HOUSE OF ASSEMBLY

Thursday, 10 September 2015

The SPEAKER (Hon. M.J. Atkinson) took the chair at 10:30 and read prayers.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (10:31): By leave, I move:

That the committee have leave to sit during the sitting of the house today.

Motion carried.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (10:31): I move, without notice:

That standing and sessional orders be and remain so far suspended as to enable Government Business to take precedence over Private Members Business Bills set down for today for one hour and Private Members Business Bills set down for today to take precedence over Government Business for one hour after grievances; and for me to move a motion without notice forthwith.

The SPEAKER: An absolute majority not being present, ring the bells.

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

Motion carried.

Motions

GAY LAW REFORM ANNIVERSARY

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (10:33): I move:

That this parliament—

1. Remembers with pride that South Australia was the first jurisdiction in Australia to decriminalise homosexuality;
2. Records the special parliamentary leadership of Murray Hill, Don Dunstan, Peter Duncan and Anne Levy in this achievement;
3. Records the commitment of gay rights activists and other concerned individuals and organisations who fought to have a basic human right recognised; and
4. Acknowledges the ongoing and vital contribution to our community by members of its lesbian, gay, bisexual, transgender, intersex and queer community.

I rise to mark a defining date in South Australia's history. A week from today is the 40th anniversary of our state becoming the first jurisdiction in Australia to decriminalise homosexual acts between consenting adults.

In September 1975 under the premiership of Don Dunstan South Australia initiated one of many legislative 'firsts' in our state and, indeed, in our nation's history in the fight against discrimination. We have a proud history, being the first to initiate legislation against all forms of discrimination. In 1894 we were the first jurisdiction in Australia to end the gender discrimination against women having the vote and the first place in the world to end discrimination against women standing for parliament.

Also in 1975, following on from a private member's bill previously introduced by Liberal member Dr David Tonkin, the Dunstan government passed the first Sex Discrimination Act. In 1976, in another first, Premier Dunstan appointed Ms Mary Beasley as the first commissioner of equal

opportunity. Her focus was to implement the act against discrimination based on gender and marital status.

Such groundbreaking reforms were not easily won. They took leadership—but they demand leadership of a particular kind. Don Dunstan was a leader who championed the dignity of the individual and who promoted legislative and cultural reforms to ameliorate all forms of injustice, inequality and discrimination.

In the 1960s and 1970s he became Australia's foremost civil rights leader. His leadership was generated from an inner belief and force that compelled him to try to make the surrounding world, whether it be family, community, the state or his nation, a better and fairer place. This was the reason he entered politics. In 1968, Martin Luther King said these words:

> There comes a time when one must take the position that is neither safe nor politic, nor popular, but he must do it because his conscience tells him it is right.

King's leadership sprang from his ethical and moral authority and his ability to inspire others; so too did Don Dunstan's. King was fearless in his goal to end racial discrimination. Dunstan was fearless in his goal to end all forms of discrimination.

Why did he do this? He did this because these actions were grounded in his core beliefs. Dunstan knew that he was setting himself up for attack in both his personal and political life. He knew that he risked alienating voters. Fearlessly, he led the charge against homophobia and discrimination and fought for equal human rights for homosexual citizens. He refused to succumb to the climate of homophobic fear and distrust whipped up by his opponents.

Dunstan knew that if you set out to change the world you will always be attacked by those who do not want the world to change. His leadership model relied on bringing out what Abraham Lincoln called 'the better angels of our nature'. Great leaders must publicly stand up and speak out about what they believe. Don Dunstan was just such a leader. Let us not forget that attitudes against homosexuality during Dunstan years were extreme. In 1962 Max Harris, the South Australian journalist, publisher and entrepreneur, wrote in an essay entitled Morals and Manners these words:

> Australian vernacular is rich in insults, but there is no insult quite so deadly and unforgivable as to call a man a 'poofter'. The word is loaded with more disgust, distaste and hatred than any other unprintable words…as if the homosexual were a mysterious non-human immoral aberration from outer space.

It was extremely difficult for homosexuals not to internalise these attitudes and judgements. These were the days when homosexual men could be sacked from their jobs, kicked out of their homes, disowned by their families and friends, and brought before the courts and gaoled for engaging in consensual sex with other men.

But it took Dunstan 10 years to achieve this reform. In 1965 he argued for decriminalisation, but was blocked by the Labor caucus. He tried again in 1969, but an election intervened. In 1971 he included homosexuality in the Mitchell Review of the state criminal law. Three private members' bills were introduced between 1972 and 1975.

In 1972 the Adelaide University law lecturer, Dr George Duncan, was bashed and ultimately drowned in the Torrens River. He was a tragic victim of the so-called sport of 'poofter bashing'. The broad South Australian community was, however, shocked and horrified at the extent to which homosexuals were being threatened and persecuted, and public support therefore grew for decriminalising homosexual practices between consenting adults in private.

An editorial in *The Advertiser* in July 1972 was headed 'Legalise Homosexuality'. In 1972, a private member's bill was introduced by Murray Hill, a progressive upper house member of the then Liberal and Country League Party. Unfortunately, it was one of his colleagues who introduced amendments that severely limited and weakened the legislation and the bill's original intentions.

But Dunstan did not give up. In March 1973, Peter Duncan, an idealistic young lawyer who had been a member of Young Labor in the 1960s, was elected to the backbench. His private member's bill for the full decriminalisation of homosexuality was introduced in the House of Assembly in September 1973. His bill established an equitable code for sexual behaviour, providing a uniform age of consent of 17 years for both males and females, regardless of sexual orientation.

Unfortunately, a public push by the Gay Activists Alliance for sex education in schools produced a media backlash and a loss of public support, and Duncan's first attempt at law reform was derailed. After the re-election of the Dunstan government in 1975, Peter Duncan reintroduced the bill, was successful in securing its enactment and went on to become a reforming attorney-general.

We are here today to commemorate and celebrate this historic milestone of 40 years ago. We are also here to remind ourselves that our state was the first jurisdiction in the nation to decriminalise homosexual acts. All the other states followed in our wake. It took Tasmania another 22 years to catch up. Ours was the first legislation in the English-speaking world to eliminate any distinction in the criminal law between heterosexual and homosexual, and it included an equal age of consent.

Anne Levy sponsored the final bill in the upper house. Gay activists worked hard to lobby both parliamentarians and the public, together with other forward thinking individuals. Organisations such as the South Australian Council for Civil Liberties and the Methodist Church joined the push to change the law.

It is important to remind ourselves in this parliament that premier Dunstan did not just change the law: he continued to monitor the application of the law. He worked hard behind the scenes to ensure that the old network opposed to the change did not bite back and stop it. As premier, he not only appointed the right people to enact and administer the change, he ensured that they were supported.

A belief in fairness and equal rights for all of our citizens is in our DNA. Let us be open in our celebration of this. Not only must we be proud of our history but of those who worked so hard to achieve it, and we must pass on this knowledge. We must pass on what happened to Dr George Duncan in order that homophobia will never again be allowed to raise its ugly head in our state.

Our history defines us. Our history tells us who we are and what we value. Events and celebrations are important opportunities for us to remember all of these matters. Murray Hill, Don Dunstan, Peter Duncan and Anne Levy must be acknowledged for their leadership. So, as part of the Feast Festival pride march on 14 November, there will be 100 marching Don Dunstans—

An honourable member: In pink shorts?

The Hon. J.W. WEATHERILL: Absolutely—pink shorts, as well. On the day that Don wore those pink shorts to parliament, it was reported in new services all over the world, even in Zanzibar. Now, that is cut-through.

The day before this March, the 2015 Australian Homosexual Histories Conference will be held in Adelaide to commemorate our anniversary. On 17 September, one week today, one week from the anniversary of the day this parliament made history, Anne Levy will launch an exhibition at the State Library entitled 'An open and shut case?' celebrating 40 years of gay law reform in South Australia.

But the struggle is not yet over. We are still to pass the law for marriage equality and, despite the best efforts of the conservative forces in this nation to waylay this reform, support for this is enjoyed by 70 per cent of Australians.

In this past 40 years, with Dunstan's legacy alive and well, I am pleased that South Australian Labor has continued to lead the way. In 1984 the Labor government amended the Equal Opportunity Act to criminalise discrimination on the grounds of sexuality or assumed sexuality. In 2008, Labor introduced the Domestic Partnerships Act which gave equal rights to same-sex couples in domestic partnerships. In 2013, we amended the Spent Convictions Act to allow men with convictions for homosexual acts prior to the law reform in 1975 to apply to have their criminal record expunged.

In 2014, my government released the South Australian Strategy for the Inclusion of Lesbian, Gay, Bisexual, Transgender, Intersex and Queer People. Earlier this year we announced, through the Governor's speech to the open parliament, that the government would invite the South Australian

Law Reform Institute to review legislative or regulatory discrimination against individuals and families on the grounds of sexual orientation, gender, gender identity or intersex status.

The government has now received the institute's report on those matters on which immediate action can be taken. As a result, I will soon have an omnibus bill drafted for the parliament to consider. This bill will remove elements from up to 14 pieces of legislation that discriminate against members of our community who identify as LGBTIQ. Parliament will be given the opportunity to consider the second part of the South Australian Law Reform Institute report once it is received in the first half of next year.

Today, there is much to celebrate. Tomorrow, there is still much to be done. Mr Speaker, I commend this motion to the house. We remember with pride that South Australia led Australia to decriminalise homosexual acts; we acknowledge the important roles of Murray Hill, Don Dunstan, Peter Duncan and Anne Levy in this achievement; and we record our commitment to all those who struggled, often in difficult circumstances, to achieve this basic human right. Finally, we recognise the richness of the contribution that has been made to our state by members of the lesbian, gay, bisexual, transgender, intersex and queer community.

Mr MARSHALL (Dunstan—Leader of the Opposition) (10:47): It is my great pleasure to rise in support of the Premier's motion, and can I just say it is a privilege to be able to speak on such an important issue.

It is often easy in the cut and thrust of politics to forget that we are united as parliamentarians in our love and pride for South Australia, and motions like these are a chance to reflect upon the achievements of our state. South Australia has a long history of social progression; much of it has been outlined in this house this morning by the Premier, from being the first state to give women the vote in Australia to being the first state to legislate for Aboriginal land rights. We have much to be proud of. However, we are here today to reflect and celebrate on that other great struggle that so typifies the quest for equality in the 21st century: the decriminalisation of homosexuality.

Let me start by reflecting on the kind of place South Australia was back in 1972: William McMahon was soon to be replaced by Gough Whitlam as the Prime Minister; the Aboriginal Tent Embassy was erected on the lawns of the federal parliament; Olympic medallist Shane Gould was Australian of the Year; and here, only a few hundred metres from where we are now, the body of the Adelaide University Law Professor, Dr George Duncan, was found in the Torrens.

This single event cast a shadow across the state that would last decades. The noted professor was the victim of a hate crime: killed for daring to live his life according to the desires of his heart, rather than the forced, moral imperatives of his time. Following a manslaughter trial in 1988, the two accused were acquitted. Dr Duncan's killers have never been brought to justice. It was a truly shocking act, and one that not only tore at the very fabric of our legal and academic community but also at the heart of the gay and lesbian community—a community in hiding and a community under siege.

However, as so often happens, from great darkness comes great light. The death of Dr Duncan became a catalyst for gay law reform and, for the first time, turned the spotlight on the archaic laws that outlawed homosexuality in South Australia. Soon, a groundswell for change driven by activists and lobby groups was making waves throughout the wider community. Along with those parliamentarians already mentioned by the Premier, I would in particular like to pay tribute to the work of Liberal MLC the Hon. Murray Hill, the first parliamentarian in the country to ever make a serious attempt to decriminalise homosexuality.

Following the death of Dr Duncan, Murray Hill moved a private member's motion to amend the Criminal Law Consolidation Act to decriminalise homosexuality. In his second reading speech he noted:

> I believe that there is now a tolerance and understanding of the problems facing homosexuals that were not apparent until recently…The greatest contribution that can be made to help is for society itself to be compassionate and willing to consider the opposite viewpoint.

