to order the Deputy Premier and the Treasurer.

HOUSING SA

Mr KNOLL (Schubert) (14:49): My question is to the Minister for Social Housing. How much is in the budget to repair and maintain houses currently untenanted within Housing SA?

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) (14:49): Within the budget this year?

Mr Knoll: Yes.

The Hon. Z.L. BETTISON: I will have to come back to you with the actual figure of the specifics that you are asking about but, if you are talking about those untenanted but available for vacancies, obviously we will turn them around as quickly as possible. Most of them require minor maintenance.

HOUSING SA

Mr KNOLL (Schubert) (14:50): Supplementary: can the minister outline then, of the \$4 million that is currently spent on cleaning Housing SA tenancies, if that money was transferred into the maintenance budget, how many of the vacant properties that are unavailable for letting would be available?

The SPEAKER: I think it is a hypothetical question but, if the Deputy Premier would like to field it, he may.

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) (14:50): I just make this point, Mr Speaker: there are a number of houses which are owned by Housing SA which are at any given point in time vacant, that is, not occupied by people—or, at least, not lawfully occupied by people—

and there are a number of reasons why they might be vacant. It is important, I think, for the member for Schubert to appreciate that some of them may be vacant because they are between tenancies, some of them may be vacant because there has been the need for repair to the property and the property is vacant whilst repair work is being done, and others are vacant because they are intended to be demolished.

Ms Sanderson interjecting:

The SPEAKER: The member for Adelaide is on two warnings.

The Hon. J.R. RAU: So, it is not necessarily the case that every property which is owned by Housing SA which is vacant is vacant with the intention of it remaining an extant property, if that is a reasonable way of putting it. Indeed, the policy the government announced and made public through the Governor's speech indicates that there is a real appetite on the part of government to see renewal of the stock and that will necessarily involve some of those properties being ultimately retired and demolished and replaced with brand-new stock, possibly with more than one property replacing the one that is demolished.

HOUSING SA

Mr KNOLL (Schubert) (14:52): My question is again to the Minister for Social Housing. Can the minister advise if her department's first investigation into the illegal room letting at a Housing SA property by Mr Patterson at Goodwood was flawed?

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) (14:52): I didn't hear the end of that question.

The SPEAKER: The illegal tenanting by Mr Patterson of Goodwood, whether that was flawed.

The Hon. Z.L. BETTISON: My apologies, Mr Speaker; I just didn't hear that. The investigation that has currently happened has been completed and the tenant provided records of bookings and bank records. The outcome is that back rent was charged on the extra income he received. It was a breach of his tenancy and he is on a final warning.

Given the situation, and reflecting on what has happened in the past, I did talk to the department about updating and contemporising their policy in regard to tenancy agreements, policies, procedures and public documents. Obviously, we have seen quite a growth in online businesses and what we have changed is the home visit guidelines and business investigation. I think with increase in online businesses we certainly need to be stronger in making sure people are aware that they must inform the department if they are operating a business from their premises.

The SPEAKER: Mr Patterson's being on a final warning is something he has in common with the member for Schubert. The member for Schubert, supplementary.

HOUSING SA

Mr KNOLL (Schubert) (14:54): I understand the minister's answer, and that she has taken corrective actions as a result of the second investigation, but why did it take a second investigation for those actions to be taken? Why wasn't that action taken after the initial investigation that was conducted by her department in February 2013?

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) (14:54): It was my understanding at the time that the investigation took place that no money was exchanged between Mr Patterson and people in his unit—it was couchsurfing.com—and that was my understanding. Obviously, as I said, there has been a growth in online businesses and I think we must be very clear to our tenants that it is a privilege, not a right, to be in public housing and that their rent is tied to their income (it is 25 per cent of their income), and what he did was a breach. I think the first investigation found that no money was exchanged at that time.

HOUSING SA

Mr KNOLL (Schubert) (14:55): I have a further supplementary: can the minister explain to the house why her department is not able to track major share housing websites such as airbnb to see if there are other tenants who are letting rooms out illegally?

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) (14:55): I am advised by my department that this situation is rare but, as I said, there has been a significant growth in online businesses; many people sell lots of things from their home. This is something that we need to be aware of and continue to contemporise our agreements and policies when needed.

DOMESTIC VIOLENCE

Mr PENGILLY (Finniss) (14:55): My question is to the Minister for Police. In relation to the tragic case of Graziella Dailler, how many domestic violence related phone calls did the police receive and on how many occasions did the police attend her residence before she was murdered on or about 15 May 2014?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:56): I thank the honourable member for his question.

Mr Bell: Don't discuss operational matters, eh!

The SPEAKER: The member for Mount Gambier is warned for the second and the last time.

The Hon. A. PICCOLO: I do not have that information at hand but I am more than happy to provide the member with that information.

DOMESTIC VIOLENCE

Mr PENGILLY (Finniss) (14:56): My question is to the Minister for Police. Have the police completed their internal inquiry into the handling of those calls?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:56): I don't have that information to hand to indicate one way or the other. Again, I will let the member know.

DOMESTIC VIOLENCE

Mr PENGILLY (Finniss) (14:56): My question is to the Minister for Police again. Why didn't the police act on alleged breaches in the Dailler case against her estranged partner, Dion Muir?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:57): I thank the honourable member for his question. If people believe that the police have not acted appropriately there is a legal remedy for that and there is also a process involved and—

Members interjecting:

The Hon. A. PICCOLO: Let me finish.

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

The Hon. A. PICCOLO: If people believe that the police have not acted appropriately—basically the system is that if a complaint comes in from any direction, it is referred to the Police Ombudsman for investigation. The police would obviously then undertake an inquiry for the ombudsman or any other person seeking that information. At this stage I don't have that information before me.

DOMESTIC VIOLENCE

Mr PENGILLY (Finniss) (14:57): Supplementary: can the Minister for Police tell the house just when we are going to get some answers to the questions that I have asked this afternoon? By way of explanation—

The SPEAKER: Yes, I don't actually think that when one asks three questions without notice—some of which the minister has taken on notice—I don't think a member can then rise and demand or ask why he hasn't received an answer.

Mr PENGILLY: Can I ask another question?

The SPEAKER: The member for Finniss ought to reformulate the question perhaps.

FEDERAL BUDGET

Ms WORTLEY (Torrens) (14:58): My question is to the Minister for Education and Child Development. Can the minister update the house on the impact of the Abbott government's budget on early childhood education and care?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:58): I thank the member for this question. After a long campaign by the state government, I am pleased to advise the house that there is some good news for parents and preschoolers in this budget, with funding for the Universal Access program being extended for two years. This program ensures that our preschoolers receive 15 hours of preschool a week in the year before full-time schooling.

As I have said on numerous occasions, there is extensive research that shows that the first years of a child's life are the most important years in their development and that quality early education sets children up for their formal education in the years that follow. The former minister and I have been arguing for the continued commitment by the federal government to this vital program, and I am pleased to see that the federal Treasurer has listened to these arguments and has made provision to continue the program into the future, albeit only, at this stage, for two years. We will continue to campaign for a long-term commitment to the funding of preschool and hope that the federal government do not leave it until moments before this funding agreement expires to discover a continued interest in the education of our preschoolers.

Sadly, last night's budget is not all good news for children in South Australia. As I feared, this budget locks in minister Pyne's \$335 million cut to our Gonski agreement. Given the number of other backflips the federal government has made in recent times, I had hoped that the federal member for Sturt would back out of this hugely detrimental broken promise, but it appears that he is content to see \$1,280 per student, or the equivalent of 3,000 teachers, taken away from the future of our South Australian education system.

Unfortunately, there is more bad news for parents on low incomes, with childcare support cut from 24 hours to 12 hours per week. This will mean that our most disadvantaged children will receive the least amount of quality child care, which plays an important role in the child's development and is often crucial in helping parents to look for work.

Additionally, it would appear that minister Morrison has cut funding for the childcare regulators by 33 per cent from 1 July this year. This would be such a senseless cut at a time when the regulator is taking important compliance action. I wrote to minister Morrison on 19 March this year to warn him against making cuts in this area and I will be seeking assurances from him that this has not occurred as a result of this budget. South Australian families can be reassured that we will continue to campaign for the federal government to restore the funding and ensure that our children get the best possible start in life.

STATE GOVERNMENT CONCESSIONS

The Hon. T.R. KENYON (Newland) (15:01): My question is to the Minister for Communities and Social Inclusion. How is the government supporting pensioners and low-income earners with cost-of-living pressures?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (15:01): I thank the member for the question. This government has always understood the importance of supporting pensioners and low-income earners who can sometimes struggle with managing the cost-of-living pressures. Recognising these cost pressures, the state Labor government committed at the last election to introduce a range of measures aimed at supporting South Australian families, especially those on a low or fixed income, with the cost of utilities.

This government committed to increasing the energy concession, which includes medical, heating and cooling concession, by \$50 to a maximum of \$215 each year. As of 1 July 2014, more than 205,000 South Australians have been benefiting from this increase to support them with the cost of energy bills. This government has a proven track record of delivering concessions to those in our community who need it most, especially those on pensions or low incomes. To this end, we have more than tripled the energy concession since coming to office, from \$70 in 2002 to \$215 in 2014, investing around \$10 million each year to support South Australian families.

We are also committed to rolling out our Utilities Literacy program, investing \$780,000 each year to assist households manage their utility usage and debt. We recognise that there are families out there who do not fully appreciate their utility usage, how their bills are calculated or where to seek assistance in order to manage payments more effectively. We are also committed to expanding the Emergency Electricity Payment Scheme by investing more than \$577,000 each year, which provides extra payments on top of concessions to people facing utility debt. The program is a voluntary, free and confidential service to people who are experiencing personal financial difficulties due to unemployment, sickness, credit overcommitments and family breakdown.

This government provides a raft of other concessions to ease the cost-of-living pressures for pensioners and low-income families, such as water for home owner-occupiers, with a minimum of \$185 to a maximum of \$295 per year off their bill. Water concessions for tenants are also provided between \$120 to \$230 per year. In addition to the concessions on water, this government provides a concession on the cost of sewerage for home owner-occupiers of \$110 per year.

We provide seniors, pensioners and students with significant public transport concessions which vary from 50 per cent of the normal fee to completely free travel during certain periods. This state Labor government is committed to easing the burden of the daily cost of living for our most vulnerable members of society, and we are very proud of this record.

FEDERAL BUDGET

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:04): My question is to the Treasurer. What is the job title of the junior official who was referred to by the Treasurer today as negotiating with the federal government on the Torrens rail separation project?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:05): It will surprise the deputy leader to know that I don't have the names and titles of every employee in DPTI. I know the Leader of the Opposition—

Mr Bell interjecting:

The SPEAKER: The member for Mount Gambier has been called to order and warned the maximum number of times.

The Hon. A. KOUTSANTONIS: I am provoking him, sir; in his defence, I am provoking him. No, sir, I don't have the names of the 'junior officials'—

The Hon. J.M. Rankine interjecting:

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

Members interjecting:

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

Members interjecting:

The Hon. A. KOUTSANTONIS: I can't hear her myself, sir, so I am stunned that you can.

The SPEAKER: I'd know that voice anywhere.

The Hon. A. KOUTSANTONIS: Finely tuned to that wavelength! In terms of the deputy leader claiming there was a negotiation with a junior DPTI official and the commonwealth government, what I am saying is the assertion the opposition made is that somehow we have negotiated an outcome with the commonwealth government where we asked of this. What I understand the Assistant Minister for Infrastructure is relying upon, and what the finance minister is relying upon from assistant minister Briggs, is that a spreadsheet was sent to the commonwealth government, but he is talking in the absence of letters, correspondence and conversations had with the minister to minister, from government to government.

We have always said, 'Look, we have spent state taxpayers' money on this piece of rail infrastructure that is owned by the commonwealth; we have done our money in advance; we have grade separated the Goodwood corridor; it was the right thing to do by local residents. We did that; it improved freight outcomes for South Australians. Now it is the commonwealth's turn to hand that money over in 2015-16 as they promised.' They have now renege.

If they are relying on a spreadsheet, as sent to them, quite frankly then I think they are politicising a piece of infrastructure work that had been long agreed. Quite frankly, upgrading freight and rail is a very important piece of economic productivity for this state. The faster we can get our products to market, the better it is for our farmers, for our exporters and for our small businesses. Why anyone would want to politicise this is beyond me. I don't understand why assistant minister Briggs has changed the scope from MYEFO, why he has changed it from the last federal budget. We had a deal, and the deal was that this money would be handed over in 2015-16, and they've renege.

What are the implications for the infrastructure spend? We'll get to the bottom of it. They've also changed the profiling of Darlington, which concerns me, and should concern all members in the southern suburbs, about what the commonwealth government is up to there as well. So, I will find out who this official is who has told the commonwealth government that we want to do it over a different profiling.

The reality is that the government was ready to go this upcoming financial year. I understand DPTI are ready, and I understand Infrastructure Australia hold it as a high priority, I am advised. I am also advised that the chief executive, in his conversations with the commonwealth department, has advised them on the importance of this project. Minister Mullighan has advised assistant minister Briggs on the importance of this project, in correspondence as well as verbally. So, why this has happened—I suppose in the light of there being no new infrastructure funding in the federal budget for South Australia but spending \$5 billion in the north of Australia probably speaks more of why they are trying to move money around, and probably to pay for infrastructure spending somewhere else.

The SPEAKER: The Treasurer won't refer to the Minister for Transport by his surname. The member for Hartley.

RECYCLED WATER

Mr TARZIA (Hartley) (15:09): My question is to the Minister for Housing and Urban Development. Can the minister update the house on the progress of the supply and usage of recycled water to Lochiel Park residents?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (15:09): I thank the honourable member for his question. I suspect that the answer to his question is one that I'll have to seek from minister Hunter, because I suspect that's got more to do—

Ms Chapman interjecting:

The Hon. J.R. RAU: Sorry? But, I do want to say that I had the great privilege the other day of taking my son to a soccer game. The soccer game was at the scenic Rostrevor campus, which I think the member for Hartley may have some familiarity with. I noticed next to it this magnificent

expanse of beautiful open space, which I thought to myself, 'That would make an excellent place for a high-value development.' My son said to me, 'Of course, that's Lochiel Park; that's where it's all going.' Anyway, I will find out the answer to that question, and I will let the honourable member know.

Grievance Debate

ADELAIDE LIGHTNING WOMEN'S BASKETBALL TEAM

Mr WHETSTONE (Chaffey) (15:10): Today I rise to speak about an issue that has been bubbling away in sporting circles around Adelaide for a number of months; and time is ticking. We have only a couple of days before we know the future of the Adelaide Lightning basketball club in South Australia. Sir, as you would know, and as many would know, South Australia's iconic women's basketball powerhouse has until Friday to secure the remaining funding that it needs for a licence from Basketball Australia to remain a critical part of women's sport in this state.

The reason that I am speaking about this today is that women's sport in South Australia is very much underrepresented. We commonly see governments of all persuasions backing men's sport in particular. The Adelaide Lightning basketball club is an iconic club and an iconic team that has produced many champions. Currently, it has been put to one side by the current state government; it says that it does not provide funding for elite sports clubs. That is, essentially, unless a knight in shining armour is found in the next two days.

That means the government is prepared to accept the demise of one of South Australia's most successful sporting teams. However, losing Adelaide Lightning would mean more than that. Grassroots basketball for girls and young women across the state will suffer. As I said, women's sport is considerably underrepresented in South Australia. Female athletes aspiring to look at top level sport, particularly basketball in South Australia, are not going to have anything to aim for without an elite competition here.

Many parents of aspiring young basketballers have told me that they are considering moving interstate if there is no national team, no elite team in South Australia. Without Adelaide Lightning what we are looking at is not only an exodus of businesses in South Australia, but now we are also looking at an exodus of sporting families. I think this will be extremely disappointing, given the talent coming up through the junior ranks. There are currently six South Australians in the Australian Opals squad, and there are a number of players in the under 17 and under 19 squads, and I think that speaks volumes about exactly what the potential talent is in South Australia. They will be looking for a destination, potentially at Adelaide Lightning.

For \$150,000 the state government could save women's basketball in this state. Mark my words, if we lose the Adelaide Lightning, the flow-on ramifications throughout women's sport will be significant. The talent pool is far and deep. The under 16 South Australian metro girls are the current national champions in the country and our metro girls won silver and bronze in the under 18 national championships in April.

Over the past week, I understand there has been some interest in sponsoring Adelaide Lightning but, as we speak, there are no corporate commitments to date. I have been to speak to a number of corporates around South Australia and they say that far too often elite sporting groups seem to be left to one side.

The minister has said that he does not back funding for elite sport, but I am sure that his memory must be short. We look at football, we look at AFL, we look at cricket, we look at cycling, and we look at motorsport—they are elite sports here in this country, here in this state. They support great events in South Australia, and yet the state government are happy to put their hand into the taxpayers' coffers and pull out money to prop them up, but we do not see them pulling out money for Adelaide Lightning. The former five-time Lightning premiership winner and Olympian Rachel Sporn, one of South Australia's favourite women in sport, has described it as 'catastrophic' if South Australia were to lose the Lightning and the club, which formed in 1993.

The former owner of the club relinquished the licence nine months ago, and yet we are just a couple of days away from the Lightning no longer having funding. I make this plea to this current state government: if there are no people coming forward with significant amounts of money, that it

steps in and gives them some support funding so that they can be tied over and compete at a national level. Wouldn't it be wonderful if—

The SPEAKER: The member's time has, alas, long expired. The member for Florey.

BLIND BOWLERS

Ms BEDFORD (Florey) (15:16): The 36th Australian Blind Bowlers Association National Championships were held in Adelaide from 29 April to 7 May. These nationals are for vision-impaired lawn bowlers, and this year they were organised by the South Australian Blind Bowlers Club. Their president, Kath Murrell, and her committee, including Roy and Doreen Smith, Doris Thomas and Hans Schoppe, staged a very successful program of events at the Salisbury Bowling Club. Mr Lindsay Scaife acted as both announcer and emcee for the entire competition.

The facilities at the Salisbury Bowling Club, where the event was held, provided all players, directors and officials with a first-class venue. There were many comments about the quality of the greens during the competition, and all said that they were the very best in the country. Our thanks obviously go to greenkeeper, Greg Daulby, and his assistant, but also to club president, Geoff Ambler, and his wife, Jackie, who came to the final night dinner, and to the kitchen and bar staff, who made sure that everybody was well fed for the competition.

Fundraising, as we have just heard, for all sports is very difficult and for elite sports in particular, but just imagine trying to fundraise for the Blind Bowling Association. They relied on two small grants, one from the Salisbury council and one from the Office for Sport and Recreation, and a lot of raffles both before and during the competition to pay for the event—so all the competitors ended up paying for the competition themselves.

People who are vision impaired have to find not only the money to participate themselves but also a director to assist them. Anyone who has bowled knows the degree of difficulty involved in competing in lawn bowls, and so we should be able to appreciate the ability of a person able to adjust their bowl on the sound of the bell and the kitty at the other end of the green and react to the instructions of the director beside the kitty to give them an indication of how far to move their bowl to the left or to the right. This unique relationship with their directors deserves the highest praise, and I salute the bowlers and directors for their dedication to their sport. In recognition of that, all directors received a gold medal commemorating their participation in the Adelaide event.

The nationals have become a highlight of the blind bowling year and a time when they not only represent our state but also renew the friendships they have made in the past and make new ones. There were 42 competitors from five states vying for medals in the four categories of vision impairment. The small South Australian contingent of five bowlers acquitted themselves very well, with silver medals going to Marilyn Koch and Le Roi Court, her director. Bronze medals were won by Kath Murrell, Marilyn Koch and Glen Washington.

I need to tell you, too, that Kath and Glen were in the mixed pairs competition and were in the gold medal position until the very last bowl, when they were robbed and overcome by two teams, so they actually finished third rather than first; I think their gallant effort will go down in folklore.

The small contingent of bowlers did very well. We need to congratulate all the bowlers and directors of the South Australian Blind Bowlers Club and all the people who travelled from all over Australia to be part of this fantastic event. After the closing ceremony, I had the pleasure of representing the Premier and read a message from him and one from the Minister for Recreation and Sport at the dinner, and another message from minister Piccolo was sent as well. Blind bowlers are a great bunch and around 120 of them gathered for the last day dinner at the Salisbury Bowling club.

Just as an example, there was a South Australian volunteer, Ms Chris Williss, who was present every single day of the competition, from dawn to dusk, and she acted as an umpire as well. Another lady from Western Australia, Ursula Quaife, let me know that she had been involved not only in bowls but also in her local footy club at Manning since 1974. That is a big commitment to any club at all.

The Salisbury council was represented by Betty Gill at the last night dinner. Betty is another longtime supporter of blind bowling. As South Australian patron, I was honoured to help present the medals, as did Betty, Geoff Ambler (president of the Salisbury club) and South Australian president, Kath Murrell. Outgoing National Blind Bowling president, John Vance, made a great speech. He will be very sadly missed, and he will be succeeded by another Queenslander, Mr Chris Backstrom. We wish both those gentlemen all the very best for the future.

In closing, some of the people who received the Muriel Downie Award (the elite volunteer award) include: Sandra Clark from Queensland, Joy Forster from Queensland, Len O'Brien from Victoria, and Thelma Parish from Queensland. The competitor of the event was John Ryan from Western Australia, who won the Gwen Lewis Trophy. The champion state was Queensland, and they won the Le Mans Toyota Shield. The best female individual was June Brittan from Queensland, the best male individual was John Ryan from Western Australia, and the encouragement award for the best newcomer to blind bowls (the Marlene Ireland Award) went to Jenny Skinner from Queensland.

The next competition, I believe, will be in Western Australia, so I will definitely inform the house when I have those details because I know some of you may be really interested to travel to watch those competitions.

RETURN-TO-WORK STRATEGY

Mr BELL (Mount Gambier) (15:21): I rise today to talk about an issue that I genuinely feel will become more prominent over the coming weeks and months, that is, the government's return-to-work strategy. I am going to talk about a gentleman I have met in my electorate, Paul Douthie. Paul is 57 years of age and has been diagnosed with severe depression, anxiety and agoraphobia due to very serious workplace harassment and grievances.

Paul has not been able to work for the past 2¾ years, and four psychiatrists, two psychologists and two doctors have all put in writing that his condition is at the higher end of the scale, and that, in their expert opinion, they do not believe that he will be able to return to work in the foreseeable future. Unfortunately, in the last couple of weeks, Paul has received a letter from his rehabilitation employer demanding that he take up the offer of two years' remuneration, otherwise he will be taken off the scheme.

The stress that this has caused is quite considerable. I needed to meet Paul at his house due to the fact that he does not venture outside and has not been able to drive for nearly three years. There are a couple of issues around this which concern me and which I just want to bring to the government's attention. This attitude of, 'You need to take this redundancy and get of the scheme, otherwise you will be kicked off in two years' time,' has caused a great deal of stress for Paul. He has met with his union official, and they have provided some legal assistance for Paul. The situation is that they are all saying that it is virtually impossible to prove a psychiatric injury to the point of 30 per cent.

As people may or may not know, when you cut off an arm it is a permanent injury. If you are missing enough of your body, whether it is an eye, an arm, etc., that injury will not correct itself—you will not grow another eye or another arm—and the 30 per cent can be quantifiable: you can tell how much impairment is there. The issue, under law, is that you cannot presume that a psychological injury will not get better. So at some point you may have a psychological or psychiatric injury which is greater than 30 per cent, which makes you incapacitated for work, but it cannot be defined as a permanent injury. Hence, psychological or psychiatric injuries or illnesses will not be defined under the Return to Work strategy as permanent.

So I have this gentleman in my electorate who is under enormous duress; he has been given four weeks to accept the offer or it gets taken off the table. His lawyers and union officials say that there is no other way out and he will need to take this offer, yet none of his medication is included in the offer. He is very fearful—as is his wife—as to what this will mean in 24 months' time; in two years' time how is he going to be able to function? As I said, he is 57.

Having met him I really feel for his situation, and I think the government needs to start looking at these types of injuries. I need to be on the record that I supported the return-to-work strategy; I think it did need to be tightened up in many, many ways, but also with the presumption that these anomalies, these things that I probably had not thought about, also need to be addressed so that we

are not leaving vulnerable members of our community worse off. As he said, he is behind in his mortgage, his wife works only part time, and he has no idea where this will end for him.

LEMNOS ASSOCIATION OF SOUTH AUSTRALIA

Ms VLAHOS (Taylor) (15:26): Today I would like to speak about an event I recently attended with the Lemnos Association of South Australia. It started on the weekend of ANZAC Day, on the Sunday, when they had a service at the St George Greek Orthodox Church. They then moved on to the Jane Street premises of the Lemnos Association of South Australia to commemorate the role of Lemnos in the ANZAC campaigns. It is something I have been aware of for a number of years, having travelled to Greece in 2010 to commemorate the 70th anniversary of the Greek and Australian participation in the Second World War and the retreat of our troops via Crete. Those troops then went on to Papua New Guinea and experienced further trials and tribulations.

However on this weekend, particularly with the 100th anniversary and the beginning of a four-year journey for our nation, it was important that we commemorated and made reference to the Greek island of Lemnos, which lies in the North Aegean in very close proximity to the Dardanelles. The importance of this—and I have raised it in a previous private member's motion—is because of the nursing station, hospital and medical unit that was situated there with British, Australian and Canadian nurses and doctors, with the assistance of the local Lemnian population, working to look after our wounded during the campaigns in Gallipoli and nearby areas.

It is time to recall that without the hospitality and care of those people we would not have been able to care for the troops who were so terribly maimed during this time of battle. In fact, when our hospital station arrived they actually did not have clothing or food, and the Lemnians opened their hearts and their meagre supplies to us and provided clothing, bandages, their own homes and their own beds for our nurses and doctors until the supplies arrived for them to establish the first nursing and hospital unit to be located on that island.

Last month there were commemoration ceremonies on Lemnos in which many people from Australia participated. The Australian Navy and the Chief of Navy Vice Admiral Tim Barrett represented Australia on the island with several of my colleagues, who used to be in the parliament of Victoria. I am talking about John Pandazopoulos and Lee Taralamis, who have worked tirelessly over the last couple of years to bring the role of Lemnos to the centre of the Gallipoli story as we go on this four-year journey for the ANZAC Centenary. I praise their work, along with Jim Claven, in making sure that the Australian war graves there are brought to people's attention and cared for, that paths are laid, so that Australians can go and pay their respects on the island of Lemnos. I hope to do that myself one day.

I would also like to praise, with the Lemnos Association, some of the people who attended the day. Mayor Angela Keneally from Charles Sturt was there, the member for West Torrens, the member for Croydon (our Speaker), the Chief Justice of the South Australian court system, an ADF representative, and His Excellency the Archbishop of Dorileon, who participated by providing grace for the lunch. Also, the new Greek Consul to South Australia, Mr Andreas Konstantinos Gouras, who has been here with us since January, is doing an excellent job and is passionate and eloquent in his advocacy of South Australian Greeks. Also His Excellency Haris Dafaranos Charalampos, who is in Canberra as the Greek Ambassador, is passionate about this area, too.