However, the bill introduced by Mr Hill was not without opposition. The legislation was eventually passed, but heavily amended and watered down. The amended act changed the law to allow for the defence of a homosexual act committed with another male person in private by men over 21 years

of age. Although the amended legislation was not in keeping with Mr Hill's original vision, it remained an Australian first and led the way for gay rights reform in South Australia. For a first step, it was surprisingly quick. The act was assented to in November 1972, not even a full six months after the tragic death of Dr Duncan.

As parliamentarians, it is easy for us to follow the *Hansard* debates and see the historical path of legislation in order to gain an understanding of the pitfalls encountered by those brave enough to fight for equality. It is much harder to truly understand the plight of those everyday South Australians who fought for justice outside of these walls. In my mind, it is the mother who refused to turn away from her child, the individual who set up a support group despite the potential backlash, the business owners who allowed their premises to be a safe space for members of the LGBTI communities and the passionate activists who would not stop yelling until their voices were heard. They are the true heroes.

One such hero was Adelaide City Councillor Mr Bert Edwards, who in 1930 was found guilty of sodomy and sentenced to five years' hard labour in South Australia. Consider how devastating this must have been for Mr Edwards. His court case was a public fascination. He was a professional man in his prime, a philanthropic man with a reputation for helping the needy, and here he was in gaol. He served three years before he was released on probation.

It would have been understandable if following an ordeal like this Mr Edwards faded away from public view. Instead, he was re-elected to the Adelaide City Council and continued his charitable work. Following his death, Premier Sir Thomas Playford said: 'Scarcely a good cause in the city did not receive some help from him.' It is people like Mr Edwards, who lived their lives in the face of such extreme brutality and injustice, and yet who still managed to contribute to a better South Australia who are the true heroes.

All people want to be able to live free from discrimination and criminal penalties, free from the threat of violence and free to express their own unique identities. If it was not for the dedicated campaigners for gay rights in our state, South Australia would not be the culturally diverse, inclusive and vibrant place that it is today.

Of course, it would be remiss of me not to mention the fantastic work done by a range of organisations in South Australia. In particular, I would like to acknowledge Let's Get Equal for their work over the past 15 years, as they have lobbied tirelessly for equal rights for same-sex couples. Many have given their time to grow Let's Get Equal. In particular, I would like to recognise in the *Hansard* the contribution by Mr Ian Purcell, Mr Matt Loader, Ms Liana Buchanan, Mr Scott Sims, Jo and Terri Mitchell-Smith, Ms Roxxy Bent and the late Mr Andrew Steinwedel.

I would like to make particular reference to Mr Tim Reeves and Mr Will Sergeant, who, along with Ian Purcell, are about to open an exhibition charting South Australia's history of gay law reform at the State Library. I look forward to seeing this exhibition and I hope many of my colleagues in this place will also take that opportunity. I would like to acknowledge the Director of the State Library, Mr Alan Smith, and his colleague Ms Jenny Scott for their work with the LGBTI community.

As we reach the 40-year milestone of gay law reform it is time to reflect on how far we have come and how far we have yet to go. I look forward to a time when gay, lesbian, intersex and transgender young people are not at an increased risk of bullying and suicide. I look forward to a time where 'gay panic' is no longer a legitimate defence for murder. I look forward to a time when a person's sexuality is not the first descriptor used to describe them and where the language around sexuality is no longer loaded with judgement. I have no doubt that in South Australia we will reach such a time. We have a proud history when it comes to gay rights and one that I am sure will continue.

Ms HILDYARD (Reynell) (10:55): I rise to speak very briefly in support of this motion. Our state has such a proud and rich history of tackling discrimination in our community and in our parliament. The very fabric of our community is enriched through our collective desire and drive to work together, to stamp out unfairness, inequality and discrimination in all its forms. Our history speaks volumes about what we as South Australians value. I congratulate our Premier and the Leader of the Opposition in choosing to speak together today about this history and indeed about our ongoing struggle for fairness and dignity for all.

Today in this parliament and shortly over morning tea, we rightly commemorate and celebrate 40 years since homosexuality was decriminalised in South Australia, and in doing so we acknowledge the many fearless campaigners who led the way in achieving this result. I often say that leadership is both deeply personal and inherently collective. The best leadership focuses on a collective outcome which achieves positive change for many, but to achieve it, individuals have to make often very personal decisions to speak up, to do something differently, to act.

Today I pay tribute to every campaigner and every legislator who made a personal decision 40 years ago to speak up and out in their refusal to accept discrimination. I also pay tribute today to the many people who are here in the gallery and many others in our community who generously and tirelessly continue to campaign to ensure the rights of all of our LGBTIQ brothers and sisters.

Every campaign to end discrimination or inequality takes a long time and often takes much from those who lead the way, those who speak up first, and those who speak up relentlessly in support of change. Thank you to you all for your courage, your perseverance, your wisdom, your big hearts and your open minds. We have come so far but there is still much to do.

I look forward to continuing to work and campaign with you all and our broader community to end all forms of discrimination against all members of our LGBTIQ community, and I certainly look forward to the day that together we celebrate the collective achievement finally of marriage equality. I do hope and am confident that we will not be waiting 40 years for that celebration. History shows us that when we work together on what we know is fair and right we win, and on marriage equality, win we will.

Mr PISONI (Unley) (10:58): I too stand to speak in favour of the motion. I congratulate the Premier, the Leader of the Opposition and the member for Reynell for their comments, and I would like to reflect on generally what happens in politics. Regardless of what political party you are a member of, whether it comes to education, whether it comes to health, whether it comes to other sectors in the community, I think it is fair to say that people from both sides want the best outcome.

The politics is about how you get there, but I think when it comes to the progressive members of the parliament, and their view of, and support for equality, there is no politics about how to get there it is, 'Let's just do it. Let's do it. Let's make sure we support equality.' The South Australian parliament has a very proud history in how it was the first to move on equality, particularly in homosexual rights and, of course, women's right to vote and stand for parliament.

I would like to rely heavily during my contribution on some work done by Graham Carbery in his 1993 paper, 'Towards Homosexual Equality in Australian Criminal Law—A Brief History.' It is a paper about the changes to homosexual law in Australia, but South Australia features very heavily in it. So I will be reading some sections and I will paraphrase some other sections, because it does give us a history of just how the process got started here in South Australia:

> The first step along the road to achieving homosexual law reform in South Australia was the decision of Don Dunstan, as Attorney-General in the Walsh Labor Government in the mid-1960s, to have a homosexual law reform bill drafted. Some years later Dunstan explained why his proposal was not acted on: 'I did not proceed with it then because the climate of public opinion was not such that I believed we could obtain a sufficient consensus of opinion to support an amendment to the law.

Dunstan became Premier of South Australia in 1967 when Frank Walsh retired, but lost the election in 1968. He became premier again when Labor was re-elected in 1970.

> Dunstan maintained an interest in homosexual law reform, but chose to exert influence behind the scenes rather than be publicly identified with the issue. For example, in December 1971 the government set up an enquiry to review the operation of the criminal law in South Australia, and one of its terms of reference was consideration of decriminalisation of homosexuality.
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> It was the death of gay academic, Dr George Duncan on 10 May 1972, however, that was a major factor in bringing about the first…reforms of South Australia's anti-homosexual laws. It focused public attention on the widespread harassment of homosexuals in Adelaide by police. Dr Duncan and another man were thrown into the Torrens River by police at a spot well known as a homosexual 'beat', ie. a place where homosexual men meet, often for the purpose of having sex. Dr Duncan could not swim and drowned.
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> During the Coroner's inquest into Dr Duncan's death a group of people who were outraged at what had happened formed the Moral Freedom Committee (this was not a homosexual group) and wrote to members of the South Australian Parliament. The letter argued that had sex between males been legal more witnesses might have

been willing to come forward and give evidence. On 1 July 1972 the morning daily newspaper, *The Advertiser*, published an editorial which supported the call for homosexual law reform.

It was not long before there was a political response to mounting public concern about the circumstances surrounding the death of Dr Duncan.

Within a week of the editorial in *The Advertiser,* an opposition member of the Legislative Council, the Hon. Murray Hill of the Liberal Country League—and, for those who do not know, the father of the Hon. Robert Hill, who went on to become a senator in South Australia and leader of the Senate in the Howard government—announced that he would introduce a private member's bill.

The newly-formed South Australian branch of the gay rights organisation, Campaign Against Moral Persecution (CAMP), had no role in initiating this bill, but met with Hill to offer support.

The paper continued:

Murray Hill's bill was limited to decriminalising homosexual acts in private between consenting males over 21. It defined 'in private' as involving no more than two people and not in 'a lavatory to which the public have or are permitted to have access.' Hill's reference to 'lavatory' was a reference to beats and intended to discourage homosexuals from meeting in, or congregating near, public toilets.

Even this limited reform proved too much for [some of] the conservatives in the Legislative Council and during the committee stage…Ren DeGaris moved an amendment that destroyed the purpose of the bill, ie. the decriminalisation of some homosexual conduct. Under DeGaris's amendment all male homosexual conduct would remain illegal, but a defence would be available to a person charged with a homosexual offence if the accused could show that the offence occurred in private between two consenting men over [the age of] 21.

That is quite extraordinary, really, when you think about it 40 years down the track.

The DeGaris amendment was adopted in the Legislative Council and after a conscience vote the amended bill was passed. However, the bill received a hostile reception when it was debated in the House of Assembly, and it not only removed the DeGaris amendment, it included an age of consent of 18 [rather than 21]. Not surprisingly, when the bill returned to the Legislative Council the DeGaris amendment was reinstated and [the] age of consent …was removed. The bill was sent back again to the House of Assembly and this time they gave in after a conscience vote, [and] it passed the Criminal Law Consolidation Act Amendment Bill.

Some of the media at the time was very interesting, as well, and I asked the parliamentary library if it could find some of the media. In July 1972, when the Hon. Murray Hill made his public announcement that he was going to introduce this bill, it was a very big story in *The Advertiser*. As the Leader of the Opposition said, he was the first member of parliament in Australia to do such a thing. The article, 'Homosexual Bill for S.A. Parlt.' by political reporter Eric Franklin, stated:

An LCP Member of the Legislative Council will introduce a Private Member's Bill to allow homosexual behaviour between consenting males in private.

It is interesting to note the language that was used. Mr Hill is quoted in the story:

To my way of thinking the society will have to accept that some individuals cannot resist this sort of behaviour.

That is a very interesting description of sex between same-sex couples. It was just a couple of months later that there was another story about Mr Hill's bill in the parliament, entitled 'Months of Vile Abuse But MP has no regrets over his homosexual Bill', which stated:

Mr. Murray Hill, the Member of Parliament who introduced homosexual reforms, said today he had been subjected to 'vile abuse' for the past four months. He said his personal reputation had, in some respects, been damaged.

It is a sad situation when this happens to those who express concern about injustices, and it happens to people in public office and those who are taking a public view on what society at the time might consider to be a controversial issue. Rather than a civil debate, we often end up having to deal with the sort of abuse that Mr Hill received in 1972.

I would like to acknowledge the work of the late Mr Andrew Steinwedel. I knew Andrew for a very long time. He was my accounts manager when I had my furniture business back in the 1990s, as well as being an active member of the Liberal Party. I met a young man, who was a cabinet maker, at the time I was doing my apprenticeship. He finally decided that was the way he was orientated and he shared that with me. I was the first person he shared that with. That was in 1980; I was 17 and I think he was 19. To think that that was just five years after it was legal to perform so-called homosexual acts in South Australia.