I know from the feelings of the people who were connected to that island how important it was that day that we recognised them. I could see it in their eyes and their hearts that they felt deeply about the association between Australia and Greece and how much they understand it was a significant time in our nation's history and the beginning of our journey in Australian character building about the sacrifice.

Many things were done during those extremely difficult conditions, and the Australian nurses managed with heroic efforts to create appropriate infrastructure and attend our wounded. Matron Margaret Grace Wilson of Ballarat incarnates this titanic effort to organise the tent hospitals on Lemnos. Distinguished Australian biographer and historian Susanna de Vries wrote about her eloquently, and I recommend you read some of her work.

The Lemnians are an amazing people. They withstood Turkish domination of that island until the time of the First World War and eventually came back to Greek citizenship.

HALLETT COVE ANZAC DAWN SERVICE

Mr SPEIRS (Bright) (15:31): I rise today to let the house know of the very special commemorative event hosted at Hallett Cove on ANZAC Day morning 2015. As up to 5,000 locals gathered on the foreshore at 6am, a lone piper hauntingly drew the crowd's attention to the focal point of the commemoration: Hallett Cove's new foreshore ANZAC memorial, with Gulf St Vincent and the rugged, rocky arc of the cove as its backdrop.

The new memorial touches the earth lightly. It is a simple, low wall with the words 'Lest we forget' placed on it. Two flagpoles stretch upward to where the Australian and New Zealand flags billow in this oft windy spot. The community-led dawn service at Hallett Cove's foreshore was the first ever to be held in the area, and in many ways symbolised a coming of age of this community. Hallett Cove residents live here because they love the coast, and for the first time, their foreshore has been activated with the installation of this special memorial. A unique sense of place has been created.

The vision for the new memorial grew directly out of the community over the last few years, and the initiative was taken up by the Lions Club of Hallett Cove and Districts. The club worked alongside former councillor Cheryl Connor and I to persuade the City of Marion to embrace the vision as part of their foreshore upgrade. It took a fair effort to get the council on board, but the fight to make Hallett Cove's memorial a reality was all worth it when, on ANZAC morning, this place became the poignant focal point of our community's demonstrations of respectful gratitude.

As many members would know, the weather leading up to ANZAC morning was not great, but we were blessed with a break in the rain and wind for the dawn service, and a stillness settled over the cove as the bagpiper finished his lament and Councillor Tim Gard, the master of ceremonies, commenced proceedings. I am reminded that our diggers did not pack up and leave the trenches when the weather turned bad, and I trust the crowds were not too diminished from what they might have been by the threat of rain.

All of those who attended were invited to attend a community breakfast at the Lions Club Perry Barr Farm shed, where the Lions were presented with an Australian flag which had been flown at the Bagram airbase in Afghanistan by Australian Army Lieutenant Colonel Tony Connor, whose mother Cheryl Connor was, as mentioned previously, a vocal proponent of the new memorial.

To the Lions Club of Hallett Cove, and in particular to long-serving member Graeme Botting, I want to formally acknowledge both the club and Graeme for all they did to make this memorial and Hallett Cove's first ANZAC dawn service a reality. Without Graeme's leadership and the club's endless dedication not only to the vision but also to our community, we would not have recognised the fallen at Hallett Cove. Graeme and the club are true community heroes and their roles in keeping the memory of the ANZAC landings at Gallipoli alive is a very special thing. I look forward to ANZAC at the Cove becoming an annual event which engages many local residents in commemoration.

ANZAC commemorations are, as with all remembrance occasions, an incredibly important part of our heritage and our national values. We must not forget, and the primary purpose of remembrance must be to focus on the challenges, futilities and tragedies of war. Make no mistake: war is horror wrought by human hands.

In recent years, there has been a resurgence in attending ANZAC commemorations. Sometimes we hear the word 'celebration' drift into the lexicon. I believe that those of us privileged enough with leadership positions in our communities must do our utmost to steer our society away from the drift towards celebration and glorification of war. Over the coming months and years, as we gather to mark centenary events for a range of World War I battles and other events, we must commemorate, not glorify; bow our heads, not wave flags; honour, not celebrate; and, above all, give quiet thanks for their sacrifice.

ICAC INVESTIGATION

The Hon. J.M. RANKINE (Wright) (15:36): Yesterday, I spoke about the investigation undertaken by ICAC into the employment in my office of Vicki Antoniou. I want to continue speaking

about ICAC in that particular situation. We were told an ICAC was necessary to improve standards in public life. The ICAC has extraordinary powers. ICAC is not bound by the safeguards our criminal law and procedure have developed over the centuries but we have agreed to give it these powers for the good health of our system of government.

I fronted ICAC during this investigation without a lawyer or any support person: I trusted the truth. Ms Antoniou fronted ICAC without a lawyer or support person: she also trusted the truth. The member for Unley's agitation of these allegations was an attempt to destroy me politically, force my resignation from the ministry and irreparably damage me in my electorate. It was also an attempt to trash Vicki Antoniou's reputation. I truly think she was the target of the complainant but, for the member for Unley, she was simply collateral damage.

Her work was of such a high standard, her knowledge immense and her contacts unsurpassed. For the member for Unley, her proficiency rankled and any damage to her was of no consequence to him. Public servants are not used to this treatment. They are and should not be the front line of a political attack—not that the member for Unley is ever in the front line: he has others do his dirty work for him.

Undertake a Google search on Vicki Antoniou now and it will bring up the discredited allegations of the member for Unley and Michael Owen. If anything about this makes me angry, it is the damage these two people have done to her. Vicki Antoniou's clearance by Commissioner Lander does not quite have the online grunt of the discredited allegations. Michael Owen would have fantasised about getting a Walkley or some other gimcrack journalism award for his series of allegations.

Investigative journalism has a place in our society but the reporter should approach an allegation with an open mind, with a desire for genuine, intellectual inquiry and without malice. The reporter should not be 'doing a job', as the journalists refer to it. When the hope of a Walkley was vaporised by a finding that the allegations were without substance, that is when Michael Owen's integrity was tested. He failed.

I have no doubt the member for Unley would have been fantasising about finally claiming a political scalp, something that has consistently escaped him, no matter how deep the gutter in which he wallows, no matter how low he goes. The member for Unley has had more than a week now to go some way to righting the wrong he has committed. Supporting an allegation of corruption to ICAC and agitating it in the media is something the media has said we should allow for the health of our system but, when the allegation is found to be false by an investigation with the extraordinarily intrusive powers of an ICAC, those agitating it in the media have a corresponding duty to have the courage and integrity to admit the allegations were wrong. The member for Unley failed.

As I said yesterday, the member for Bragg could not contain herself; she had to be part of the member for Unley's sordid attack. Here she is, the shadow attorney-general, supposedly aspiring to be the chief lawmaker in this state, and she wades into this mess calling for the government to do something she knew it was not possible to do. She wanted answers. While the deputy leader was doing her best to be a part of the kill, the leader was slinking around whispering here and there, salivating at the prospect the member for Unley might finally come good.

Commissioner Lander gave them all the answers they needed, but not what the leader, not what the deputy leader, not what the member for Unley hoped for. Each of you on the other side—you allow the member for Unley to conduct himself in this manner which is consistent and ongoing. You cannot say you are surprised by it. Some of you are embarrassed by him; some of you come up and personally apologise for his behaviour and his attitude. You say you do not like it, you say you do not agree with it, but you do nothing about it.

Your leader, your deputy leader, all of you who remain silent, bear the responsibility for the damage that has been done to this innocent public servant—no longer apologise for his actions. You sit back and allow him to continue. If this person was a minister he would have been sacked long ago, and you all know it.

The kind of civil society South Australia is to become in the ICAC era depends to some extent on whether people in positions such as members of parliament and journalists have consciences, a sense of decency and respect the intent of the laws which govern it.

Time expired.

Bills

ANIMAL WELFARE (LIVE BAITING) AMENDMENT BILL

Second Reading

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (15:41): I move:

That this bill be now read a second time.

On 16 February 2015, the Australian Broadcasting Corporation aired an episode of *Four Corners* entitled 'Making a killing' which exposed the practice of live baiting in the greyhound racing industry. The footage depicted greyhound trainers in Queensland, New South Wales and Victoria using animals tied onto lures to train greyhounds.

While there has been no evidence of live baiting in South Australia, the government has made it very clear to the greyhound racing industry that live baiting will not be tolerated. The RSPCA and Greyhound Racing SA both strongly condemn this practice and rightly consider that it has no place in the sport. There is no evidence that the practice occurs in South Australia but, conversely, there is no assurance that it does not.

The practice of live baiting is not only inhumane and in total contravention of the rules of racing but it is also illegal under section 13(3)(f) of the Animal Welfare Act 1985, which states that a person ill treats an animal if the person causes the animal to be killed or injured by another animal. This existing offence is punishable by penalties of up to \$50,000 or four years' imprisonment.

However, there are no current offences for activities associated with live baiting such as supplying the animals to be the bait, providing the venue or being present at one of those training sessions. To create an offence for these associated activities, the bill amends section 14 of the act, which currently provides offences for activities associated with organised animal fights, such as cock fighting and dog fighting, to prohibit certain activities. The prohibited activities include organised animal fights as well as live baiting.

The maximum penalty for the current offence of taking part in organising or promoting an organised animal fight is \$20,000 or imprisonment for two years. To send a clear message that these activities will not be tolerated, the bill sets the maximum penalty for the new offences for taking part in a prohibited activity at \$50,000 or imprisonment for four years.

The current provisions within section 14 relating to the paraphernalia required for organised animal fights will be moved into a new section 14A and expanded to include being in possession of a lure with a live or dead animal or part thereof attached to it. However, animal products are specifically excluded from the prohibition to avoid the unintended consequence of someone using a leather strap to attach a stuffed toy to a lure and therefore using part of a carcass.

These amendments will assist animal welfare inspectors in laying charges against those who were either directly responsible for tying the animal to the lure, or those who assist or otherwise participate; for example, providing rabbits, possums and piglets for the purpose of live baiting. Currently, these people have not committed an offence, although they are complicit in one. Their behaviours are as unacceptable as those who support organised fights but do not personally place the dog or cock in the fighting pit.

These amendments will give the public confidence that, if live baiting is occurring in South Australia, the authorities have the necessary legislative provisions to stop it and to punish anyone who is involved in the practice in any way. I commend the bill to members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Animal Welfare Act 1985*

4—Amendment of section 13—Ill treatment of animals

This clause makes a consequential amendment to section 13 of the principal Act.

5—Substitution of section 14

This clause substitutes section 14 of the principal Act to create offences relating to taking part in, or being present at, a prohibited activity. The categories of prohibited activity subsume the prohibitions related to organised animal fights in the current section 14, and include a new category of live baiting, which is defined in proposed subsection (8). The new section also makes evidentiary provision in relation to proving offences.

The clause also inserts new section 14A into the principal Act. The new section is largely consequential, and amounts to a shifting of the existing offence out of current section 14. It does, however, add an additional class of items of which possession is an offence, namely lures or baits and other items used in live baiting.

Debate adjourned on motion of Mr Speirs.

LOCAL GOVERNMENT (GAWLER PARK LANDS) AMENDMENT BILL*Second Reading*

Adjourned debate on second reading.

(Continued from 18 March 2015.)

The Hon. J.R. Rau: Are you going to speak?

Mr GRIFFITHS (Goyder) (15:46): The minister asks if the opposition intends to speak on the bill. We do, in order for parliamentary review to occur. I confirm that I am the lead speaker for the opposition, and the opposition does support the bill. We will speak to the bill even though, when you review the bill, it contains only one clause. It is not overly large, but the implications for the Gawler community can be deemed to be significant in the aspect of it but, as I understand it, it will make no difference at all to the way the parklands are administered.

In the interest of full disclosure, the bill was introduced by the minister on 18 March. The intention of the bill is to discharge a trust, which was established in 1864, for the control of 134 acres of parklands, and for the land to be declared as community land under the Local Government Act 1999. I was intrigued by this, that land declared as community land does allow an opportunity for that to be revoked and for the land to be partially disposed of, or disposed of.

However, it is quite explicit in the bill, particularly in the second reading explanation provided by the minister, that it is irrevocable. So the bill gives an assurance to the good people of Gawler that it will make no difference at all for them, but it does allow a more modern approach to be taken to the way in which the land is administered. Indeed, it reflects the fact that it is used for a multitude of purposes already. Examples of that are showgrounds, bowling greens, a greyhound track, a swimming pool and a caravan park.

I respect the fact that other members of the opposition will make contributions. Indeed, the member for Hammond has a strong family connection with the community, through several generations at least on both sides of his family, so he has a personal perspective to put to it. However, the bill will pass relatively quickly.

Government staff were good enough to provide me with a briefing on 25 March. Since that time, as part of the information provided to me, we were advised that the opinion of the Clerk of the house was that it is a hybrid bill and it may be necessary for a select committee to be formed to consider it. I am not aware of the minister making a determination on how to proceed with that.

The DEPUTY SPEAKER: You will be shortly.

Mr GRIFFITHS: I have no doubt he will, when he comes back from his meeting. I did ask for a copy of how this bill came about, and the minister and his staff were good enough to provide me with a copy of a letter from July 2012 written by the Town of Gawler in which they put the issue before minister Rau, as Attorney-General, seeking that this bill be developed and the change to occur. As that was nearly three years ago and the mayor and the CEO of that council have changed, I wrote to them in March and received a reply back from Mayor Redman, which I might take the opportunity to read into *Hansard*, so that we get the opinion of the Town of Gawler on the record. I quote:

Thank you for your correspondence dated 25 March 2015 relating to the Local Government (Gawler Park Lands) Amendment Bill 2015.