I did not think anything of it at the time. I was flattered that Peter had felt that he could share that with me, while we were down at the timber rack stacking timber actually, and we are still very good friends. He has been the same monogamous relationship for longer than I have been married to my wife of 26 years, and it is a beautiful relationship. I remember he said to me, 'Of course, David, I did not choose to be homosexual. Why would I choose to be outcast in society like homosexuals are? But I am pleased that I am because it has given me the opportunity to meet a beautiful man who I can share my life with.' I think that sort of relationship is missed in the whole debate about marriage equality and homosexual law reform throughout the world and, of course, here in South Australia.

The Premier mentioned Martin Luther King Jr in his speech. Martin Luther King had a dream and I too have a dream. My dream is that someone's sexual orientation should only be of your interest if you are going to ask them out.

Mr GARDNER (Morialta) (11:09): I will be brief because I appreciate there is a morning tea that many guests of the parliament are hoping to attend soon. Their interest in this debate, when it is adjourned, can be turned to that morning tea, and I thank those members who have organised it. However, this is a really important motion and I am pleased to have the opportunity to speak on it this morning.

The motion has four parts: remembering with pride South Australia's history; the recognition of the parliamentarians who have contributed; and then the particular recognition of those activists, both historically and of the present day, who have made our past laws worthy of that pride and who will continue to improve the quality of life in South Australia for people who wish to not have laws discriminating against them. All four parts of the motion are important, and I just want to outline why briefly.

I feel privileged, as I know other members do, to have grown up in South Australia, a state that has, as the Premier, Leader of the Opposition and others have identified, led the world in so many ways in law reform that removes discrimination, ensures human dignity and provides freedoms wherever possible. It is important to celebrate with pride the things that have led to that, because through celebration we not only are able to feel good about ourselves, but we bring those along with us who will continue in the fight against discrimination wherever it may be found and, perhaps as importantly as that, will continue to look for ways that we can improve our freedoms and our dignities as citizens.

Every part of the way that government, society or the community intrudes on the freedoms that we have in our own individual lives to live our lives as we choose is something that we need to work against, because as lawmakers we do have a contribution to make there and it is an ongoing and continuing one. I have said in this place before that we must protect our freedoms jealously and fight for those freedoms jealously. They must be nurtured vigilantly and celebrated proudly. Hopefully we will continue to do that, and part of our endeavours will continue to be achieved through that celebration.

We have heard the history: on 26 July 1972, Liberal MLC Murray Hill was the first politician in the country to move to change the law to decriminalise homosexuality. For Mr Hill, it was injustice that needed remedy, despite the challenges that he faced that the member for Unley has particularly identified. I think that the second part of the motion, which identifies the contributions personally of Murray Hill, Don Dunstan, Peter Duncan and Anne Levy, is important, because it was not a universally popular thing. For four months, as the member for Unley identified, Murray Hill came under vicious personal attack for the work he was doing, and it was done for the benefit of the community and because it was the achievement of the principles for which Murray Hill wanted to contribute to the parliament. That is why he wanted to be here.

That is why we should celebrate him in retrospect, as well as the other members identified: because without that celebration, members of parliament should always be encouraged to act in such a way. The leadership must be dealt with. John Stuart Mill penned the principle that the actions of individuals should only be limited to prevent harm to other individuals. It is a mark on our history that for too long—far too long—the law has imposed so many limitations on people within the GLBTIQ community.

I think a couple of members have mentioned Andrew Steinwedel. I was at Andrew's funeral a couple of months ago, and so many members of the community went down to Victor Harbor to share in his family's loss and the loss of his loved ones. There were a number of members of parliament, not just from South Australia, who were in attendance on that day, and I think all of us felt very much glad to be together. Andrew committed a significant amount of his life to pursuing these goals in the broader community and also within the Liberal Party.

I think that as we consider, in any of the matters of law that come before us, how to progress these matters, some of the things that used to not be conscience votes have become conscience votes through the work of people like Andrew, and it is important to note that community attitudes do change. In the federal parliament, there is legislation on which there is discussion about whether the government should have a conscience vote or not. I note that both sides of parliament did not have a conscience vote on the matter until very recently and that society's attitudes change.

The Premier and the Leader of the Opposition identified bigotry in school and the way that words can have an impact on people. The word 'poofter' that the Premier talked about, when I was at school, was handed around often in a way that one hopes does not continue to take place. It was a word used to emasculate and a word used to put down; it was the insult for which there was not supposed to be a response, and that cannot be allowed to go on.

We have heard a number of speakers talk about mental health issues, and I think that is why it is as important as anything else that we continue to celebrate the way that we have progressed, because in the 20 years since I graduated I know there has been a change in the community just as there has been a change in the way that parliamentarians have treated these issues. However, it must continue to be fought for and continue to be championed so that in the community where we show leadership, hopefully, there will be opportunities for those young people in schools not to be called a poofter and they are not going to be emasculated or treated in ways that are going to have impacts on their mental health.

I hope that, as the Leader of the Opposition says, we will reach a time where someone's sexuality, or sexual identification, will have absolutely no impact on their suicide rate. It is a tremendously important function of leadership that we continue this work. I note that this afternoon the member for Reynell will be progressing a bill that has already passed the Legislative Council on parentage presumptions; and I hope that, on a day like today, this parliament will take the opportunity at that stage to continue our proud history and pass yet another piece of legislation that will remove discrimination in South Australia.

I commend the motion to the house. I look forward to supporting that bill this afternoon, and I thank all members who have contributed to where we are now.

The Hon. S.W. KEY (Ashford) (11:16): I think it is a very proud day today in parliament that we do make the acknowledgments that we have made, and I commend the Premier, in particular, but certainly the Leader of the Opposition and other speakers for their words. I would also like to acknowledge the people in the gallery who have been significant contributors to the long journey that seems to be ongoing with regard to human rights legislation and equality in this state.

I am also very pleased to acknowledge the work that has been done over many years, and I have had the honour of working with the Let's Get Equal group; and certainly I am a very proud member, as a number of people on this side are, of Rainbow Labor which continues to do excellent work, in my view, on a national basis as well as in South Australia, and also to acknowledge the work of the Premier's commission with Professor John Williams, who, I think, will be able to set a good agenda for us in the future about where we need to go with regard to legislation (and, let's face it, that is our work in here), and also set an agenda for some of the support and services that will be needed to make sure that those agenda items actually happen.

On coming into parliament I had a very strong view about what sort of progressive legislation was necessary, and I was very pleased—although I was quite surprised—that we ended up with domestic partnerships legislation. In hindsight I can see where that is actually very helpful to people who are in significant relationships or in household situations where there is a domestic partnership, whether there is anything else in that relationship is up to those people.

As much as I was campaigning (as were a number of people in this place) for same-sex couples to be recognised and those relationships to be recognised, I think what we have ended up with is actually very positive. As I said, the agenda, I think, is about a quarter of the way through, and it is important that we do actually move along—with the guidance of Professor John Williams' work—to make sure that people who have different sexual orientation to what is considered to be the 'norm' are not discriminated against, and that would include, in my view, parenting rights.

I think that there is a lot of work that needs to be done there. I do not think it is necessarily a difficult question, but it is something that some of us have been campaigning on in this place for about 10 years, and there has not been a lot of progress; so, it would be very good if that agenda item is seen fit.

Again, congratulations to all the campaigners who are here today and those who could not be with us. Also, I extend my absolute compliment to the campaigners both in this house and the other house to make sure that we do actually end up with a progressive agenda in South Australia and that we become the leaders again, not where we are at the moment, which is behind the eight ball as far as I am concerned.

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

Bills

TATTOOING INDUSTRY CONTROL BILL

Introduction and First Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (11:21): Obtained leave and introduced a bill for an act to regulate the tattooing industry; to prevent criminal infiltration of the tattooing industry; and for other purposes. Read a first time.

Second Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (11:21): I move:

That this bill be now read a second time.

As part of its continued commitment to tackling organised crime in South Australia, the government is introducing the Tattooing Industry Control Bill 2015. The bill fulfils the government's election commitment to ban organised crime gangs and their associates from owning or controlling tattoo parlours and pawnshops and using them as a front for illegal activities, including drug trafficking, weapons trading and money laundering. Legitimate businesses in these industries are threatened on a regular basis by acts of violence, arson and other property damage. Customers of businesses owned by organised crime gangs are exposed to risks to their safety and wellbeing.

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

Leave granted.

The conduct of the business of a tattoo parlour is currently unregulated in this State. However, second-hand dealers and pawnbrokers are regulated by the *Second-hand Dealers and Pawnbrokers Act*. The Act regulates the conduct of the business of second-hand dealers through a negative licensing scheme. It is an offence for a person to carry on a business as a second-hand dealer if the person has been given a disqualification notice by the Commissioner of Police. A second-hand dealer is also subject to other requirements under the Act. For example, dealers must give written notice to the Commissioner of Police at least one month before commencing a business. A second-hand dealer is also required to keep records in relation to each of the second-hand goods bought or received in the course of, or for the purposes of, the dealer's business and must ensure that the goods are labelled appropriately.

The Bill before the House introduces a negative licensing scheme for the tattooing industry and makes consequential amendments to the *Second-hand dealers and Pawnbrokers Act*. The use of a negative scheme will ensure that the regulatory impact upon legitimate businesses is minimal. Under the new scheme, it will be an offence, with a maximum penalty of 4 years imprisonment for a natural person or a $250,000 fine for a body corporate, to provide tattooing services if disqualified from doing so. A person provides tattoo services if he or she (whether or not

for fee or reward) tattoos another person; or carries on a business in the course of which he or she or another person tattoos a person; or is director of a body corporate that carries on a business in the course of which he or she or another person tattoos a person; or sells or supplies prescribed tattooing equipment.

Disqualification can occur in one of two ways. A person will be automatically and permanently disqualified from providing tattoo services if he or she is a member of a prescribed organisation; or is a close associate of a person who is a member of a prescribed organisation or is subject to a control order under the *Serious and Organised Crime (Control) Act 2008*; or is disqualified from providing tattooing services (however described) under a law of the Commonwealth or another State or Territory; or is a person, or is a person of a class, prescribed by the regulations.

The Commissioner of Consumer Affairs will also have the power to disqualify a person from providing tattooing services if certain criteria are satisfied. For example, if the person was, at any time within the preceding 5 years, a member of a prescribed organisation; or the person is found guilty, or has within the preceding ten years been found guilty, of a prescribed offence; or if the Commissioner reasonably believes that to allow the person to provide tattooing services, or to continue to provide tattooing services, would otherwise not be in the public interest. A disqualification notice has effect from the date specified in the notice and continues in force indefinitely; or for the period specified in the notice, or until the notice is revoked, whichever is the sooner.

The Bill also gives authorised officers the power to issue directions to a person who provides tattooing services for the purpose of averting, eliminating or minimising a risk, or a perceived risk, to the safety of person to whom tattooing services are provided.

Traders will also be required to provide certain information to the Commissioner of Consumer Affairs, which can be used to determine whether or not a person is providing tattooing services in contravention of the Act and gives further powers to police in relation to general drug detection and random weapon and explosive searches.

The Bill will be of great assistance to South Australia Police in the fight against the devastating effects of organised crime in our community.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause defines key terms used in the Bill.

4—Providing tattooing services

This clause sets out when a person (both natural and legal) will, for the purposes of the measure, be taken to be providing tattooing services.

5—Criminal intelligence

This clause regulates the disclosure of information classified by the Commissioner of Police as criminal intelligence.

6—Commissioner for Consumer Affairs to be responsible for administration of Act

This clause provides that the Commissioner for Consumer Affairs is responsible for the administration of the proposed Act. This is consistent with other Acts falling within the scope of the Commissioner's functions. However, the Commissioner is subject to the direction and control of the Minister.

Part 2—Regulation of providers of tattooing services

7—Automatic and permanent disqualification from providing tattooing services

This clause creates in subsection (1) an offence for a person who is disqualified under the proposed section from providing tattooing services to do so. The maximum penalty for a contravention is 4 years imprisonment for natural persons, and a fine of $250,000 for bodies corporate.

The disqualifications contemplated by this section are automatic and permanent. Proposed subsection (2) sets out natural persons who are so disqualified, and subsection (3) sets out the bodies corporate that are disqualified.

8—Commissioner for Consumer Affairs may disqualify person from providing tattooing services

This clause empowers the Commissioner for Consumer Affairs to disqualify the persons referred to in proposed subsection (1) from providing tattooing services. This is done by notice in writing. Proposed subsection (3) is an offence committed where a disqualified person knowingly or recklessly contravenes a disqualification notice. The

maximum penalty for a contravention is 4 years imprisonment for natural persons, and a fine of $250,000 for bodies corporate.

The disqualifications under this proposed section are not permanent, although a disqualification notice may operate indefinitely.

9—Service of disqualification notice

This clause sets out how disqualification notices under proposed section 8 are to be served.

10—Variation or revocation of disqualification notice by Commissioner for Consumer Affairs

This clause sets out how the Commissioner for Consumer Affairs may vary or revoke a disqualification notice.

11—Offence to allow disqualified person to provide tattooing services

This clause creates an offence for a person carrying on a business in the course of which tattooing services are provided to allow a disqualified person to provide tattooing services in the course of that business. The maximum penalty for a contravention is 4 years imprisonment for natural persons, and a fine of $250,000 for bodies corporate.

However, it is a defence to such a charge for the person to prove that he or she believed on reasonable grounds that the person who provided tattooing services was not in fact disqualified.

Part 3—Authorised officers may direct providers of tattooing services etc.

12—Authorised officers may direct persons

This clause provides that authorised officers under the measure can give directions a person who provides tattooing services for the purpose of averting, eliminating or minimising a risk, or a perceived risk, to the safety of members of the public.

The clause sets out requirements in respect of such directions, and creates an offence for a person to refuse or fail to comply with the direction. The maximum penalty for a contravention is 1 year imprisonment for natural persons, and a fine of $250,000 for bodies corporate.

Part 4—Information gathering and reporting

13—Providers of tattooing services etc to provide certain information to Commissioner for Consumer Affairs

This clause requires a person who proposes to commence carrying on a business in the course of which tattooing services are provided to give the Commissioner for Consumer Affairs written notice in accordance with the proposed section. A similar requirement applies to a person who, on the commencement of the proposed section, is carrying on such a business, or who commences carrying on such a business after the commencement of the proposed section. A failure to comply with the requirements is an offence carrying a maximum penalty of 1 year imprisonment for natural persons, and a fine of $250,000 for bodies corporate.

The clause sets out procedural and other requirements in relation to the notices required, and also creates an offence for a failure to notify the Commissioner of changes to certain information, with the same penalties.

14—Employees to provide certain information to Commissioner for Consumer Affairs

This clause requires a person who commences employment involving the provision of tattooing services to advise the Commissioner for Consumer Affairs of that fact. A failure to do so is an offence carrying a maximum penalty of 1 year imprisonment.

15—Commissioner for Consumer Affairs may require information

This clause provides that the Commissioner for Consumer Affairs may require a person who he or she reasonably suspects has knowledge of matters in respect of which information is reasonably required for the administration or enforcement of this Act to provide to him or her such information as may be specified in the notice. A failure to do so is an offence carrying a maximum penalty of 1 year imprisonment.

16—Record keeping

This clause requires a person carrying on a business in the course of which tattooing services are provided to keep such records as may be required by the regulations, and to keep the records for a period of at least 2 years.

Part 5—Appeal

17—Appeal

This clause sets out appeal rights to the Administrative and Disciplinary Division of the District Court against a decision of the Commissioner for Consumer Affairs under the measure, or a direction under proposed section 12.

Part 6—Enforcement and further offences

18—Authorised officers

This clause sets out who are authorised officers for the purposes of the measure, and makes procedural provision regarding those officers.

19—Powers of authorised officers

This clause sets out the powers, and limitations to those powers, of authorised officers under the measure.

20—Further powers of police officers—general drug detection

This clause provides that a police officer may carry out general drug detection (which is defined under the *Controlled Substances Act 1984*) in relation to premises that he or she reasonably suspects are being used to carry on a business in the course of which tattooing services are provided.

21—Offence to possess certain items in premises where tattooing services provided

This clause creates an offence for a person to possess certain prescribed items in premises used to carry on a business in the course of which tattooing services are provided. Those items include firearms, explosives and certain items regulated under the *Summary Offences Act 1953*. The maximum penalty for contravention is 2 years imprisonment.

22—Further powers of police officers—random weapon and explosive searches

This clause provides that a police officer may carry out random searches for weapons and explosives in relation to premises that he or she reasonably suspects are being used to carry on a business in the course of which tattooing services are provided, and sets out related procedural provisions.

Part 7—Miscellaneous

23—Exemptions

This clause provides that the Minister may grant exemptions from this measure.

24—False or misleading information

This clause creates an offence for a person to make a statement that is false or misleading in a material particular in any information provided, or record kept, under this measure. The maximum penalty for a contravention is 1 year imprisonment for natural persons, and a fine of $250,000 for bodies corporate.

25—Commissioner of Police may provide information to Commissioner for Consumer Affairs

This clause authorises the Commissioner of Police to provide the Commissioner for Consumer Affairs with information relevant to the operation or enforcement of the measure.

26—Statutory declaration

This clause provides that the Commissioner for Consumer Affairs may require information to be verified by statutory declaration. If that is the case, a person will not be taken to have provided the information as required unless it has been so verified.

27—Offences by bodies corporate

This clause provides that each director of a body corporate is (unless he or she proves that they could not by the exercise of due diligence have prevented the commission of the offence) guilty of an offence if the body corporate is guilty of an offence.

28—Service

This clause sets out how documents are to be served for the purposes of the measure.

29—Evidentiary provision

This clause allows certain specified evidence to be given in proceedings by means of certificate.

30—Regulations

This clause sets out the regulation making powers in respect of the measure.

Schedule 1—Related amendments

Part 1—Preliminary

1—Amendment provisions

In this Schedule, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Second-hand Dealers and Pawnbrokers Act 1996*

2—Amendment of section 3—Interpretation

This clause amends section 3 of the principal Act to define key terms used in the Act.

3—Insertion of section 5A

This clause regulates the disclosure of information classified by the Commissioner of Police as criminal intelligence

4—Amendment of section 6—Disqualification from carrying on business as second-hand dealer

This clause amends section 6 of the principal Act to make disqualifications under that Act consistent with the provisions of this measure relating to the provision of tattooing services.

5—Insertion of section 6A

This clause inserts new section 6A into the principal Act, to provide the Commissioner of Police a discretionary power to disqualify a person from commencing or continuing to carry on business as a second-hand dealer consistent with the equivalent provision under proposed section 8 of this measure.

6—Amendment of section 27—Regulations

This clause amends section 27 of the principal Act to allow the regulations under that Act to make provisions of a savings or transitional nature.

Debate adjourned on motion of Mr Gardner.

STATUTES AMENDMENT (HOME DETENTION) BILL

Introduction and First Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (11:23): Obtained leave and introduced a bill for an act to amend the Criminal Law (Sentencing) Act 1988; the Correctional Services Act 1982; and the Young Offenders Act 1993. Read a first time.

Second Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (11:23): I move:

That this bill be now read a second time.

The Statutes Amendment (Home Detention) Bill 2015 provides for an alternative mode of penalty to a sentence of imprisonment. The bill amends the Criminal Law (Sentencing Act) 1988 to establish home detention as a valid sentencing option for a court imposing a period of imprisonment. The bill also makes amendments to the Correctional Services Act 1982 to remove restrictions contained in the current home detention provisions to allow suitable prisoners to be released to home detention earlier in their prison sentence and to spend longer periods on home detention.

The bill seeks to divert offenders from custody who are assessed as low risk of causing harm to the community while providing a suitably intensive penalty that involves monitoring and restrictions on liberty. While the safety of the community remains a paramount consideration, the bill provides greater opportunity for minimising the harm associated with imprisonment by allowing a prisoner to maintain important community ties and enhance opportunities for engagement with appropriate treatment and counselling services or to reintegrate into society at an earlier stage in their sentence.

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

Leave granted.

Bill in Detail

The amendments to the *Correctional Services Act 1982* draw on the experience of the home detention program already implemented and operated by the Department for Correctional Services. The *Correctional Services Act 1982* provides that prisoners can be released from prison to serve the remainder of their sentence on home detention—however section 37A of the *Correctional Services Act 1982* places some limitations on when a prisoner is eligible to be released and provides a maximum period of 12 months that can be spent on home detention.

The Bill amends the *Correctional Services Act 1982* to expand the home detention program. The Bill removes the requirement for prisoners to serve 50 percent of a non-parole period (or total sentence where no non-parole period

is fixed) before being eligible for home detention, as well as removing the limitation that prisoners can only spend a maximum period of 12 months on home detention.

The current home detention program has been operating in South Australia since 1986 and is one of the Department for Correctional Services' most successful programs. The program consistently achieves a successful completion rate of between 80% and 90%. Prisoners who are released onto home detention are intensively monitored, supervised and case managed by departmental Community Correctional Officers, including being subject to electronic monitoring.

The use of electronic monitoring for offenders in the community has proven to be an effective supervision tool with more and more jurisdictions around the world adopting this additional supervision method. In this regard, the Department for Correctional Services completed the transition to upgraded electronic equipment that has both radio frequency and global positioning system (GPS) capability.

The introduction of GPS monitoring has increased the ability to rigorously monitor and supervise people in the community including prisoners released onto home detention.

The amendments made by the Bill will allow the Department for Correctional Services to identify a larger number of eligible prisoners who meet the suitability criteria for release on home detention under strict conditions and monitoring. All other eligibility criteria remains—with life sentenced prisoners, sex offenders and terrorist offenders remaining ineligible. The Chief Executive retains the absolute discretion to revoke the release of a prisoner on home detention under the *Correctional Services Act 1982* for non-compliance or any other reason. Maintaining this strict criteria and eligibility process will ensure the integrity of the program and its success continues.

The success of the Department for Correctional Services' home detention program provides a relevant background for consideration of the amendments made by the Bill to the *Criminal Law (Sentencing Act) 1988* to establish home detention as a valid sentencing option for a sentencing judge. The present sentencing regime in the *Criminal Law (Sentencing Act) 1988* does not permit a court to directly sentence a prisoner to a period of imprisonment to be served on home detention. If a period of imprisonment is to be imposed, and good reason does not exist for that sentence to be suspended pursuant to section 38 of the *Criminal Law (Sentencing Act) 1988* (or exceptional circumstances are not established for designated offences), then the only option left to the court is a custodial sentence.

The present scheme does not make allowances for offenders who do not satisfy the criteria for a suspended sentence, perhaps because of the nature of the offence committed or their antecedent history, but who at the time of sentencing are considered to pose a low threat to the safety of the community. The result of the present scheme is that there are no alternatives to custody for offenders who do not fall within the scope of section 38 of the *Criminal Law (Sentencing Act) 1988*, but who have since the time of their offending made significant inroads to rehabilitation, or where the court determines it is appropriate in consideration of all the relevant factors notwithstanding an offender's antecedent history, or for offenders for whom the court is satisfied that the offending represents an isolated incursion into criminal conduct, or for any other reason.

The amendments made by the Bill to the *Criminal Law (Sentencing Act) 1988* will allow a court to sentence an offender to a period of imprisonment to be served on home detention. The Bill clearly delineates the hierarchy of sentencing options available to a sentencing court, with a home detention order sitting between a suspended sentence and a custodial sentence of imprisonment. The Bill does not exclude particular classes of offences or lengths of terms of imprisonment in its application—a sentencing court will retain a discretion to be exercised upon consideration of all the relevant facts and circumstances. The paramount consideration for the Court in imposing a home detention order must be the safety of the community. Like the Department for Correctional Services' home detention program, it is intended to be a sentencing option for an offender who has been individually assessed as posing a low risk of causing further harm to the community.