The Gawler Park Lands consist of approximately 130 acres within the township of Gawler. The Park Lands were transferred to the Corporation of the Town of Gawler in 1864 on trust for the purposes of park lands.

In 2012 the Council commenced a review of the management of these Park Lands, in particular addressing the complexity of the historical and current use of the Park Lands and past and current agreements in place for their use. This resulted in a request from the Council to the State Government seeking consideration of the introduction of appropriate legislation. This legislation would dissolve or modify the trust while ensuring the validity of current leases and providing the Council with the power to continue to effectively manage the use of these Park Lands in the future.

The council was provided a draft of the bill we are now debating by the minister on 21 November 2014—so very close to the election period last year, when the new council was put in place. At its meeting held on 16 December 2014, the council resolved that it considered this draft bill to be appropriate and wanted to endorse the amendments to the trust as proposed and provided their support of the bill.

I take that as meaning there is a wide level of community support. However, it was put to me by the Hon. John Dawkins—who, members would be aware, resides in Gawler and has a strong connection with that community also—that, because of the hybrid nature of the bill, a select committee should be formed but that it should not be one that just meets, considers it within three minutes, then closes and finalises the report to go to the parliament. His request to the house through me is that it seeks input from people within the community. It will be interesting to see what the position of the minister is.

One could argue that the Town of Gawler, the local government authority, is reflective of the community, but I think that with any bill, even though it may be considered to be relatively minor, that has an implication for the management of such a large area of parklands for a growing community, there is a need for community involvement to occur to ensure that everything is okay. With those brief words, I confirm the opposition's support for it. I look forward to the contribution of others and, indeed, the declaration by the minister if a select committee is to be formed.

Mr PEDERICK (Hammond) (15:52): I also rise to support the Local Government (Gawler Park Lands) Amendment Bill 2015. As the member for Goyder indicated, I do have family connections going a long, long way back in my family. In fact, my forebears, William and Mary Pederick, who came out in 1840, are both buried at Gawler River along with their son, Robert Adams, and his family. In closer terms, both sets of grandparents—the Dutton family, who were at Freeling and then in Gawler, and on my father's side, Len and Dorothy Pederick—were living for many decades in the Gawler region, whether directly in Gawler or in the Angle Vale area, as were their forebears.

Our family has a long connection with Gawler; it is a great town, and I would hate to see it spoilt in any way by having the wrong thing happen with the parklands. It certainly has its issues with the beautiful main street that turns into a car park with what I understand to be 27,000 vehicle movements a day. It is one of the best main streets in South Australia, I must say, but something needs to be done to address that.

It is a while since I was a young bloke, but Gawler is starting to become part of the urban sprawl, with little green space between the ever-expanding suburbs and Gawler, but not much at all, and even coming out Gawler, for instance around Evanston/Evanston Gardens, more and more land is being land being built on. So, I think it is highly important that we discuss this 134 acres of

parklands and the intention of the bill to discharge a trust that was established way back in 1864 for the control of these parklands and for the land to be declared as community land under the Local Government Act 1999. The Town of Gawler has had some practical difficulties in managing the area, which has been developed for use as showgrounds, bowling greens, greyhound tracks, a swimming pool and a caravan park and, associated with all of this, facilities have been put in place, such as clubrooms, etc.

I concur with the member for Goyder that this is a hybrid bill and must be referred to a select committee. I certainly think that if it goes to a select committee the right notice should be put in the appropriate media so that people can have the right to comment on it. I would hate to see any issues with this 134 acres of parklands. As I indicated, the local mayor, Karen Redman, has identified issues relating to the trust and sought the support of government for the legislation. This legislation will dissolve or modify the trust, while ensuring the validity of current leases, and provide council with the power to continue to effectively manage the use of the parklands into the future.

In relation to attaching community land status to the site, this prevents the sale of any portion of the land. From what I understand, this can be revoked if the council goes through the required community consultation process and demonstrates support for any sales. If there is any support for a sale in the future, the council will have to seek out whether that is there. I would be surprised if that could happen.

Mr Griffiths: They've corrected it: it's irrevocable.

Mr PEDERICK: It's irrevocable, sorry; I have been corrected. It is completely irrevocable. I thought I had been led astray there for a moment. It cannot be sold, I am informed, so that makes it even better.

With land that has been held in trust for that amount of time (since 1864), we want to make sure that this is discharged in the appropriate manner. Now that I have been reliably informed that it cannot be sold at any cost, that makes me feel even better. This is in regard to the Town of Gawler taking control of the land and after the trust has been discharged, which will be the operation of this bill if it does become an act.

I have long family ties to Gawler. It has certainly grown from what was once a large country town servicing local farmers and one that had a lot of history in our rail system, as many of the original steam engines in South Australia were built in Gawler. As a bit of history, if you go to Arkaroola and travel a bit further on through to the next station, there are a couple of boilers that are exactly the same as the steam engines they used in the copper mines to extract copper.

Gawler certainly has a rich history and a very rich heritage, and there are many people in South Australia who would have, as I do, some lineage ties with Gawler and the area, and all those people would hate to see the wrong thing happen, especially in light of the 134 acres of parklands. Now that I am assured that the land cannot be sold at any cost, it makes me even happier to support the bill, and I commend its speedy passage through the house.

Mr KNOLL (Schubert) (15:58): I rise today to support this bill. It is a small step, but it is a good thing that the government can do for the people of Gawler to maybe clean things up a little bit and make things a little bit easier. This afternoon, I would like to talk a little more widely about the beautiful town of Gawler. Whilst I appreciate and support this measure, there are a couple of other measures I think the government could take to help improve the beautiful town of Gawler.

The Town of Gawler was named after the South Australian colonial governor George Gawler. In 1837, Colonel William Light camped twice in the area and recognised the potential of the location for South Australia's first country township. How far things have come. It does not seem like a country township anymore and, if you look at the growth of Evanston Park and Blakeview, it may seem that the Adelaide suburbs and Gawler may meet, much to the chagrin of those who like its country town feel.

It became a regional centre for the surrounding farming communities and played an important role in supporting the copper mining communities of Kapunda and Burra. It continues to play the role of a regional centre as the town currently serves a catchment of some 90,000 people,

my family included. My wife wanders down to Gawler to do some more major shopping when it comes to discount department stores in Gawler about once a month.

Its role as a regional centre is a major consideration for Gawler council in terms of service delivery and infrastructure; and 2014 marks the 175th anniversary of European settlement in Gawler. *Hansard* may not be able to record this but I am wearing my 175th anniversary badge that the Mayor of Gawler, Karen Redman, gave me a couple of weeks ago, and I wear it very proudly.

According to the ABS, the population of Gawler went from 17,800 in 2001 to 20,536 in 2011, representing an annual average growth of 1.3 per cent over that 10-year period. That is greater than the South Australian average of 0.84 per cent but slightly lower than the national average for population growth. However, in the council's immediate boundaries there are over 4,000 people in Hewitt, Buchfelde (which is how we would say it in German and I assume the English version is a bit different) and the Gawler belt. The state government projects that in 2026, the Town of Gawler will house 32,858 people.

That increase in population will lead to some issues, and I believe that there are four things that the state government could do to help the Town of Gawler. The first of those is to electrify the Gawler railway line. In 1885, James Martin & Co. secured a contract for the production of 52 locomotive engines for the South Australian government, followed by another contract two years later. The first locomotive produced in South Australia rolled out of Gawler in 1890. By 1894, the 100th locomotive was delivered. Gawler has a proud history of rail in South Australia and it is a shame that we have a government that has had such an on-off relationship with the Town of Gawler in relation to electrifying its beautiful railway line.

On 5 June 2008, Labor announced with great fanfare—I am sure that there were trumpets going, bands marching, girls marching with pompoms—the electrification of the Gawler railway line, and there was a collective cheer from the people who reside in Gawler, especially those who commute to Adelaide for a whole manner of things—work, sporting events and the like.

Alas, on 31 May 2012, Labor scrapped electrification to Gawler and the collective heart of the Town of Gawler sunk. There was widespread angst in the community and it definitely had a downward effect on the mood of the town. On 6 June 2013, again, Labor announced the electrification but only to Dry Creek, and there was a smaller cheer because Dry Creek is almost to Gawler but not really, in the sense that it is probably less than halfway.

Mr Treloar: Less pompoms.

Mr KNOLL: Less pompoms, certainly, only a couple of marching bands—certainly the Tanunda Town Band was not asked to take part. On 3 December 2013, so we are talking six months later, Labor again scrapped electrification to Dry Creek, and those poor people in the Town of Gawler who were already starting to feel a little bit unloved, felt even less loved. But it is okay, because on 16 February 2014, Labor announced electrification to Salisbury, which is almost to Gawler except that it is probably just over halfway.

This is where we stand at the moment. The works have not started as yet. The Town of Gawler looks jealously on anybody who is able to catch the Seaford line, especially considering that the Gawler electrification line had a better business case than the Seaford line, and also, as has been suggested to me, the wasted costs on the blowout of the Seaford electrification could have been spent to electrify the entire line to Gawler. That is one issue. So, Gawler electrification would get a big tick. If we had an amendment bill to electrify the railway line to Gawler, there would be a big tick from the Liberal Party and a big tick from the people of Gawler.

The second thing that the government could do is improve the bus services in Gawler. This is one of those perennial issues that, if you walk the streets and ask for people's opinions, you would get a variety of different answers. The buses were introduced in 2011, and it was something that the local member (member for Light) announced with great fanfare. Again, we had trumpets, again we had pompoms, and again we had town bands. Except, the member for Light bungled the Gawler bus service. The buses run empty or on very low patronage a lot of the time.

It is something that has been remarked on to me by a lot of people in Gawler. It is almost a source of mirth for the locals that we have this bus service that has empty buses or very low

patronage. In July last year, 16 services, along with the extension to the 492W route, were cut. Prior to the election, the Liberals vowed to scrap the existing services and replace them with a new network. We thought, 'This is a joke. It doesn't work. Let's scrap it and start again.' Unfortunately, we did not win the election and we also did not win the seat of Light. The people of Gawler are still waiting and still laughing at their empty buses.

The third project that I think the government could undertake to help improve the Town of Gawler is the Gawler Connect project. That is something that the local council has been very keen to push. This Gawler Connect project will help to update some of the historic buildings on Murray Street, the main street in Gawler.

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

The Hon. T.R. KENYON: Ma'am, while discussing public transport in such detail—and I am glad to see the conversion of the Liberal Party to the support of public transport—it does seem to be straying somewhat from the bill at hand.

The DEPUTY SPEAKER: Aren't we talking about establishing a charitable trust?

The Hon. T.R. KENYON: It is a trust and 134 acres of land surrounding the historical core of Gawler, rather than the general public transport access to Gawler, as worthy as that is.

The DEPUTY SPEAKER: I think it is a really important thing—without bringing on what repercussions might transpire because we are not talking about the topic—and it might be an idea if we all thought about talking on topic. We are at the mercy of the house. If you want to establish a precedent where you can talk about anything at all, it is up to you. It might be worth just having a think about what you would like to do as a general rule in future before we take a course today.

Mr KNOLL: Deputy Speaker, I will reflect deeply on your ruling and on your advice, and I will make sure that my remarks are cogent to the Town of Gawler and cogent to—

The DEPUTY SPEAKER: I am in your hands, member for Schubert.

Mr KNOLL: Thank you very much. If I might add that the cogent link here is the fact that this bill seeks to do something very small for the Town of Gawler. I am merely suggesting, with a rhetorical flourish, ways that this bill could be amended to further improve the Town of Gawler. In that spirit, Deputy Speaker, I will continue.

The Gawler Connect project is centred on the town council, and there are some historic buildings on Murray Street. It is interesting because there are a number of Murray streets. In fact, every town out in that neck of the woods (the Barossa) has a street called Murray Street. We have Murray Street in Nuri, Murray Street in Angaston, Murray Street in Tanunda, and Murray Street in Gawler, which holds the most amount of traffic.

That brings me to the greatest way that this bill could be amended to improve the Town of Gawler, and to deliver on what the Labor Party has been promising since 2010 and actually well before that: an eastern bypass road for the Town of Gawler. This is something that I have seen with my own two eyes: the local member (member for Light) asking and pleading with this parliament to deliver this for the people in his electorate. He stated in his Address in Reply speech to the parliament last year that the eastern bypass road is a road that he would like to see competed in this term of government.

On this side of the chamber, and certainly on behalf of the Town of Gawler, the member for Schubert stood up and said, 'Hear, hear! We're on board; bring it on.' Unfortunately, we sit here well over 12 months later and the deal is still not done, and that is a great shame and of great angst and concern to the community.

The government needs to get on and get this deal done. The community has been waiting for this for a long time; this proposal has been announced and repackaged since 2010, but it is well before that that an eastern bypass road for the town of Gawler was first mooted. In fact, I was discussing with a former member for Light, Bruce Eastick, his vision for Gawler, and the fact that a bypass road was something that was being considered while he was a member of parliament—and he retired in 1993.

My mail on this says that the government is trying to deliver this road on the cheap. The aim of this road is to take traffic off the main street of Gawler, Murray Street; I love it, but it takes 27,000 car movements per day, and that is quite a bit. Basically, it means that Murray Street turns into a car park for large portions of the day. The way around this is to build a bypass road. Fantastic, great idea, except that the government is trying to suggest, 'No, no; we don't need to get around the entire Town of Gawler, we only need to get around part of the Town of Gawler. So we won't build it all the way down so that it passes Trinity College and the entire Town of Gawler, we only want to build it to Potts Road, and we will take it from Potts Road back onto Adelaide Road and from Adelaide Road they can get onto Main North Road.'