The conditions of a home detention order under the Bill are more intensive than a suspended sentence bond while still allowing the offender to retain ties in the community. The offender is effectively detained in the approved place of residence and can leave only for remunerated employment, necessary health-related treatment, or for education or training activities as required by the court or approved by the home detention officer from the Department for Correctional Services who is assigned supervision of the offender during the term of the order. An order can only be made if there exists a suitable residence at which the offender can be detained and adequate resources for the proper monitoring of the offender while subject to the order, including by an electronic device. The court must take into account the impact the order will have on any victim of the offence for which the sentenced is being imposed, as well as those who will be residing with the offender during the term of the order. These mechanisms provided by the Bill, along with the strict conditions that must be imposed under any order, are directed toward the discretion of the court being properly exercised after careful consideration of all the relevant information.

The home detention order remains in place until an offender is released on parole or until the term of imprisonment expires. If released on parole, an offender who was on a home detention order will be subject to the same provisions of the *Correctional Services Act 1982* that regulate release on parole for prisoners who served their sentence in custody.

The Bill provides a power to the Chief Executive of the Department for Correctional Services to revoke a home detention order imposed by a sentencing court if it is suspected on reasonable grounds that a person has

breached a condition of an order. Once taken into custody on a suspected breach, the person must be brought before the court not later than the next working day and may be remanded in custody or released on bail pending determination of proceedings relating to the suspected breach. Pursuant to this Bill, it is an offence for a person to fail to comply with or to contravene a condition of a home detention order, with a maximum penalty prescribed as $10,000 or imprisonment for two years. These provisions enable an immediate response to a suspected breach by apprehending an offender without warrant and detaining the person in custody pending an appearance before a court. A court can then make an informed assessment of the risk of an offender being released back into the community on bail pending determination of the breach proceedings.

A suspected breach of a condition of a home detention order will be appropriately determined by a court—either the court that imposed the original order or a superior court. The court must revoke the conditions of home detention and order that the remainder of the sentence be served in custody if there is a breach of a condition of the order, or if the residence at which the offender is detained is no longer suitable and no other suitable residence is available. The court must revoke the conditions of home detention if it is satisfied of the seriousness of a breach or that there are no proper grounds upon which to excuse it. The provisions relating to a breach of a home detention order mirror those in place for proceedings upon breach of a suspended sentence bond.

Conclusion

The *Statutes Amendment (Home Detention) Bill 2015* recognises that a custodial term of imprisonment should be a last resort when dealing with offenders. The Bill provides an alternative to custody that achieves a number of important objectives. The Bill minimises harm and economic loss associated with imprisonment through loss or employment and housing, it allows prisoners to retain community and family ties and family units to remain intact, it allows prisoners to continue with rehabilitative efforts and make restitution, it provides prisoners with access to counselling and education programs that are not available in custody, and it reduces the risk of recidivism by promoting rehabilitation and preventing exposure to the environment of a correctional institution.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Criminal Law (Sentencing) Act 1988*

4—Amendment of section 20AA—Interpretation

5—Amendment of section 30—Commencement of sentences and non-parole periods

These amendments are consequential.

6—Insertion of Part 3 Division 3A

This amendment inserts new Division 3A into Part 3:

Division 3A—Home detention

33BA—Preliminary

This section provides for definitions for the purposes of the Division.

33BB—Home detention orders

If a court sentences a defendant to imprisonment and considers that the sentence should not be suspended under Part 5 but also considers that the defendant is a suitable person to serve the sentence on home detention, the court may suspend the sentence and make a *home detention order*.

The limitations on the court's power to make a home detention order are prescribed, as well as the matters that the court must take into account in making an order.

33BC—Conditions of home detention order

Certain conditions of a home detention order are imposed under the Division and others may be imposed by the court.

33BD—Orders that court may make on breach of condition of home detention order etc

The court must revoke a home detention order and order that the sentence of imprisonment that the person was serving on home detention be carried into effect on breach of a home detention order or if the residence at which the person is required to reside is no longer suitable for the person and no other

suitable residence is available. The court may excuse trivial breaches, or other breaches if proper grounds exist to do so.

Other provisions relevant to carrying the defendant's sentence of imprisonment into effect are set out, including provision for a warrant to be issued to arrest a defendant for the purposes of proceedings under the section.

33BE—Apprehension and detention of person subject to supervision order without warrant

A person subject to a home detention order suspected of breaching a condition of the order may be apprehended, without warrant, by a police officer or home detention officer and detained in custody for the purposes of proceedings relating to the suspected breach under section 33BD before the court that imposed the order.

33BF—Offence to contravene or fail to comply with condition of home detention order

It is an offence to contravene or fail to comply with a condition of a home detention order. The maximum penalty is a fine of $10,000 or imprisonment for 2 years.

7—Transitional provision

A transitional provision is included for the purposes of Part 2 of the Bill.

Part 3—Amendment of *Correctional Services Act 1982*

8—Amendment of section 4—Interpretation

Currently, the word Aborigine is used in the definition of *residence* in section 37A(6) of the Act. That definition is proposed to be amended to use the more contemporary term 'Aboriginal person' instead. Therefore, the definition of *Aborigine* and the associated definition of *Aboriginal people* are deleted as they are otiose.

Definitions of *home detention* and *home detention order* are inserted.

An interpretative provision is set out, which provides that, in the Act:

(a) a reference to *imprisonment* (other than in a penalty provision) includes a reference to imprisonment served on home detention subject to a home detention order; and

(b) a reference to a *prisoner* includes a reference to a person serving a sentence of imprisonment on home detention subject to a home detention order; and

(c) a reference to the release of a prisoner from a correctional institution or prison includes a reference to the release of a prisoner subject to a home detention order from home detention.

9—Insertion of heading to Part 4 Division 6A Subdivision 1

The heading to the Subdivision is amended to reflect the fact that Part 4 Division 6A relates to release on home detention by the CE (as opposed to a sentence of home detention imposed by a court under Part 3 Division 3A of the *Criminal Law (Sentencing) Act 1988)*.

10—Amendment of section 37A—Release on home detention by CE

Certain limitations (in section 37A(2)(b) and (c)) on the power of the CE to release prisoners on home detention are deleted.

Another amendment clarifies that the conditions of release on home detention by the CE may include a condition that the prisoner be monitored by use of an electronic device.

The definition of residence in section 37A(6) is amended so that it incorporates more contemporary language.

11—Amendment, redesignation and relocation of section 37B—Home detention officers

The amendments to this section reflect the fact that a defendant may be sentenced to home detention by a court under Part 3 Division 3A of the *Criminal Law (Sentencing) Act 1988*.

12—Insertion of heading to Part 4 Division 6A Subdivision 2

13—Amendment of section 37D—Crown not liable to maintain prisoners on home detention

14—Amendment of heading to Part 4 Division 7

These amendments are consequential

15—Transitional provision

A transitional provision is included for the purposes of Part 3 of the Bill.

Part 4—Amendment of *Young Offenders Act 1993*

16—Amendment of section 37A—Conditions of home detention

This amendment is to provide for consistency with the amendment to the definition of *residence* in section 37A(6) of the *Correctional Services Act 1982*.

Debate adjourned on motion of Mr Gardner.

SURVEILLANCE DEVICES BILL

Introduction and First Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (11:25): Obtained leave and introduced a bill for an act to make provision relating to the use of surveillance devices; to provide for cross-border recognition of warrants relating to surveillance devices; to repeal the Listening and Surveillance Devices Act 1972; to make related amendments to the Criminal Investigation (Covert Operations) Act 2009 and the Director of Public Prosecutions Act 1991; and for other purposes. Read a first time.

Second Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Housing and Urban Development, Minister for Industrial Relations, Minister for Child Protection Reform) (11:26): I move:

That this bill be now read a second time.

The Surveillance Devices Bill 2015 overhauls and brings up to date with modern technologies the law dealing with electronic surveillance. In general terms, the bill proposes a replacement to the current Listening and Surveillance Devices Act 1972.

The last amendments to the Listening and Surveillance Devices Act 1972 were made by the Listening Devices (Miscellaneous) Amendment Act 1998. Sixteen years have passed since the act was reformed, and much has changed, not least developments in electronic surveillance and methods of intruding into privacy. South Australia has fallen behind the rest of the country and, as such, the legislation is in urgent need of revision.

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

Leave granted.

On 5 April, 2002, the Council of Australian Governments (COAG) held a special meeting on Terrorism and Multi-Jurisdictional Crime. One outcome of that meeting was that Leaders agreed:

> *To legislate through model laws for all jurisdictions and mutual recognition for a national set of powers for cross-border investigations covering controlled operations and assumed identities legislation; electronic surveillance devices; and witness anonymity. Legislation to be settled within 12 months.*

The task of developing these model laws was given to a task force known as the national Joint Working Group (JWG) established by then Ministerial Councils (the Standing Committee of Attorneys-General and the Australian Police Ministers Council) and consisting of representatives of both bodies. The JWG published a Discussion Paper in February 2003 that discussed and presented draft legislation on all four topics (controlled operations and assumed identities legislation, witness anonymity, and electronic surveillance devices) and received 19 submissions nationally. A Final Report was published in November 2003.

The first three topics were dealt with by what has become the *Criminal Investigation (Covert Operations) Act 2009*. So far as the subject of electronic surveillance was concerned, no national agreement was reached on a model domestic law, and so the agreed model related only to cross-border recognition. Interstate, New South Wales, Victoria, Queensland and Western Australia have all passed their respective versions of electronic surveillance legislation. Since 2009, Police have taken the view that the existing South Australian legislation was long overdue for overhaul.

The *Surveillance Devices Bill 2012* was introduced into Parliament in September 2012 and passed the House of Assembly. It then stalled in the Legislative Council. The Opposition and cross-benchers voted to refer the provisions of the Bill that were not referable to police powers to the Legislative Review Committee. The ensuing process took over 12 months. Strongly held positions from various interest groups were ventilated and debated at length.

The Legislative Review Committee reported on 13 November 2013. The Government placed on file amendments designed to implement the recommendations of the Committee on 26 November. Unfortunately, the Bill was not brought on for debate, Parliament was prorogued and the Bill lapsed.

The *Surveillance Devices Bill 2014* was introduced in the Legislative Council on 5 June 2014. The views of various interest groups were again debated at length. There was resistance from the Opposition and cross-benchers to the proposed amendments to regulate the communication or publication of information or material derived from the use of a listening device or optical surveillance device where the device was used in the public interest. This resistance arose from the requirement that the communication or publication of such information obtained in the public interest could only occur with the order of a court. While these concerns were addressed by amendments to the Bill that allowed media organisations to communicate and publish information without an order of a court, the Opposition continued to oppose the Bill as a result of continued pressure from the media. These amendments have been retained and expanded upon in the new Bill.

The *Surveillance Devices Bill 2014* was also strongly opposed by groups who erroneously interpreted the Bill as being similar to legislation already in force in other parts of the world that prohibit the use of covert devices to document activities relating to agricultural facilities or factory farming, despite the clear public interest exception that the Bill contemplated.

The *Surveillance Devices Bill 2014* was negatived at its third reading in the Legislative Council on 23 September 2014.

The *Surveillance Devices Bill 2015* revises the position on the regulation of communication and publication of information and material derived from the use of listening or optical surveillance devices in the public interest. The powers granted under the Bill to law enforcement agencies remain unchanged from the *Surveillance Devices Bill 2014.* There was little controversy surrounding the proposed amendments to police powers during debate on the Bill in 2014.

This Bill contains the recommended provisions allowing for cross-border recognition of surveillance device warrants. So far as South Australia is concerned, this means that the law of this State will regard as validly issued those surveillance device warrants of a corresponding Australian jurisdiction declared by regulation. It is up to those other Australian jurisdictions to pass laws recognising our warrants for the purposes of the law of their State. This is nationally regarded as important for the often stated and obviously true reason that criminals do not respect State and Territory borders. The measure is a target in, for example, the National Organised Crime Response Plan.