The only thing is that in between Potts Road, Adelaide Road and Main North Road is Trinity College—which, I understand, has about 3½ thousand students—as well as various shopping centres and other amenities, which means that Adelaide Road takes a significant volume of traffic. But that is okay, because there is an answer: extend the eastern bypass road to Tiver Road. Tiver Road is the best option because it takes all the traffic out of Gawler completely, and you only need to extend the bypass road to go past Potts Road, down Bentley, and then we can turn right onto Tiver Road and end up at the beautiful intersection the state government paid for, that cost a lot of money (I think it was about \$17 million) to build and that was completed only a couple of years ago. The eastern bypass road would be a beautiful thing to link up with this beautiful intersection on the corner of Main North and Tiver Roads.

I think the reason we are having this argument—and I am deducing here; it has been very difficult to understand the particulars of this case—is that in making it a bypass road it becomes state government responsibility, because it becomes arterial. However, if we built it only to Potts Road it would become a local road and therefore the responsibility of the local council, and they could fund the maintenance of it. I think this is where we have invented what professional debaters would call a 'definitional debate', where we are arguing about the definition of the road and then the implications that flow from that.

The government needs to think in the long term. Tiver Road is the best option for the longer term, and I implore the government—and I am sure the member for Light would also be imploring the government—to get the deal done. Build the road to Tiver Road, and take on responsibility for what will undoubtedly be a major arterial road that will help to relieve traffic right across the town of Gawler and its surrounds. My personal interest is the people of the southern Barossa, who have to travel through Gawler to get to the northern suburbs and Adelaide every day.

The government needs to get on with it, and deliver and build this road, so that this beautiful, burgeoning, bustling metropolis that is the town of Gawler can have the infrastructure that is needed, and that was first mooted in the early nineties. It has been needed for at least the last decade. If it is not delivered before the next election I will continue to stand up in this place and make sure that this parliament, and certainly the people of Gawler, understand what they are missing out on and who is to blame for them missing out on it.

With those four projects, I have outlined ways I think this bill could be improved, but I present them only in a rhetorical sense. I implore the government to take on these four projects in the near future, as being extremely worthy for the beautiful town of Gawler.

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) (16:15): I thank everybody for their contributions. I have been paying quite a bit of attention and I think they have enriched the work of the chamber considerably.

Bill read a second time.

The DEPUTY SPEAKER: Based on precedents established by this house and the consistent application of the joint standing orders and the principles that guide the consideration of such bills, I rule the bill to be hybrid.

Referred to Select Committee

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) (16:16): I move:

That the bill be referred to a select committee pursuant to joint standing order 2.

Motion carried.

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

That a committee be appointed consisting of Mr Bell, Mr Griffiths, Mr Hughes, Mr Picton and the mover.

The DEPUTY SPEAKER: Is that seconded?

Mr GRIFFITHS: Actually—

Members interjecting:

The DEPUTY SPEAKER: Order! The member for Goyder has a point of order.

Mr GRIFFITHS: I would ask for one change to that, and only because the minister did not consult me, and instead of Mr Bell my suggestion is Mr Knoll.

The DEPUTY SPEAKER: Perhaps it is a typo.

The Hon. J.R. RAU: Can I read that again? I hope this does not upset the member for Mount Gambier, but I did in fact misread that. I should have said Mr Knoll. I move:

That the committee be appointed consisting of Mr Knoll, Mr Griffiths, Mr Hughes, Mr Picton and the mover.

Motion carried.

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

That the committee have the power to send for persons, papers and records, to adjourn from place to place, and that the committee report on 16 June 2015.

Motion carried.

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

That standing order 339 be and remain so far suspended as to enable the select committee to authorise the disclosure or publication, as it sees fit, of any evidence presented to the committee prior to such evidence being reported to the house.

The DEPUTY SPEAKER: As an absolute majority is not present, please ring the bells.

An absolute majority of the whole number of members being present:

Motion carried.

HEALTH CARE (ADMINISTRATION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 11 February 2015.)

Mr TRELOAR (Flinders) (16:21): I inform the house that, although I am speaking first for the opposition, I am not actually the lead speaker on this bill. In fact, I understand our shadow minister is paired with the Minister for Health to attend a funeral today. He will make a contribution when the time comes, but we have a number of speakers on this bill so he will have that opportunity, I am sure.

I rise to make a contribution on the Health Care (Administration) Amendment Bill. In fact, this is not the first time we have debated this bill. It was introduced previously but, of course, when parliament was prorogued at the end of last year, it dropped off the paper so it has been reintroduced. I also indicate to the house that we will be supporting the bill, although I also flag that there will be a number of questions asked in the committee stage.

The bill we are debating today is exactly the same as in 2013 and 2014 and, in fact, has the same name. Both of those bills lapsed, as I said. This bill deals with the following issues, and I might just take the time to talk about them. The first is the fees for services provided by the South Australian Ambulance Service not involving ambulance transport. In fact, section 59 of the act allows the minister to set fees by notice in the *Gazette* to be charged for ambulance services which are defined in a way which is limited to transportation in an ambulance.

Since July 2010, fees for ambulance services not involving transportation have been levied under the fees regulations 2009 under the Fees Regulation Act 1927. This bill allows fees to be set under the Health Care Act 2008, so there is a change, and that change is made by inserting into the act almost identical words to the current regulation. The key difference is that the bill provides that fees can be fixed for any other matter prescribed by regulation. There are going to be some queries about this and I understand the government in their briefing were not able to adequately explain what changes that might make.

The bill also deals with the employment of clinicians in the Department for Health and Ageing, and the aim of this amendment is to allow health professionals employed under the act to be employed under their relevant professional award and if that position requires them to engage their professional skills, qualifications and clinical knowledge. It is very broadly worded and, once again, needs clarification.

The bill provides for proclamations to dissolve three now non-operational incorporated associations and transfer their assets to the appropriate incorporated health advisory council, otherwise known as HACs, and for the transfer of assets of three non-operational incorporated associations. They are Lumeah Homes Inc., Miroma Place Hostel Inc. and Peterborough Aged and Disabled Accommodation Inc. The transfer of the assets to their local country hospital sites was attempted at least 10 years ago—that was before the Health Care Act 2008. The transfers were never legally effected, even though the hospitals involved supported the transfer.

I might just take a moment to talk about this because one of the incorporated associations, namely, the Miroma Place Hostel, is not only situated in my electorate but it is, in fact, in my home town. I know the hostel very well, and I have visited a number of times, both visiting residents there and also attending various functions held there. It is probably likely that I will end up there myself, in fact—hopefully, later rather than sooner. It is a lovely place and is well regarded by the local community.

This transfer should have been done some years ago, but it has not been done. It is going to the HAC now, and the appropriate HAC in our case is the Lower Eyre Health Advisory Committee. The others involved in this transfer will be the Lower North HAC and the Mid North HAC. Of course, our local HACs are made up mostly of community members who really work for the best interests of the delivery of health services in their communities. Our local HACs and our local members are very possessive and protective of the assets they have and hold, and they take their responsibilities very seriously. I have to say that almost unanimously across country areas the members of the HACs and the HACs themselves remain somewhat wary of government intention around health.

Of course, there are so many small country hospitals, not just in the electorate of Flinders but right across the country. The delivery of services, and the importance of those hospitals to country towns, is critical. In many cases, the communities and the towns themselves have built these hospitals in generations past. The towns themselves raised the money, raised the capital, did the work, found the doctors, found the nurses and put the placements in, so you can understand why they are so protective.

In fact, in many ways, a hospital is the hub of a small town. A hospital being closed or removed from a community does happen from time to time, and there was one in the paper this week, when the hospital at Mallala was closed. It was a board decision, and I understand that, because they could not continue to keep running at a loss. However, I fear for the future of the township of Mallala and what might happen as a result of the closure of that hospital.

The hospital really is a hub and it is essential. People live in a town knowing that those services are provided, that there are healthcare professionals available, that there is a doctor available and that there is a hospital available where they can present should they become sick or

have an accident. They are critical elements in our community. As I said before, the HACs are very possessive and protective of those assets.

There are other minor amendments in the bill and I suspect that a lot of our questions will go to how the amendments to the bill relate to health delivery in country areas. This bill, in past years, has been supported by the various relevant associations, including the Australian Medical Association and the Australian Nurses and Midwifery Federation—so it has general support.

I have touched on the delivery of health services in country areas, and there was an excellent editorial in *The Advertiser* on Monday of this week, entitled 'Health care goes beyond the city limits'. I think it really strikes at the core of how a lot of members on this side at least, given that many of us are from regional areas, feel about the delivery of health services into the country and how we think the government might view it.

There has been much discussion about Transforming Health and what that might mean to health delivery, but there is very little in the Transforming Health dialogue that talks about country health. It seems to me that the focus has been almost exclusively on metropolitan hospitals. I am sure, and I do hope, that at some point in the future that Transforming Health, those very important improvements in health delivery, will extend to country areas.

I have a situation in my electorate where the communities of Kimba, Cleve and Elliston have come together to engage a single practice. This almost certainly comes on the back of the fact that the days of single-doctor country GPs are coming to an end. Once upon a time, doctors and graduates made their life's work in a small country town and were happy to do that. They were happy to be on call 24 hours a day, seven days a week. They were happy to raise their families and happy to be involved in the community. For a whole host of reasons, those days seem to be coming to an end.

Kimba, Cleve and Elliston, under guidance from Country Health SA, have come together in a model where doctors are based at Cleve and service Cleve, Kimba and Elliston. There was a bit of a hiccup along the way. My personal opinion is that the Country Health model did not have enough flexibility in it to accommodate what the doctors involved in the practice actually wanted for themselves, because that needs consideration as well. It is all very well to attract a doctor to a country area, but you need to be able to retain those doctors, and the Country Health model needs to have the flexibility and the ability to accommodate the doctors.

That situation seems to have resolved itself for the time being because a doctor has now become resident at Elliston, which I have to say is some distance from Cleve—probably about an hour and a half's drive. When some of these models are drawn up by people further up the hierarchy, they forget to take into account the distances involved in country areas. As I said, it is an hour and a half from Elliston to Cleve and a good half an hour or 40 minutes north to Kimba. Kimba still does not have a resident doctor. That is not to say they do not have the opportunity to look for, seek out, find and attract a doctor to their community, but I have to admit that it is going to be very difficult for that small town, a very proud community, situated on National Highway 1 to be able to do that in the current environment.

I also note that there have been schemes in place to try to attract young doctors into country areas. In fact, last night's federal budget made a significant funding contribution of \$2.6 million to the General Practice Rural Incentives Program. This is a deliberate effort by the federal government to help attract rural doctors into South Australia. I know there are at least half a dozen final year med students at the Port Lincoln hospital. They are not all country kids by any means; a couple of them are, but others are from the city. They have been given the opportunity—and grasped it with both hands—to work in a country hospital.

The thing about working in a country hospital and a country practice is that you deal with everything that comes in the door, obviously. The specialists are not at the end of the corridor; they are some distance away, so the doctors and those students doing medicine have the opportunity to be confronted with every single situation. I give credit to the federal government for providing that funding and credit to the med students who are prepared to take that opportunity. Who knows? Some of them may choose to take up general practice in a country area, which I think would be a wonderful thing. It is not just about doctors; it is about a whole host of allied health professionals.

Just last week we had a motion in this place celebrating the work and effort of nurses in our community and all those other allied health professionals, such as physiotherapists—the list is endless. It is about attracting and retaining them—and it is a real challenge. Initiatives are needed within the health department. The education department does it very well; South Australia Police does it very well. They have incentives in place that are attractive enough for people to want to go and live and work in country areas. Financial incentives are always needed, but I think that, once people get there, they realise what a great lifestyle it is and how wonderful it is to live in a community, then that is attraction enough.

We support the bill. There are some changes, and they are significant in that the Miroma Place Hostel will, at least, be transferred to the local HAC. It means that ownership stays local, and the HAC members I have spoken to are pleased about that. They are pleased that it is going to be finally resolved. There are questions to be asked at the committee stage and clarification is needed on more than a few points. With that, I support the bill.

Ms COOK (Fisher) (16:36): I rise to speak in support of the government's bill before this place today. In so doing, I note that one of the most difficult tasks for the public sector that arises from time to time is ensuring there are good systems in place for identifying and managing important assets such as property, contracts and agreements, and ensuring appropriate continuity in the management of these things when major legislative change creates subsequent considerable administrative changes.

Our hospitals and associated health services have developed over time in response to different social circumstances and medical knowledge. There are many significant moments in the history of health service provision in our state where we have seen new approaches to the management and provision of health services. For example, the Report of the Committee of Enquiry into Health Services in South Australia, led by the Hon. Mr Justice Charles Bright and published in 1973, resulted in the establishment of the South Australian Health Commission. The establishment of this statutory authority saw the majority of hospital and health services come under a centralised management, enabling a more consistent and coordinated approach to the delivery of health services.

In more recent times, there has been the Generational Health Review, the commencement of the Health Care Act 2008, and now we are engaged in a major reform process—Transforming Health—which continues the important work of modernising the delivery of health services to ensure efficiency and the best possible health outcomes for the South Australian community. There are legacies of such change, and often we have to deal with them well after the fact.

In the 1990s to early 2000s, the operations of three associations incorporated under the Associations Incorporation Act 1985, namely, Lumeah Homes Incorporated, Miroma Place Hostel Incorporated and Peterborough Aged and Disabled Accommodation Incorporated, were taken over by bodies corporate which were incorporated under the now repealed South Australian health commission act 1976. In preparation for these takeovers, I understand that the associations and health bodies corporate believed legal arrangements for the vesting in the health bodies corporate of the associations' assets, liabilities, employment issues and so on would be carried out, and it was intended that this would occur following the enactment of the Health Care Act 2008—but this did not eventuate.

Many country hospitals had arrangements like these occurring, and due to an administrative oversight in the case of the three associations, the contemplated legal arrangements were never executed. The associations and health bodies corporate were not aware of this oversight and, therefore, proceeded as though these legal arrangements had been effected. The associations regarded themselves as dissolved and stopped holding meetings and ceased to incur debts. The health bodies corporate believed themselves to be owners of the land and assets and employers of the staff, and have acted in good faith accordingly.

In 2008, with the repeal of the South Australian Health Commission Act 1976 and the enactment of the Health Care Act 2008, a new body corporate was established, namely, Country Health SA Incorporated, and the operations of the previous bodies corporate were taken over by Country Health SA and its relevant health advisory councils, including the operations of Lumeah, Miroma and Peterborough. However, as I said, the vesting of the property of these

associations and their dissolutions have never been effected at law, and so, in fact, the property is still legally held by the non-operational incorporated associations. If they had been transferred, the assets of these associations would now be held in the case of Lumeah Homes Incorporated by the Lower North Health Advisory Council; Miroma Place Hostel Incorporated by the Lower Eyre Health Advisory Council; and Peterborough Aged and Disabled Accommodation Incorporated by the Mid North Health Advisory Council.

I understand that this is the first opportunity to finally remedy this situation. The proposed amendments will allow for proclamations to dissolve the three non-operational incorporated associations and formally transfer their assets to the appropriate health advisory council. These health advisory councils have formally supported these transfers. Finally, I believe it will be a great relief to all of those most involved, given the passage of time, to see this bill passed so that the legal formalities can proceed for the transfer of these assets. I commend this bill.

Mr WHETSTONE (Chaffey) (16:41): I too rise to speak on the Health Care (Administration) Amendment Bill to highlight the importance of providing adequate health care across South Australia. As background, I note that the Minister for Health tabled this bill on 11 February 2015, and it is very similar to previous bills of the same name introduced into this house. This bill deals with issues, including fees for service provided by SA Ambulance Service, not involving ambulance transport but the employment of clinicians in the Department of Health and Ageing, and the transfer of functions, assets, rights and liabilities between incorporated hospitals.

I think there are many questions still to be answered as to how these changes will impact on health care in regional and rural South Australia. I speak particularly about regional and rural South Australia, because that is where I am from, that is my electorate. I think that metropolitan healthcare services are very well documented. The state is going through a hiatus at the moment, with the current Transforming Health initiatives impacting on almost every South Australian.

Country patients account for about 16 per cent of overnight admissions in metropolitan hospitals. People in the Riverland and the Mallee frequently access health services and specialists in Adelaide. They have to travel. It is not an easy process for a country or regional person to undertake health care or medical procedures. It is not just about hopping in the car and driving to Adelaide. They have to find accommodation, and they rely on family and friends, so it is also an emotional burden, particularly when they have ill-health or when they are in need of a medical procedure. It really impacts on them physically and mentally. Any changes need to ensure that country patients are not disadvantaged when accessing health care in both metropolitan and regional areas.

In the electorate of Chaffey, which includes the Riverland and the Mallee, there are eight hospitals, and each one of those hospitals plays a vital role. They are part of the fabric of the communities in the area. The continued need for appropriate infrastructure is particularly relevant, especially for an ageing base of over 40,000 people and where the median age in the Riverland region is about 44 years. It is an ageing population.

One thing that I did pick up on my recent trip overseas to Tokyo is that they have a very similar demographic, albeit much larger, but the same demographic of an ageing population with the need for more health facilities, particularly aged care. They are looking at about an extra 70,000 aged-care workers a year just in one city, so we have to pull that to bits and look at how South Australia will position itself with its aged-care needs and requirements into the future.

I would like to commend all the medical and healthcare professionals who provide healthcare service in the regions in South Australia, particularly in Chaffey. Whether they are doctors on placement doing their regional time, if you like; the nurses; or the support staff, right from the person cleaning the floors through to the top-of-the-range surgeons who visit the regions, I thank them. They perform an outstanding service to every person who is in need of medical care.

Again, there is also a strong band of ambulance personnel. Most disappointingly, I was recently advised that the local SA Ambulance Service had been told they would need to find efficiencies due to major funding reductions. The people within the industry I have spoken to have expressed much concern about the future delivery model of SA Ambulance Service, particularly in the region of Chaffey. I do not want to see the scaling back of any services that will endanger lives.

A number of constituents are concerned about having to pay for after-hours emergency service care in River Doc's, a privately run organisation in the Riverland. They do an outstanding job and they are a private provider, but when we hear of people complaining about co-payments and we hear about people complaining that they have to pay some up-front fee down here in metropolitan Adelaide, have a thought for the people of the Riverland and the people of the Mallee who have to travel to the regional hospital. They have to pay a \$60 up-front fee and in many cases, as well as that up-front fee, then they have to travel to pick up a script and it becomes a very expensive operation.

For anyone who has to travel, for example, from Renmark to Berri or from Loxton to Berri, it is about a half an hour. Let's say in some instances those people do not have transport, then they have to catch a cab. A cab from Renmark to Berri is about \$60 one way, so it starts to add up by the time you catch a cab. So you catch a cab to the hospital, you have treatment and then you have to get home and it really starts to eat into a pay packet, a cheque of some description or a service cheque—that really has an impact on those people's lives and it is not just the individual, it normally has an impact on the far-reaching family.

Again, I think that we need to be very mindful of the burden of travelling far in the regions, seeking health care after hours and what it means to those people. We just have to remember that it is mostly free down here in metropolitan Adelaide but it does highlight the inequity between country services and what happens in Adelaide.

We need to keep hospitals in each town resourced, due to the proximity of each town in the Riverland and the Mallee, instead of centralising services, particularly to the Riverland General Hospital. I commend the recent upgrade. Sadly it was a \$41 million upgrade that was revised down to \$36 million. I think every community member in the Riverland has made some form of contribution, whether it was part of a fundraiser or a campaign to raise money for extra services to put equipment into the hospital.

As I said earlier, it is part of the fabric with each of those communities and they take ownership of those hospitals. Whether it is raising money or putting money into the auxiliary funds that are so crucially important to those regional hospitals. With those auxiliary funds, whether it is a bequest, a fundraiser, a donation or whether people give in-kind work, we see upgrades, new equipment and the betterment of a hospital, particularly in country towns.

It is not about a major upgrade that we see at many of these government hospitals. It is about creating comfortable rooms, putting in more comfortable beds, televisions and small creature comforts that make the hospital something a bit nicer when you are away from home and having medical treatment. We have to look at other issues around what we expect.

Particularly in Adelaide, I think a lot of people take getting to hospital for granted. We do not have public transport in the Mallee or in the Riverland. We do not have those services that most people take for granted, and we experience the extra cost and burden of getting to a hospital. When you do get to a hospital, you receive a great, friendly welcome and good country hospitality. They are some of the concerns.

The Renmark Paringa District Health Advisory Council put forward a submission to the Transforming Health discussion paper, as did I. A concern that was raised in that submission was that country people seeking treatment in Adelaide must be able to do so with the greatest possible efficiency, and the cost should be comparable. The divide between what it costs to have medical treatment in Adelaide and what it costs to have it in the regions is significant.

The council recognised the benefits of specialisation in the area of health care and separating elective surgery from emergency, but this should not lead to a net increase in travel time. We talk about assistance for people who travel to hospital, and I think it has been fairly well documented in this place. We need to ensure the compensation for people who have to travel far away for health procedures is fair, that a fair amount of money is returned to them so that they can head home without being seriously disadvantaged.

The Renmark HAC has many concerns. I will not go through them all, but the disadvantage of having to travel is one of them. The health services also need to be available seven days a week. The majority of hospitals in the Riverland (Waikerie, Loxton and the regional hospital) are open after

hours, but the rest of the hospitals seem to have been scaled back. We see staff reductions, and they are essentially being wound back to aged-care facilities.

I think we need to be mindful of what those hospitals represent, the demographic they look after, and the distance between them. Most of those hospitals have at least a half-hour drive between them. The minister and the government need to understand just how important they are, particularly in an emergency situation. Again, that is something that needs to be put forward.

I would like to mention the petition from concerned Mallee constituents about the uncertain future of the Repat, which I grieved on here in the parliament. There was a little bit of a hiccup with the way the petition was presented, but I commend the passion of those Mallee constituents who came forward. A lot of them are returned servicemen, and they have real concerns about the way this government and the Repat's local member have treated this situation. I think it is deplorable that a local member is supporting the closure of a hospital that was gifted to the government.

We talk about the centralisation of health services, and we believe that the general hospital needs to continue to be supplemented by day surgery at Renmark Paringa. The Renmark Paringa District Hospital has a long history, and that is because it has been supported by the community. It has had many upgrades that have been funded by the community. Again, they feel that the additional day surgery can done at Renmark, particularly the orthopaedic surgery, enabling the Riverland Regional Health Service to focus on other acute and emergency care services requiring hospitalisation. We need quality and safety standards for paediatric and other areas of care that are practical and achievable to ensure that our nursing staff and medical workforce can continue to support the provision of high-quality, safe day surgery—particularly at the Renmark Paringa hospital.

I would also like to commend the Loxton hospital and talk about its reputation as one of the favourite hospitals in regional South Australia. I have visited the Loxton hospital many times, and they have a very passionate advocate in their HAC. The presiding member of their HAC, Sally Goode, is an absolute terrier in making sure that the hospital is kept up to scratch, is provided with adequate funding, and is given a certain future. However, the birthing unit is something I really admire about the Loxton hospital. I admire all that the Loxton hospital provides, but it has a very special birthing unit. It is very inviting, with a suite to bring in the family so that they can come and stay with the expectant mother. It really does offer a unique experience, and I think that any expectant mother in the near vicinity of Loxton should consider it. So there is a plug for the Loxton birthing unit.

There is the importance of maintaining the local boards, and I guess we regularly talk about the HACs. They are volunteers, members of the community, and they volunteer the benefit of their time and their passion, and also volunteer their expertise in keeping those hospitals relevant. As I said, I have many HACs. With the eight hospitals in Chaffey I think there are seven HACs, potentially six including the Mallee, and each of those HACs is to be commended for the great work they do, the support they give and for their watching eye over that hospital, making sure it receives the appropriate support and funding that I believe every regional hospital deserves.

In conclusion, I support the bill but I also want to reiterate the need for the state government to change its attitude towards decentralisation. We have to understand that, yes, country hospitals are small hospitals and do not have the efficiencies that we perceive the larger hospitals here in Adelaide to have, but, let's face it, a significant amount of the state's budget is put into the major hospitals here in Adelaide. We need to take a holistic view of supporting health care right across South Australia, in particular the regional areas. Adequate health care is paramount across South Australia, and any changes to the way we approach them and the way we approach health should be done in the best interests of all South Australians.

Ms DIGANCE (Elder) (16:58): I rise to speak in support of this bill and, in doing so, will address the benefits of the changes to ambulance fees for what is known as 'Treat no Transport'. These are services provided by the SA Ambulance Service for the SA Ambulance Service and the community. The bill will do so by way of reducing red tape.

The South Australian government acknowledges the need to cut any unnecessary government regulation and legislation that is costly for the business sector, for the community and the government. All organisations need to review red tape, and I note that Deloitte Access Economics released a report in October last year which indicated that the private sector should be conducting a

red-tape audit, since the calculated costs of complying with self-imposed business rules were double that associated with government regulations.

Just as red tape exists within the business sector, it also exists within government, and the amendments proposed in this bill will allow the minister to set fees for Treat no Transport services provided by the SA Ambulance Service under the more efficient and streamlined process provided for within the Health Care Act 2008.

The Treat no Transport fee is for those cases where the South Australian Ambulance Service attends to the patient and provides expert pre-hospital care but does not need to transport the patient to hospital. One innovative example of this is the Extended Care Paramedic Program. Extended care paramedics are the SA Ambulance Service's most senior clinicians. These paramedics are trained to treat patients in their home surrounds (this includes nursing homes and also residential care centres) and provide tailored health care. Treatment can mean that unnecessary hospital admissions are avoided.

The South Australian Ambulance Service has been implementing the Extended Care Paramedic Program as part of the Ambulance Service delivery model, outlined in the report titled 'Defining the road ahead 2008-2015'. The Extended Care Paramedic Program is part of the broader strategy to avoid unnecessary emergency department attendances and admissions and supported by the SA Health Out of Hospital Strategy.

The Extended Care Paramedic Program targets those persons who have traditionally called the South Australian Ambulance Service for treatment and transport to an emergency department but who are assessed as suitable for being managed outside of the hospital environment. The cases are carefully identified through secondary triaging methods by senior clinicians in the South Australian Ambulance Service's Emergency Operations Centre as potentially not needing transport, but they can be treated by an extended care paramedic within their home or residential aged-care facility. The South Australian Ambulance Service completed the piloting of this program in 2009 and began to roll out this initiative in a phased approach to full implementation.

The South Australian Ambulance Service needed to be able to charge a fee for the particular service where a patient was treated but not transported, as the SA Ambulance Service does for all its services. Under the now repealed Ambulance Services Act 1991, the SA Ambulance Service charged a fee where an ambulance responded to a 000 call expecting to treat and transport a patient but the callout did not result in transportation. The SA Ambulance Service had continued this practice under the Health Care Act 2008.