In addition, a review of the existing Act, in close consultation with South Australia Police, has resulted in extensive proposals for amendments. These are:

1. Under current law, an urgent warrant application is done by telephone or fax application to a Supreme Court judge at any time of the day or night. In practice, the Supreme Court rosters judges for this purpose. South Australia Police says that the process takes about two hours, during which no action can be taken in urgent situations. The alternative is to allow emergency authorisation for urgent situations to be made by a senior police officer. Many Australian jurisdictions have this procedure and it is part of the JWG model. The Commonwealth has accepted the JWG model. The Bill proposes a similar procedure including, notably, a requirement that police seek judicial confirmation of the emergency warrant within two business days after the emergency warrant is granted.

2. The Commonwealth provisions dealing with urgent or emergency warrant applications restrict the procedure to certain kinds of offences. The warrant applications are limited to where:

- an imminent risk of serious violence to a person or substantial damage to property exists; and
- and the use of a surveillance device is immediately necessary for the purpose of dealing with that risk; and
- and the circumstances are so serious and the matter is of such urgency that the use of a surveillance device is warranted; and
- it is not practicable in the circumstances to apply for a surveillance device warrant.

However, neither current South Australian law nor Commonwealth law allows for explicit emergency authorisation for serious drug offences and this defect will be remedied with similar pre-conditions.

3. New technology means that a tracking device can be attached to a vehicle in a public place or a place under the control of police (such as a yard for keeping seized vehicles). This will sometimes have to be done quickly before a vehicle decamps. In such a scenario, attaching a surveillance device with tracking capability will be permitted without a warrant so long as it is non-intrusive and does not draw power from the vehicle. Other Australian legislation deals with this situation in different and inconsistent ways. The police will be allowed to use subterfuge to covertly attach such a device to a vehicle. For example, the police might temporarily move the car so as to attach the device out of the public eye.

4. The JWG model contains special provision for 'remote applications' to deal with instances where physical remoteness means that it is impractical to make a warrant application. The Commonwealth legislation adopts the model. This is a commonsense exception to the usual requirement that a warrant be sought by personal application and is provided for by the Bill.

5. The JWG model contains provision for 'specified person warrants'. The point of this is to allow a warrant to be brought for the surveillance of a specific person, wherever he or she may be, instead of the usual warrant allowing the surveillance of a particular place. The Bill contains provisions designed to allow for this sensible proposal.

6. Material obtained by use of listening or other surveillance devices installed pursuant to a warrant is prohibited from being communicated or published unless it falls within one of the exceptions in s 6AB of the current Act. Obviously, material must be used for the purposes of a criminal investigation and that remains and will remain to be the most common use of the material. However, law enforcement today has tools available to it that move beyond the simple arena of the criminal justice system. The Government can and will pursue criminals through civil legislative remedies, such as those contained in the *Criminal Assets Confiscation Act 2005*, *Serious and Organised Crime (Control) Act 2008* and the *Serious and Organised Crime (Unexplained Wealth) Act 2009*. The Bill provides that the output from listening and other surveillance devices installed pursuant to a warrant must be made available for these crime-fighting purposes.

7. The judges of the Supreme Court (who are the issuing authorities under the Act) have interpreted the Act so that all people authorised to exercise powers under the warrant are specified in the warrant. South Australia Police argues that the specification of police personnel in the warrant poses potential security risks—risk of retribution from targets of the warrants because of the intrusive nature of the work they perform. There has been extensive consultation with the former Chief Justice on this issue. The former Chief Justice agreed that an amendment to provide for a degree of anonymity was acceptable—using a code on the warrant instead—but was concerned about who will hold the key to the code. The code names scheme is in the Bill. The holder of the key is not specified in the Bill—it will be up to the court to determine how it will deal with the matter.

8. There are other more minor changes proposed. All are consistent with the JWG model.

(a) The Bill authorises the use of a surveillance device on specified premises; in or on a specified object or class of object; or, in respect of the conversations, activities or location of a specified person or a person whose identity is unknown.

(b) The definition of '*premises*' is expanded in line to include land; and a building or vehicle (includes an aircraft or vessel) ; and a part of a building or vehicle; and any place, whether built on or not.

(c) The definition of *'surveillance device'* is amended to mean a data surveillance device; a listening device; an optical surveillance device; or a tracking device; or a device that is a combination of any two or more of the above devices; or a device of a kind prescribed by regulations.

(d) Extensive oversight and reporting provisions are proposed in order to safeguard the public interest as best as can be managed without jeopardising criminal investigations and other sensitive police information. In particular, there has been no watering down of current requirements.

The Bill contains amendments that were recommended by the Legislative Review Committee in its 2013 report. There are amendments that are designed to accommodate the concerns expressed by security and investigation agents representatives during debate on the previous Bill, increased protection for house-holders against intrusion on their privacy by optical surveillance devices overseeing private property, and a loosening of restrictions on the use of surveillance devices together with very detailed regulation of the uses to which information so obtained can be put.

The general ability to use a listening device to record a private conversation if it is in the course of duty of the person, in the public interest or for the protection of the lawful interests of that person in the current s 7(1)(b) of the Act is too broad and ill-defined. It is unsuited to the threats to personal privacy posed by the technological realities of the 21st century. In line with the recommendations of the Legislative Review Committee, the section has been eliminated and more specific and targeted allowances made for lawful use.

The Bill prohibits the installation, use or maintenance of a listening device to overhear, record, monitor or listen to a private conversation except where all principal parties to the conversation provide their consent. There are exceptions where such a listening device is authorised for law enforcement authorities and for security and investigation agents. A further exception exists where the use of the device is reasonably necessary for the protection of the lawful interests of that person, or where the installation, use or maintenance of a listening device is in the public interest.

The installation, use or maintenance of an optical surveillance device is subject to similar restrictions and exceptions. The Bill prohibits the installation, use or maintenance of an optical surveillance device on or in premises to record visually or observe the carrying on of a private activity, without the express or implied consent of each party to the activity. The Bill prohibits trespass onto premises or interference with premises to install, use or maintain an optical surveillance device to capture private activity. 'Private activity' is defined as an activity carried on in circumstances that may reasonably be taken to indicate that a party to the activity desires it to be observed only by the other parties to the activity, or where there is only one party involved, that the person does not desire to be observed by anyone else. Like listening devices, there are exceptions for law enforcement authorities and for security and investigation agents. A further exception exists where the use of the device is reasonably necessary for the protection

of the lawful interests of that person, or where the installation, use or maintenance of an optical surveillance device is in the public interest.

The Bill prohibits the use, communication or publication of information or material derived from the use of a listening or optical surveillance device. It creates an offence for the use, communication or publication of information or material derived from the use of a listening device or an optical surveillance device in circumstances where the device was used to protect the lawful interests of a person. There are exceptions to this prohibition that include for investigative of court related purposes, by a media organisation (defined as an organisation that is licenced or authorised under a law of the Commonwealth to engage in broadcasting or datacasting), or in accordance with an order of a judge.

The Bill creates a similar offence provision for the use, communication or publication of information or material derived from the use of a listening device or optical surveillance device in circumstances where the device was used in the public interest except in accordance with an order of a judge. The Bill departs from its 2014 predecessor in providing an exception to the general rule that there must be a court order for:

- a media organisation;
- information or material that is used, communicated or published to such a media organisation;
- the Royal Society for the Protection of Animals (SA) (RSPCA) where issues of animal welfare are concerned; and
- information or material that relates to issues of animal welfare that is used, communicated or published to the RSPCA.

The revision to the scope of the public interest exception in the Bill follows the opposition raised in debate in 2014 over a more stringent public interest exception that required as a blanket rule an order of a judge for the use, communication or publication of information or material derived from the use of a listening device or optical surveillance device in the public interest.

The Bill incorporates necessary provisions to take into account the needs of the ICAC.

I commend the Bill to Members.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause sets out definitions of words and phrases used for the purposes of this measure.

Part 2—Regulation of installation, use and maintenance of surveillance devices

Division 1—Installation, use and maintenance of surveillance devices

4—Listening devices

This clause provides that, subject to the exceptions set out in the clause and the public interest exception (see clause 6), it is an offence if a person knowingly installs, uses or causes to be used, or maintains, a listening device—

- to overhear, record, monitor or listen to a private conversation to which the person is not a party; or
- to record a private conversation to which the person is a party.

The maximum penalty for such an offence is $75,000 for a body corporate, and $15,000 or imprisonment for 3 years for a natural person.

5—Optical surveillance devices

This clause provides that, subject to the exceptions set out in the clause and the public interest exception—

- it is an offence for a person to knowingly install, use or maintain an optical surveillance device on or within premises or a vehicle or on any other thing (whether or not the person has lawful possession or lawful control of the premises, vehicle or thing), to record visually or observe the carrying on of a private activity without the implied or express consent of each party to the activity;
- it is an offence for a person to knowingly install, use or maintain an optical surveillance device on or in premises, a vehicle or any other thing, to record visually or observe the carrying on of a private activity

without the express or implied consent of each party to the activity and, if the installation, use or maintenance of the device involves entry onto or into the premises or vehicle, without the express or implied consent of the owner or occupier of the premises or vehicle;

- it is an offence for a person to knowingly install, use or maintain an optical surveillance device on or in premises, a vehicle or any other thing, to record visually or observe the carrying on of a private activity without the express or implied consent of each party to the activity and, if the installation, use or maintenance of the device involves interference with the premises, vehicle or thing, without the express or implied consent of the person having lawful possession or lawful control of the premises, vehicle or thing.

The maximum penalty for an offence against this provision is $75,000 for a body corporate, and $ 15,000 or imprisonment for 3 years for a natural person.

6—Listening devices and optical surveillance devices—public interest exception

This clause provides for there to be an exception to the prohibitions provided for in clauses 4 and 5 if it is in the public interest.

7—Tracking devices

This clause provides that, subject to the exceptions set out in the clause, it is an offence for a person to knowingly install, use or maintain a tracking device to determine the geographical location of—

- a person, without the express or implied consent of that person; or
- a vehicle or thing, without the express or implied consent of the owner or a person in lawful possession or control, of that vehicle or thing.

The maximum penalty for an offence against this provision is $75,000 for a body corporate, and $15,000 or imprisonment for 3 years for a natural person.

8—Data surveillance devices

This clause provides that, subject to the exceptions set out in the clause, it is an offence for a person to knowingly install, use or maintain a data surveillance device to access, track, monitor or record the input of information into, or the output of information from, or information stored in, a computer without the express or implied consent of the owner, or person with lawful control or management, of the computer.

The maximum penalty for an offence against this provision is $75,000 for a body corporate, and $15,000 or imprisonment for 3 years for a natural person.

Division 2—Regulation of communication or publication of information or material derived from use of surveillance devices

9—Communication or publication of information or material—lawful interest

This clause provides that a person must not knowingly use, communicate or publish information or material derived from the use of a listening device or an optical surveillance device in circumstances where the device was used to protect the lawful interests of that person except—

- to a person who was a party to the conversation or activity to which the information or material relates; or
- with the consent of each party to the conversation or activity to which the information or material relates; or
- to an officer of an investigating agency for the purposes of a relevant investigation or relevant action or proceeding; or
- in the course, or for the purposes, of a relevant action or proceedings; or
- in relation to a situation where a person is being subjected to violence or there is an imminent threat of violence to a person; or
- to a media organisation; or
- in accordance with an order of a judge under this Division; or
- otherwise in the course of duty or as required or authorised by law.

The clause also regulates the use, communication and publishing of information or material derived from the use of a listening device or an optical surveillance device by licensed investigation agents and loss adjusters.

The maximum penalty for any of the offences under this clause is $50,000 for a body corporate or $10,000 for a natural person.

10—Communication or publication of information or material—public interest

This clause provides that a person must not knowingly use, communicate or publish information or material derived from the use of a listening device or an optical surveillance device in circumstances where the device was used in the public interest except in accordance with an order of a judge under this Division.