However, when examining the issue of the capacity to charge a fee for those occasions when treatment is provided but transport is not required, there was doubt about the SA Ambulance Service being able to charge a fee. The establishment of a Treat no Transport fee was essential to ensure that the SA Ambulance Service could charge a fee in line with previous practice, when it responded to the 000 call but transport did not eventuate and when an assessment is made that a person can be treated at home or in a residential care facility.

Most fees across the healthcare system are fixed through the Health Care Act 2008, and this act has streamlined the arrangements for changes to all fees and charges to be achieved through ministerial approval and by notice in the *Government Gazette*, including those for ambulance services. The definition of ambulance services within this act is as follows:

Ambulance service means the service of transporting by the use of an ambulance a person to a hospital or other place to receive medical treatment or from a hospital or other place at which the person has received medical treatment.

Because of this definition, the Fees Regulation (Incidental SAAS Services) Regulations 2009 were introduced in 2009 after the passage of the Health Care Act 2008 to allow the SA Ambulance Service to charge for Treat no Transport services and roll out the Extended Care Paramedic Program. There was an intention to remedy this anomaly by amending the Health Care Act 2008 at the next available opportunity, which this bill now provides.

The highly successful and innovative Extended Care Paramedic Program has developed and grown since it was first piloted in 2008-09. In the 2013-14 annual report, the South Australian Ambulance Service reported that for this financial year 70 per cent of the extended care paramedic

attendances resulted in emergency department avoidance, and 79 per cent of the extended care paramedic attendances at residential aged-care facilities had the same result. For patients who were admitted to hospital, the treatment path and subsequent discharge from hospital were often accelerated due to the prior extended care paramedic treatment.

Through the Emergency Operations Centre, extended care paramedics also undertake more than 900 client call backs per month and an average of 600 consultations per month. The South Australian Ambulance Service is also an increasingly pivotal part of the health system in times of extreme heat, particularly with the deployment of extended care paramedics who are able to provide assistance to low acuity patients in their homes rather than convey them to hospital, as would traditionally be the case.

This amendment to the Health Care Act 2008 for fee setting for the Treat no Transport ambulance services provides for a more efficient and consistent approach to determining fees across the health system. It also future proofs development and further innovation in line with international out-of-hospital services and provides for associated changes to the fee structure. These innovations and the changes to ambulance service delivery are all about providing the right care to the right patient in the right time. I commend the bill.

Mr PEDERICK (Hammond) (17:05): I rise to support the Health Care (Administration) Amendment Bill 2015. This bill was tabled by the minister on 11 February 2015 and is the same as the 2013 and 2014 bills which lapsed when parliament was prorogued in both years. Some of the issues that this bill deals with include fees for services provided by the South Australian Ambulance Service not involving ambulance transport. Section 59 of the act allows the minister to set fees by notice in the gazette to be charged for ambulance services which is defined in a way which is limited to transportation in an ambulance.

The history of this is that, since July 2010, fees for ambulance services not involving transportation have been levied under the Fees Regulation (Incidental SAAS Services) Regulations 2009 and the Fees Regulation Act 1927. This obviously involves the fees around Treat no Transport. The bill also allows fees to be set under the Health Care Act 2008 by inserting in the act almost identical words to the current regulations. The key difference is that the bill provision additional says that fees can be fixed for any other matter prescribed by the regulations.

Also, part of the bill provides for the employment of clinicians in the Department for Health and Ageing, and the aim of the amendment is to allow health professionals employed under the act to be employed under their relevant professional award if their position requires them to engage their professional skills, qualifications and clinical knowledge. There have been some concerns expressed that this provision is too broadly worded and could apply to someone with health experience but lacking professional skills.

Also, as has been indicated by some members in this place, the bill provides for proclamations to dissolve three now non-operational incorporated associations and transfer their assets to the appropriate incorporated health advisory council. The bill provides for the transfer of assets of three non-operational incorporated associations, namely, Lumeah Homes Inc., Miroma Place Hostel Inc. and Peterborough Aged and Disabled Accommodation Inc. The transfer of the assets to their local country hospital sites was attempted at least 10 years ago (this was before the Health Care Act was in existence), but the transfers were never legally effected, even though the hospitals involved supported the transfer. Under this bill, it will allow for these assets to be formally transferred to the appropriate local HACs—the Lower North HAC, the Lower Eyre HAC and the Mid North HAC.

The next couple of amendments are ones that can certainly affect rural constituents. One of them states:

...a body under the Act does not need to be providing services and facilities specifically to an incorporated hospital for the undertaking of that body (or part thereof) to be transferred to the incorporated hospital;

It continues:

...functions, assets, rights and liabilities can be transferred from one incorporated hospital to another, without the incorporated hospital to which those first belonged being dissolved;

That can certainly have an effect on local communities. As long as it is operated in a transparent way I cannot see any issues, but it is when these things are done without local consultation that the trouble starts. Also, in removing section 49(5) of the act it states:

...which allows the Minister to determine a constitution for the South Australian Ambulance Service as the functions and powers of the South Australian Ambulance Service are clearly set out in the Act.

The bill is also about clarifying when disclosure of information can be made legally and adding 'substitute decision-maker' to the list of persons who may request or provide consent for information about a person to be released.

The previous bills have been supported by the South Australian Salaried Medical Officers Association, the Australia Medical Association and the Australian Nurses and Midwifery Federation. Certainly the local health care that we get in our local communities is absolutely vital, especially for rural constituencies like the seat of Hammond. We have only two hospitals directly in my electorate, those being at Murray Bridge and at Tailem Bend, but there are also some hospitals close by which my constituents would attend. They are at Strathalbyn, Meningie, Mannum, Victor Harbor and Mount Barker. Obviously if there needs to be more treatment or it is an emergency situation which needs treatment at a hospital in Adelaide—it could be the Adelaide hospital or the Flinders Medical Centre—people can go straight through to those hospitals.

Over my time living at Coomandook, to have those medical services only 20 minutes up the road (such as at Tailem Bend) has been absolutely vital for the wellbeing of people in our community and certainly the bigger hospital at Murray Bridge in looking after the good people of Hammond, as well. It has not come easily. There have been times when there were threats by Labor governments to close some of these small hospitals around the state. I have mentioned this before in this place that, in fact, between 25 and 30 years ago there was a protest on the steps of this place, protesting about the possible closure of the Tailem Bend Hospital. Thankfully, the hospital was not closed because it does provide a vital service.

As has been mentioned by the member for Chaffey, a lot of these rural hospitals now incorporate a large area of aged-care wings, and that is certainly the case at Tailem Bend. Essentially, the majority of the hospital is for aged care and that obviously attracts federal funding, which spreads the funding stream and makes the whole operation viable. They are teamed up as the Coorong Medical Service with the Meningie hospital, which has a similar arrangement. They have Jallarah Homes for aged care, which is at the hospital, but at Tailem Bend the aged-care section it is housed in what were the old hospital wards and rooms.

I think this is something people really need to understand about country areas. We have seen, sadly, the Mallala hospital shut down recently, and we have seen ongoing issues at Keith. These community hospitals provide a vital service for acute or subacute care—and I can guarantee it. We had three generations of Pedericks in Tailem Bend one day. I had my youngest son sitting on my lap—he was only 18 months old; he is 14 now, so it was a little while ago—and we fell into a header box. I forgot that the top lip of the header box was hinged and, sure enough, in I went. I ended up with about 22 stitches in my right arm. Thankfully, he only had a small cut on his head, which I worked out came from him being held so tightly against my chest that he hit his head on the pen in my pocket. My father was also in for one of his far too regular stints in hospital.

Hospitals are vital to the community for acute and subacute care, but they also play a role in the aged-care scene in this state. They give vital service in making sure that loved ones are not too far from where they were working or living, and it provides options. As we all get older, these services are going to be demanded more and more as people's lifespans extend. As you get older, you like to think that your lifespan might extend a bit longer than what you thought originally.

Hospitals provide a vital service, and these services have come under threat over time. It has certainly been a challenge to attract some doctors and chief medical staff out to regional hospitals. It is not in my electorate anymore, but at Karoonda they had the challenge of getting a hospital. I believe it is being looked after by a doctor from Mannum at the moment, about three days a week. Even though it is not ideal, it is far better than not having a service at all.

The workings of a country doctor have changed so much. Dr Phil Gooden would have been delivering babies who would have been born around the same time I was born, which was a couple

of days ago. When you had a country doctor like Dr Phil Gooden, they had to look after the road crashes all night, deal with their operations or appointments all the next day and maybe do it all again the next night, and that is just what happened. They had nurses and other appropriate staff helping them to conduct their work. Thankfully, things have got better.

I want to congratulate Bridge Clinic on its most recent expansion, which I believe is the most successful clinic that is actually owned by the doctors involved operating in Australia, not just South Australia. As a regional clinic, it does great work and attracts many visiting specialists, so it saves people that trip through to either the Royal Adelaide Hospital or Flinders hospital. I commend the doctors, clinicians and administration staff who make that place work.

There are many issues in health, and we have seen what has happened recently with what I believe is essentially the minister just looking at budget savings in regard to the health needs of our state. Look at what is happening at the forefront of health. We understand that, with bureaucratisation of health, central office staff numbers have increased by 167 per cent over the last 10 years. How does that add up when the health minister is going to cut front-line services at our main metropolitan hospitals, because he is basically trying to save money on specialists. So you only have a stroke specialist at one hospital, you probably have a cardio specialist at another hospital, and they are only there certain days.

If you get picked up by an ambulance, I firmly believe they need a scroll at the back of the ambulance so the paramedics and volunteers can check at whatever time of day which hospital they can transfer a patient to. It has got to the point where it is almost simpler in the country, because they have done this for years. For instance, if you go to Tailem Bend, they have been well used to saying, 'Do we send them through to Flinders or the Royal Adelaide?' I believe it will cause a lot of issues in the future.

The good people of Hammond have already been affected by the lack of triage at Goolwa Medical Centre. Previously, people could go to the Goolwa Medical Centre and most likely see their own doctor—or at least a doctor they know quite well—who would triage them if there was an incident. That service will no longer be available; and all that will happen in Victor Harbor, which can be another half-hour drive away. To me, that could be the difference between life and death, and that was indicated by the support of a community forum we held in Goolwa where 250 people turned up. There are aged-care facilities in Goolwa and there was a whole range of concerns about whether this will work. The same thing has happened in Yankalilla in the electorate of the member for Finniss. It is centralising services, whether it is in a regional area, or in the city. That is what we are seeing with these changes to health.

Minister Snelling indicated that his reason for getting rid of the Repat is that he wanted to centralise services. It is 15 minutes from the centre of Adelaide; how much more central do you want? For regional people, that means nothing. I am sure for most people in Adelaide it does not mean much at all either. It does not add up. The issue with the Daw Park Repatriation Hospital is all about real estate, and I think it is a disgrace on the part of the local member. One of the latest announcements about the future of the Repat came during the week that we were commemorating the centenary of ANZAC from a former SAS lieutenant colonel—you can work out how much honour is in that, and we have seen how that has gone in this place.

What I would like to do is commend all the people who work in the health services, and I would like to see more and more funding going into front-line services. If there are going to be cuts, they should be taken out of that overinflated bureaucracy. The unions will say, 'But that will affect front-line services.' Well, why does it have to expand by 167 per cent in 10 years? It is outrageous.

When you have the health minister come out to your electorate, there is strict protocol and you are shepherded around like a sheep, following on, making sure you do not see something you are not supposed to see. When you live in a community and your kids play footy in a community, if you need to go to hospital with them—and I have in the past, and probably will in the future—you see the hospitals, warts and all. And you do see some issues.

There are certainly some good things happening because of need—because of doctors not being attracted to some country areas like Pinnaroo, for example (which used to be in my electorate, but is not at the moment), and also attracting visiting doctors to Lameroo. The distance work that

nurses and nurse practitioners can do with video equipment and that sort of thing is a great step, but it has only come about because the right provisions are not in place to attract professionals to those sites.

In the old days, nurses, teachers, doctors and livestock agents—people who were raised in the city—would be transferred to a country location. There used to be things like country bonds, and that type of thing, in certain professions—and most of them never came back. I know that nurses and teachers, for example, might head over to the Far West Coast, for example, or the Murray Mallee, or the South-East, and if they go to the footy club—or whatever—the rest is history; they end up marrying a local bloke and have a fantastic time. I say to people: reach outside your comfort zone and get into the bush because it is a great place to be. Even if some people only work at those sites for a little while, at least they have had a taste of what it is like to operate in country areas.

I would also like to congratulate the rescue helicopters that operate. The member for Fisher has worked directly with these helicopters; he has been on board. The work that they do is so commendable in saving lives and saving what otherwise could have been far worse news for families. Many a time, you hear about an accident that might not be on a major road—get the helicopter in, land it, pick up the patient or patients, and get them to the services that they need. It is fantastic work and highly commended, and it sometimes occurs in very challenging conditions when they take off and land.

On this side we commend the bill. I will be interested to see how it works in reality. I will also be interested to make sure that it does not have any adverse effects, certainly in my case, on regional communities and particularly the community of Hammond.

Dr McFETRIDGE (Morphett) (17:25): I am the lead speaker on this bill, and I might take us through to stumps, but we will see how we go. Third time lucky with this bill. Wednesday 30 October 2013 Health Care (Administration) Amendment Bill. I made a contribution then, and I could read it now, but I will not; there are other things I would like to add. This is the third time this bill has been presented to this place. It is unchanged and it is a disappointment. If these changes are so necessary, why has it not been put in place beforehand? It begs the question: are these changes really necessary?