The maximum penalty for any of the offences under this clause is $50,000 for a body corporate or $10,000 for a natural person.

However, exceptions are provided in circumstances where the device was used in the public interest if—

- the use, communication or publication of the information or material is made to a media organisation; or
- the use, communication or publication of the information or material is made by a media organisation and the information or material is in the public interest; or
- the information or material relates to issues of animal welfare and the use, communication or publication of the information or material is made to the RSPCA; or
- the use, communication or publication of such information or material is made by the RSPCA and the information or material is in the public interest.

11—Orders authorising use, communication or publication of certain information or material

This clause provides that a person may, for the purposes of clauses 9 and 10, in accordance with the rules of court, apply to a judge for an order authorising the use, communication or publication of information or material derived from the use of a listening device or an optical surveillance device.

Such an order may—

- specify the information or material the subject of the order; and
- specify the manner in which, and to whom, the specified information or material is to be used, communicated or published; and
- may contain conditions and limitations and any other matter as the judge thinks fit.

12—Prohibition on communication or publication derived from use of surveillance device in contravention of Part 2

This clause prohibits a person from knowingly using, communicating or publishing information or material derived from the use (whether by that person or another person) of a surveillance device in contravention of Part 2.

The maximum penalty for such an offence is $75,000 for a body corporate, and $15,000 or imprisonment for 3 years for a natural person.

However, the prohibition does not prevent the use, communication or publication of information or material derived from the use of a surveillance device in contravention of this Part—

- to a person who was a party to the conversation or activity to which the information or material relates; or
- with the consent of each party to the conversation or activity to which the information or material relates; or
- for the purposes of a relevant investigation or relevant action or proceeding relating to that contravention of this Part or a contravention of this section involving the communication or publication of that information or material; or
- in the course of proceedings for an offence against this measure; or
- otherwise in the course of duty or as required by law.

Part 3—Surveillance device warrants and surveillance device (emergency) authorities

Division 1—Surveillance device (tracking) warrants

13—Application of Division

This clause provides that this Division applies if, for the purposes of the investigation of a matter by an investigating agency, the agency requires the authority—

- to install on a vehicle or thing situated in a public place, or in the lawful custody of the agency, 1 or more tracking devices; and
- to use those devices.

14—Application procedure

This clause sets out the application procedure for the issue, variation or renewal of a surveillance device (tracking) warrant by an officer of an investigating agency to the chief officer of the agency.

15—Surveillance device (tracking) warrant

This clause sets out the grounds on which the chief officer of a law enforcement agency to whom application is made to issue a surveillance device (tracking) warrant and specifies the information that must be set out in the warrant.

Subject to any conditions or limitations specified in the warrant—

- a warrant authorising the use (in a public place or elsewhere) of a tracking device in respect of the geographical location of a specified person or a person whose specific identity is unknown who, according to the terms of the warrant, is suspected on reasonable grounds of having committed, or being likely to commit, a serious offence will be taken to authorise interference with any vehicle or thing situated in a public place, or in the lawful custody of the relevant investigating agency, as reasonably required to install, use, maintain or retrieve the device for that purpose; and
- a warrant authorising (whether under the terms of the warrant or by force of the preceding paragraph) interference with any vehicle or thing in a public place, or in the lawful custody of the relevant investigating agency, will be taken to authorise the use of reasonable force or subterfuge for that purpose; and
- the powers conferred by the warrant may be exercised by the responsible officer or under the authority of the responsible officer at any time and with such assistance as is necessary.

Division 2—Surveillance device (general) warrants

16—Application of Division

This clause provides that this Division applies if, for the purposes of the investigation of a matter by an investigating agency, the agency requires the authority to do any or all of the following:

- to use 1 or more types of surveillance device (including a tracking device);
- to enter or interfere with any premises for the purposes of installing, using, maintaining or retrieving 1 or more surveillance devices;
- to interfere with any vehicle or thing for the purposes of installing, using, maintaining or retrieving 1 or more surveillance devices.

17—Usual application procedure

This clause sets out the application procedure for the issue, variation or renewal of a surveillance device (general) warrant by an officer of an investigating agency to a judge of the Supreme Court. Subject to clause 18, an application must be made by providing the judge with a written application and by appearing personally before the judge. The clause sets out the information that must be specified in the application and provides that the application must be accompanied by an affidavit verifying the application.

18—Remote application procedure

This clause sets out the procedure for a remote application for a surveillance device (general) warrant if it is impracticable in the circumstances to make an application according to the procedure set out in clause 17. In those circumstances, an application for the issue, variation or renewal of a surveillance device (general) warrant may be made by fax, email, telephone or other electronic means. This clause sets out the procedure to be followed in relation to any such application.

19—Surveillance device (general) warrant

This clause provides that a judge may issue a surveillance device (general) warrant on application if satisfied that there are in the circumstances reasonable grounds for so doing. The clause sets out other matters that must be specified in the warrant, including that the warrant may specify a code name rather than a real name if satisfied that the disclosure of a person's name in the warrant may endanger a person's safety. Subject to any conditions or limitations specified in the warrant—

- a warrant authorising the use of a surveillance device in respect of the conversations, activities or geographical location of a specified person, or a person whose identity is unknown, who, according to the terms of the warrant, is suspected on reasonable grounds of having committed, or being likely to commit, a serious offence will be taken to authorise—
    - entry to or interference with any premises, vehicle or thing as reasonably required to install, use, maintain or retrieve the device for that purpose; and
    - the use of the device on or about the body of the person; and

- a warrant authorising (whether under the terms of the warrant or by force of paragraph (a)(i)) entry to or interference with any premises, vehicle or thing will be taken to authorise—
    - the use of reasonable force or subterfuge for that purpose; and
    - any action reasonably required to be taken in respect of a vehicle or thing for the purpose of installing, using, maintaining or retrieving a surveillance device to which the warrant relates; and
    - the extraction and use of electricity for that purpose or for the use of the surveillance device to which the warrant relates; and
- a warrant authorising entry to specified premises will be taken to authorise non-forcible passage through adjoining or nearby premises (but not through the interior of any building or structure) as reasonably required for the purpose of gaining entry to those specified premises; and
- the powers conferred by the warrant may be exercised by the responsible officer or under the authority of the responsible officer at any time and with such assistance as is necessary.

Division 3—Surveillance device (emergency) authorities

20—Application procedure

This clause sets out the procedure for an officer of an investigating agency to make an application (in person, in writing or by fax, email, telephone or other means of communication) to the chief officer of the agency for a surveillance device (emergency) authority in relation to the use of a surveillance device. The clause sets out the grounds and circumstances on which such an application may be made.

21—Surveillance device (emergency) authority

This clause provides that the chief officer of a law enforcement agency to whom an application is made may, if satisfied that there are, in the circumstances of the case, reasonable grounds to do so, grant a surveillance device (emergency) authority in relation to the use of a surveillance device authorising the officer to do 1 or more of the following (according to its terms):

- the use of 1 or more types of surveillance device;
- entry to or interference with any premises as reasonably required for the purposes of installing, using, maintaining or retrieving 1 or more surveillance devices;
- interference with any vehicle or thing as reasonably required for the purposes of installing, using, maintaining or retrieving 1 or more surveillance devices.

The clause sets out the matters that must be specified in the surveillance device (emergency) authority, including any conditions and limitations on the authority. The powers that may be authorised under a surveillance device (emergency) authority are similar to the powers that may be authorised by a surveillance device warrant.

22—Application for confirmation of surveillance device (emergency) authority etc

This clause provides that the chief officer of a law enforcement agency must, within 2 business days after granting an emergency authorisation, make an application (by personal appearance following the lodging of a written application) to a judge for approval of the granting of, and the exercise of powers under, the emergency authorisation. Any such application must not be heard in open court.

23—Confirmation of surveillance device (emergency) authority etc

On hearing an application under clause 22, the judge—

- must—
    - if satisfied that the granting of the surveillance device (emergency) authority, and the exercise of powers under the authority, was justified in the circumstances, confirm the authority and the exercise of those powers; and
    - cancel the surveillance device (emergency) authority; and
    - if a surveillance device (general) warrant is sought and the judge is satisfied that there are reasonable grounds to issue a warrant in the circumstances—issue a surveillance device (general) warrant;
- may, if not satisfied that the circumstances justified the granting of the surveillance device (emergency) authority, make 1 or more of the following orders:
    - an order that the use of the surveillance device cease;
    - an order that, subject to any conditions the judge thinks fit, the device be retrieved;

- an order that any information obtained from or relating to the exercise of powers under the authority, or any record of that information, be dealt with in the way specified in the order;
- any other order as the judge thinks fit.

If a judge confirms a surveillance device (emergency) authority, and the exercise of powers under the authority, evidence obtained through the exercise of those powers is not inadmissible in any proceedings merely because the evidence was obtained before the authority was confirmed.

Division 4—Recognition of corresponding warrants and authorities

24—Corresponding warrants

This clause provides that a corresponding warrant may be executed in this State in accordance with its terms as if it were a surveillance device (tracking) warrant or surveillance device (general) device warrant (as the case may be) issued under this measure.

25—Corresponding emergency authorities

This clause provides that a corresponding emergency authorisation authorises the use of a surveillance device in accordance with its terms in this State, as if it were a surveillance device (emergency) authority granted under this measure unless the judge has ordered, under a provision of a corresponding law, that the use of a surveillance device under the corresponding emergency authority cease.

Division 5—Miscellaneous

26—Management of records relating to surveillance device warrants etc

The chief officer of an investigating agency by whom a surveillance device (tracking) warrant is issued, or a surveillance device (emergency) authority is granted, must cause the application and the warrant or authority (and any copy of the warrant or authority) to be managed in accordance with the regulations.

A judge by whom a surveillance device (general) warrant is issued, varied or renewed must cause each of the following to be managed in accordance with the rules of the Supreme Court:

- the application;
- the warrant (and any duplicate or copy of the warrant) as issued, varied or renewed;
- any code name specified in the warrant;
- the affidavit verifying the application.

27—Limitations on use of information or material derived under this Part

This clause provides that a person must not knowingly communicate or publish information or material derived from the use (whether by that person or another person) of a surveillance device under an authority under this Part except—

- to a person who was a party to the conversation or activity to which the information or material relates; or
- with the consent of each party to the conversation or activity to which the information or material relates; or
- for the purposes of a relevant investigation; or
- for the purposes of a relevant action or proceeding; or
- otherwise in the course of duty or as required by law; or
- if the information or material has been taken or received in public as evidence in a relevant action or proceeding.

The maximum penalty for an offence against this provision is $75 000 for a body corporate, and $15,000 or imprisonment for 3 years for a natural person.

Part 4—Register, reports and records

28—Interpretation

This clause defines the class of persons to whom this Part applies.

29—Register

This clause provides that the chief officer of an investigating agency (other than the ACC) must keep a register of warrants and authorities issued to the agency under this measure and specifies the information that must be contained in the register.

30—Reports and records

This clause makes provision for the reports that must be given to the Minister by the chief officer of an investigating agency (other than the ACC) in relation to surveillance device warrants issued to officers of the agency under this measure and the uses and outcomes relating to such warrants.

31—Control by investigating agencies of certain records, information and material

This clause provides that the chief officer of an investigating agency must keep certain records and information relating to warrants and authorities under this measure, and control, manage access to, and destroy any such records, information and material, in accordance with the regulations.

32—Inspection of records

This clause provides that the review agency for an investigating agency may, at any time, and must, at least once in each period of 6 months, inspect the records of the agency for the purpose of ascertaining the extent of compliance with this measure. The review agency must, not later than 2 months after the completion of any such inspection, provide the Minister with a written report on the inspection.

33—Powers of review agency

This clause sets out the powers of a review agency for an investigating agency for the purposes of carrying out an inspection under this Division. Under this clause, it is an offence (the penalty for which is $15,000 or imprisonment for 3 years) to refuse or fail to comply with a requirement of the review agency under this clause, or to hinder or give false or misleading information to the review agency.