I want to remind the house of something that former health minister John Hill said on 24 October 2007, when he made a speech about the Health Care Bill at the time. John Hill said:

There are clear and strong community expectations that the Minister for Health be accountable for the public health system, as I have said many times. The buck stops with me.

I have used that quote numerous times. On 24 October 2007, the minister said, 'The buck stops with me.' Ministerial accountability is something that is paramount to the Westminster system of parliament and government. I just remind the current health minister of what the former health minister said: 'The buck stops with me.' The minister has to be accountable for every change that is put in this place, such as through this legislation, which is fairly straightforward—and we will be supporting it. Having said that, though, I should say that there may be some amendments put up in the other place, but I cannot guarantee that. It will depend on further examination of the connotations and ramifications of this piece of legislation.

The legislation does a number of things. It is about the administration of health in South Australia. I will just quickly go through parts of the bill and talk about some of the issues that are associated with it. The first changes are to insert a new section 32A—Transfer of functions etc between incorporated hospitals. I always worry when you get a piece of legislation that says 'etc'. What is the etcetera? What else is happening? Between 'transfer of functions etc', I think we need to clarify what the 'etc' is. I do not think it should be in legislation. I think legislation should not be open to interpretation or extrapolation or other ways of getting around the intention of the parliament. Let's face it, it is not just the government's legislation: it is the parliament's legislation. The clause continues:

transfer all or some of the functions of an incorporated hospital to another incorporated hospital;

Is that not typical and topical of this government at the moment, with Transforming Health? Transforming Health is a massive challenge for this government. We know that we cannot keep treating the health system the way it is. We cannot allow it to just continue like a black hole that is

sucking more and more money into the health budget out of the general state budget. If we do not change things that will continue to happen. Nobody is against change; it is about the way the change is managed, and it is about the way the change is consulted on, and the vision and the plan put forward.

We have already seen the problem with transferring some or all of the functions, and I will use the Repat as an example. When the A&E at the Repat was closed down, something like 7,000 admissions (I am not sure if that is per month, but that would be about right I would think) went somewhere else. Where did they go? They probably went to Flinders or possibly to the Royal Adelaide Hospital because if you need to go to an A&E you need to go to an A&E. Some of them might have gone to Noarlunga.

As to the dashboards the health department puts up, if anybody here does not know about the dashboards or does not understand them, I am more than happy to walk them through the dashboards. They are a very interesting piece of information and very informative if you know how to read them. I encourage every journalist in South Australia to acquaint themselves with the dashboards and see exactly what is happening in our hospitals in an almost real-time fashion. It is normally about half an hour late, but it is almost real-time.

You can see what is going on, how many people have been waiting for more than 24 hours for a bed in a particular hospital, how the hospital EDs are coping and whether they are in the 'white-hot zone' as I call it. There is green, amber, red and white for capacity in EDs. If they are in the white capacity, which they often are, that is more than 125 per cent of capacity. In other words, patients are in the cubicles, on the barouches, on the chairs, wherever they can be placed, but they are also waiting around the place—at 125 per cent capacity, and it is sad that many of our hospitals are often at that capacity.

Just have a look at the EDs if you want to see how bad it can get, particularly on a weekend. I must admit there is also some correlation between these and a full moon, particularly hot nights. Having overcrowded EDs is a serious issue, and to put that beyond any question I will quote from an investigation that was undertaken by the Australasian College of Emergency Medicine. I do not know what the latest figures are, but I guarantee you that they would be, if not the same, probably worse than these figures here. In this investigation into access block and emergency department overcrowding, there are seven or eight key points. Key point No. 2 says:

It has been estimated by different authors and methods, that there is a 20%-30% excess mortality rate every year that is attributable to access block and ED overcrowding in Australia.

This is the interesting figure, and it is a disgraceful figure for a country such as Australia, though:

This equates to approximately 1,500 deaths (at 2003 levels of access block) per year which is similar to the road toll.

South Australia's share—8 per cent of that, about 120 deaths per year—is purely attributable to access block and ED overcrowding. That is more than the road toll who are dying as a direct result of access block and ED overcrowding in Australia. We need to do something about that and you cannot do that by shutting EDs and by rearranging EDs to make them into walk-in clinics because, as the Australasian College of Emergency Medicine again points out, there is no correlation between the condition of the patient and the way they present. Many serious cases present which have not come via an ambulance; they have just been brought in by relatives or friends or through sporting clubs or that sort of thing.

With the changes that are going to be made in South Australia, some of them may be necessary, and others we really have to ask ourselves: what is going on? I will use the Repat as an example again because, even this afternoon at the late Bill Schmitt's funeral—Bill was a 97-year-old veteran who died recently, an icon of the veteran community in South Australia—one of the eulogies talked about how Bill, who after spending three years in Changi prisoner of war camp, was often admitted back to his beloved Repat.

The Repat, for the veterans, is their spiritual home; there is no doubt about that. You can look at the figures of how many veterans go there, what percentage of veterans use it, and what

percentage of veterans make up the total patients. You can try to justify the changes that are going on by doing that, but the bottom line is that it is the spiritual home of the veterans.

The consultation process has been handled abysmally. This government just does not seem to understand veterans and volunteers, and they need to take some advice on this and slow things down. On 10 March 1995, the then federal minister for veterans affairs, Con Sciacca, along with Allan Hawke (president of the repatriation commission), Michael Armitage (then minister for health) and Ray Blight (chief executive of the South Australian health commission) signed a record of ongoing commitment to veterans at the Repat. That was followed up by the Veterans' Guarantee, which is a list of 15 different individual items, including everything from:

- priority access to services
- specialist care 24 hours a day
- access to arrange admissions 24 hours a day
- 'Repat Card' for entitled patients to make access easier
- reduced waiting times for the Repat Clinics
- reduced waiting times for elective surgery
- reserved parking for ex-service organisation representatives—

and others, right down to 'a complimentary cappuccino in the coffee shop near the Repat Clinics'. How are we ever going to replace that guarantee in other hospitals? I do not know what the latest bed number is at the Repat. I have heard 240, but on the government's website it states:

RGH is a 262 bed acute care public hospital specialising in the care of war veterans, their dependants—including war widows; you want to talk to the war widows about what is going on—and older people. RGH is proudly serving those who have served for us.

If you get rid of the Repat—we will use the example of 240 beds—you are getting rid of 240 public beds. Where are those patients going to go? What is going to happen to access block? We have just heard about the results of access block and ED overcrowding. Where are those veterans going to be squeezed out of because they cannot get into a clinic somewhere else? Where will the 3,500 arthroplasties that happen every year at the Repat go? Where are the 700 outpatient appointments that happen every month at the Repat going to go? Where are the 400 new referrals to the Repat every month going to go? They are going to go to other hospitals. What is going to happen? The pressure is going to increase on the access to those hospitals, their services, their access block, and ED overcrowding.

Again, we have seen the result, according to the Australasian College of Emergency Medicine. You had better know what you are doing. It is great to say, 'We are going to put more emphasis on primary health care.' We have heard that for so many years, but when you look at the dashboards you see that it is not getting better.

There is a new clause regarding the 'transfer of functions etc., between incorporated hospitals'. This government had better tell us what the 'etc' is. They had better tell us how they are going to manage the access block and ED overcrowding that is already there, which I think will be exacerbated by the changes proposed in Transforming Health. The bill also mentions the 'transfer the assets, rights and liabilities of an incorporated hospital to another incorporated hospital'. Once again, that needs to be explained so that we are able to trust the outcomes. The bill also mentions the amendment of section 59—Fees, whereby:

- (1) The Minister may, by notice in the Gazette, fix fees in relation to—
 - (a) the provision of ambulance services; and
 - (b) the provision of incidental services by [the South Australian Ambulance Service]...

We know that the role of ambulances has changed dramatically from 'lift and shift', where they would grab the patient and get them to hospital as soon as they could. There is now an extremely high level of intensive care being delivered on our roads, in our aged-care facilities and in our homes by very highly qualified ambulance officers and paramedics, and, in some cases, the doctors who come

along with the ambulances nowadays. We have an opportunity here to make sure that we are able to recover the cost of those services when necessary. It will be interesting to see how extensive the changes are, how broad and all-encompassing those changes are, what the fees that are going to be charged are actually set at. I know there are a number of private ambulance services being set up around the place and competing with SAAS to provide medical and ambulance services at, say, the races and other sporting events. Will these fees also cover what they can charge? I do not know, but it will be interesting to hear about that from the minister.

In the bill they talk about incidental services that will be provided by SAAS. I should say that you do not actually have to receive any treatment from the ambulance service, you are just being assessed; if they are making a diagnosis or assessment of your condition you can be charged for that, even if the person is not transported by ambulance. Certainly with aged care homes that is a good thing, because if the person does not need further treatment the staff of an aged-care centre can assist there.

Obviously we are trying to keep people out of hospitals. They are very dangerous places to be, because the bottom line is that they are full of sick people, and with some of the superbugs and other things we hear about it is not good if you end up in hospital. In most cases I would say that South Australia has a very good record in this area, of making sure that people do not get hospital-acquired infections or experience other adverse events. Section 89—Other staffing arrangements provides:

The employing authority may appoint such other officers or employees (in addition to employees and officers of the Department and persons employed under Part 5) who have skills or experience in connection with the provision of health services...

So you would think that if you need someone who has some accounting or managerial expertise you would go and get them, you would go and seek them out.

Going back to the former minister for health's speech in October 2007, the minister said that the total staff employed within the health sector was just under 27,000, of which 711 were in central office. I am not sure what the total number is of staff employed within the health sector now—it would be interesting to find out—but I understand that the number of bureaucrats has increased from 813 in 2005—not the 711 in 2007. This is 813 on this figure, so perhaps the minister was wrong at that time. It has increased from 813 FTEs in 2004-05 to 2,175 FTEs in 2013-14. That is a significant increase.

I remember asking about the number of doctors and nurses employed in central office and in September 2014 I think there were 61 nurses or midwives and 13 doctors employed in the head office. We need to make sure that we have the best people in the best place to deliver the best outcomes. I do not have any issues with this, we just need to make sure that we are not filling it up with doctors and nurses who could be doing more front-line work rather than just paper shuffling or, which you would hope if they were in there, contributing to improving the patient flow, the care of patients.

It always intrigues me how the changes going on in health at the moment seem to be couched in terms of being all about 'patient-centred care'. I would have thought that since Florence Nightingale was in the wards it was all about 'patient-centred care'. What are patients there for? They are there to be cared for, and I know that the doctors and nurses put the patients at the centre of their care. They want good outcomes for their patients; they want to be proud and able to go home to their family and friends and say, 'Look, this is what we did for Mrs Smith today. She was a heartbeat away from her eternal rest but we managed to save her and she's back with us.' So, it is all about patient-centred care.

Let's make sure that our doctors and nurses are able to do what they want to do in the best and most effective way for all of South Australia. I put on the record that we do have an exceptionally good health service in South Australia. It needs improvement, there are big issues around the place, but I have been to China and the Middle East and I have had occasion to accompany people to hospitals in both of those places, and I can tell you that my vet clinic was better equipped than some of those Middle East hospitals. I just think in South Australia we are very lucky to have what we have.

The bill continues on with some transitional provisions, and this is to allow, I assume, some job arrangements and financial arrangements to be put in place. There is in there, under part 2 of schedule 1, 'Cancellation of incorporation etc of certain associations', and there is Lumeah Homes, which we know is at Snowtown; Miroma Place, which is at Cummins; and, of course, Peterborough Aged and Disabled Accommodation. Changing the arrangements there to make sure that the facilities and services they offer are being kept at their most viable for all country South Australians is something we need to ensure is happening, and so some explanations about the future of country aged care and health services is something that this opposition will be wanting to hear about from the government and have it clearly explained that there are long-term solutions for what are going to be long-term problems.

As I have said, making sure we do have long-term solutions for these problems is something that is vital, because I do not want to be back in here doing this for a similar bill for the fourth or fifth time and talking about the really alarming statistics that are being collated about overcrowding and access block in our hospitals—the avoidable deaths that have occurred because of access block and ED overcrowding. It is pretty straightforward that the benefits of managing our health system far outweigh the costs. The cost of doing nothing you just cannot even consider.

I acknowledge that the government is there to do what they think is right. We as the opposition have the right to question it, whether it is the transfer and functions, etc., the financial arrangements or the numbers of bureaucrats, or whether it is a straightforward question about a particular patient who may not have received what they consider to be the best care. In most cases, if I have had people (in most cases relatives) query the health care of patients who have been constituents of mine, the explanations have been very frank and full and very transparent, and in most cases the concerns have been answered.

They may not have always been to the full satisfaction and understanding, I should say, of the constituents, but I am very fortunate, having had my training, to be able to interpret a lot of the medical jargon and understand the implications and repercussions of interventions and procedures, and the long-term outcomes of these procedures, and try to explain them to constituents who are perhaps not satisfied with what the government says.

I wish the government luck with what they are trying to do, because they are going to need it, because they are not explaining it well at the moment. They need to take a deep breath, come back and sit down and perhaps reconsult. Nobody will criticise a government for saying, 'We are going to have a rethink about this.' It is not a backflip, a U-turn or anything like that. It is common sense, and that is what we want: good common-sense outcomes.

With that last comment, I will say that this bill will go through this place unamended. The shadow spokesperson in the other place has said that he may need to reconsider some areas, and that is his prerogative. I will perhaps come back and speak about those amendments if that is the case.

Debate adjourned on motion of Mr Gardner.

At 17:50 the house adjourned until Thursday 14 May 2015 at 10:30.