Part 5—Miscellaneous

34—Offence to wrongfully disclose information

This clause provides that it is an offence for a person to knowingly communicate or publish information or material about a surveillance device warrant or surveillance device (emergency) authority except—

- as required to do so under this measure; or
- for the purposes of a relevant investigation; or
- for the purposes of a relevant action or proceeding; or
- in the course of proceedings for an offence against this measure; or
- otherwise in the course of duty or as required by law.

The maximum penalty for an offence against this provision is a fine of $50 000 for a body corporate or, in the case of a natural person, a fine of $10,000 or imprisonment for 2 years.

35—Delegation

This clause provides that the chief officer of an investigating agency may only delegate his or her functions under this measure to a senior officer (as defined in the clause).

36—Possession etc of declared surveillance device

This clause provides for a mechanism by which the Minister may, by notice in the Gazette, declare that this clause applies to a surveillance device or a surveillance device of a class or kind specified in the notice. A person is prohibited from having in his or her possession, custody or control any such declared surveillance device (the penalty for which is, for a body corporate, a fine of $50,000 and, for a natural person, $10,000 or imprisonment for 2 years) without the consent of the Minister.

37—Power to seize surveillance devices etc

This clause provides that, if an officer of an investigating agency suspects on reasonable grounds that—

- a person has possession, custody or control of a declared surveillance device without the consent of the Minister; or
- any other offence against this measure has been, is being or is about to be committed with respect to a surveillance device or information derived from the use of a surveillance device,

the officer may seize the device or a record of the information.

38—Imputing conduct to bodies corporate

This clause makes provision for certain conduct to be imputed as conduct of a body corporate.

39—Evidence

This clause makes provision for evidence in proceedings for offences in the usual terms.

40—Forfeiture of surveillance devices

This clause makes provision for the forfeiture of surveillance devices in the case of a conviction of an offence against this measure.

41—Regulations

This clause provides that the Governor may make regulations for the purposes of this measure.

Schedule 1—Related amendments, repeal and transitional provisions

This Schedule makes related and consequential amendments to the *Criminal Investigation (Covert Operations) Act 2009* and the Director of Public Prosecutions Act 1991; repeals the *Listening and Surveillance Devices Act 1972*; and makes provision for transitional arrangements consequent on the repeal of that Act and the enactment of this measure.

Debate adjourned on motion of Mr Gardner.

Motions

INTERSTATE MIGRATION

Mr WHETSTONE (Chaffey) (11:28): I move:

That this house condemns the state government for its failure to address the exit of people leaving South Australia for study, career and lifestyle opportunities.

This should be of huge concern to every South Australian. It is of huge concern to me because I am one of those impacted parents who will potentially lose my children to interstate opportunities. An announcement has just come out about the people of South Australia. The trend unemployment is 8.1 per cent. The number of South Australians who are now unemployed has risen from 69,400 to 71,000. This is an ongoing crisis in South Australia. It is the most people unemployed since 1995.

The current government has continued to overspruik, giving promises and pledges of creating jobs, creating opportunity, and I can tell you that that is not working. The current government has really been exposed: it does not have a plan. It might have a new minister but it does not have a plan, and I do not think that minister is getting the traction that he once desired.

South Australia is a fantastic place to live, and I note that it has been named in a number of top city lists. However, here is the catch: to live a comfortable life in South Australia you need employment and, for most young people, career opportunities. I say that because in speaking with my son over the last couple of days about his career opportunities, and he has just finished his degree with Honours—I am a very proud father—he is saying, 'Dad, the opportunities in South Australia are limited. Most of my friends have gone interstate; most of them are going interstate because of pay conditions. They can get a job and they can actually have opportunities to further their careers.'

The 20 to 30 year olds are looking for a career, they are looking for a future and to be able to prosper. They are looking to be able to raise a family and buy a house—every Australian's dream is to have that: a family and a house and work away at becoming a great contributor to the state's economy. But what they are doing is going interstate to achieve this, and it is a growing trend. Speaking to one of my daughter's friends who is under 20, in a lot of cases most of her friends are going interstate to attend university and they have already been given cadetships while they are interstate. Yet over here in South Australia there isn't that opportunity, and it raises real concerns.

There is a huge migration of South Australians leaving the state and some of the numbers have indicated that since 2002 more than 36,000 South Australians have migrated interstate—that is since 2002. Under the Labor government, 36,000 have moved and moved for their own benefit. Most of the young ones are not prepared to just wait for an opportunity. They have to create their own opportunity, and in doing that they are having to move interstate. That is the real concern.

We are facing a brain drain here in South Australia. Many of our young, qualified, good minds are moving because there is this view: 'Why would we stay here in South Australia when there's nothing going on?' In a conversation I had with a group of under 30 year olds who have not long finished their university degrees—and some are skilled tradespeople and young professionals—they gave me a comparison: here in South Australia if you could earn a wage of around $75,000, in

New South Wales with the same qualifications you earn between $120,000 and $150,000 for the same job.

It is more expensive to live in New South Wales, but the side issue is that there are opportunities there; opportunities to prosper; opportunities to get along in life. There were project managers, architects, young professionals, accountants and people who had studied law in the group I spoke to. And that economic activity is now moving interstate. Out of the 14 that I spoke to in that group, two are staying in South Australia—just two out of 14, and that is an alarming statistic in a small group of under-30s. So, the activity is elsewhere and, as I said, they are looking for a future. Although I do not like to say it in this house, their description of South Australia is: 'It's dead. There's nothing going on here, so we're moving.' There are many solutions, but I will talk about that a little bit later.

We are talking about generation X, generation Y and the young professionals who are going to be raising their families. As I have said, they want to raise their families in South Australia, they want to live close to family, they want to live in a great state but, at the moment, they are just missing out on that opportunity, so they are moving. As I said, it is not because they do not love Adelaide: it is actually because it just feels like the state is dead.

The future of South Australia rests on the shoulders of our young people. If we are to continue to see the high net migration out of this state, the state government barriers in place discouraging business growth and investment and the high cost of doing business in South Australia is probably one of the reasons, as is the lack of confidence.

I regularly talk to business. Whether it is small business or medium-sized business, many have a lack of confidence to invest in South Australia. I know that, with a number of medium to large construction companies, the general discussion of late is that nearly 90 per cent of their work is interstate. They are South Australian-based companies, and their work is interstate. Does that give you a fair indication of just what exactly is going on?

It is not about taking South Australians interstate: it is about doing the project interstate. Some South Australian project managers will go with that, but it is also about giving opportunities to people, whether they are young, whether they are middle-aged or whether they are older, where those projects are, and it is not happening in South Australia. Losing people at a young age, many who have completed school and university, is also a hit to the taxpayers. Who would have funded their schooling if it was through a public system?

In an article in *The Advertiser* in 2013 regarding the exodus of young people from the state, the Premier said the attractiveness of the city and the exciting job opportunities would keep people in Adelaide and, 'Just asking people to come back isn't enough.' Premier, you have got to create a vibe in South Australia, you have got to create opportunities and you have got to give business an impetus to have confidence to invest. You have got to give investors an impetus. You have got to give them confidence to invest. SMEs are the backbone. They are the bloodline of South Australia's economy.

We see in this current climate that South Australia is in crisis in trying to install confidence in that investment that is coming into South Australia. Yes, we are seeing some international investment in South Australia, and I can assure you that, even in my electorate, many international investors are coming here. They look at what they want to do in South Australia with an amount of money, and we are not talking just millions of dollars: we are talking tens and hundreds of millions of dollars. They come to South Australia and all they get is reams and reams of paper, red tape and regulation that they have to deal with.

There are a number of large investors in the Riverland who have been to Victoria, and the Victorian government have said to them, 'How can we help you? What do we need to do to have you invest in our state?' Do they look at the scenario in South Australia with reams of regulation, reams of red tape, the highest taxes, a high cost of doing business and losing our youngest and brightest for the future, or do they go to Victoria where the Victorian government are saying, 'Welcome to Victoria. How can we help you?' That really does tell a real story.

One of the things that really bothered me at a forum I was at about a week ago, for example, was based on the current migration policy and guidelines. Western Australia, Queensland, New South Wales and Victoria saw an increase in population of 310,000 people in 2014, whilst Tasmania, South Australia, the ACT and the Northern Territory grew by 20,000. Out of that 20,000, yes, 14,000 were in South Australia.

We look across the borders with envy. We look into Victoria and, as I understand it, their population grew by 180,000 new immigrants. So, whether it is international immigration or whether it is interstate immigration, the numbers add up. What the numbers tell you is that those increased numbers interstate are putting people in communities, putting more kids into school, using more services, needing more housing, buying more cars and creating an economy which is not happening in South Australia because we have this exodus of people leaving the state.

Obviously on this side of the chamber the state Liberals have proposed: bringing forward planned stamp duty relief to take effect if elected; committing to reducing payroll tax; slashing emergency services levy bills by reversing the $90 million ESL hike announced in the 2015 state budget; commencing building a north connecter road—that is underway; and finalising and investigating the Strzelecki Track upgrade.

I think many people would look at the Strzelecki Track as an outback destination, but it is more than that: it is about bringing connectivity from the north to the south, particularly with livestock, mining and tourism. In a previous life, I used to travel regularly on the Strzelecki Track; it is an adventure, particularly after it has rained. It is quite a challenge. To seal the Strzelecki Track would bring business from the north to the south.

Too often we hear, 'Let's look north. Let's put our product on a train. Let's put our product on a road.' That is the barrier. Putting a product on a road to head north is not viable. It is one way to wear out a vehicle very quickly. I am sure that Thomas Foods International would be very buoyant and very excited to hear that the state Liberals would be prepared to consider looking at upgrades to the Strzelecki Track so that they can bring their livestock down here and use our meatworks facilities. We can employ more people; we can create an even bigger economy that the meat and the abattoir industry already does. I think that is something that this state is sadly lacking.

South Australia must create a business environment that young people can walk into once they leave university. With the current state of the economy, young graduates are automatically thinking, 'Where to next?' and sadly, it is not South Australia. We cannot afford to continue to see this mass exodus of migration of the young ones—our brightest, our brains. We are not saying that the medium-aged or older-aged do not have the brains, but the young are our future. The young are the brains of the future; they have the skills of the future, and that is something that is really concerning to me. That is the growing trend in South Australia.

This is about this government adopting some Liberal Party policy and getting on with rebuilding the state's economy, and building the state's confidence so that we can actually be hopeful that South Australia will one day become a great state again. We have looked at all sorts of new industries here in South Australia, and it is a little bit like the front page of today's paper.

The government want to talk about time zones, and I think that is absolutely outrageous. We now have the highest unemployment rate in the nation. We have 71,000 full-time unemployed South Australians looking for work, and I do not think it is going to get better any time soon. The forecasts are that unemployment will hit double-digit figures, and I think that is an absolute disgrace. It will be something that be put on this current government's shoulders for many decades to come.

It just seems to be an ongoing issue that is not being addressed. We have relied on resources, and we have relied on the spin. We keep on hearing about 100,000 jobs, but what we need to be doing is putting money into the R&D of an economy driver that we have had for many hundreds of years: that is agriculture; that is food; that is beverage; that is wine; that is advanced manufacturing; that is our service industries; and it is our tourism.

This is about South Australia being able to host international guests and investors and bring those businesses into South Australia. South Australia needs to be a more competitive state. It needs confidence driven into it, and what it needs is a change of government. It needs a Liberal government to make this state a better place.

Mr DULUK (Davenport) (11:44): Can I commend the member for Chaffey for his magnificent motion, because it goes to the core of many of the issues that we face here in South Australia. I stand here as a gen Y MP—

Mr Pederick: Gen Y?

Mr DULUK: Gen Y, yes; I do not have much hair, but I am gen Y.

Mr Pengilly: Not Shandong?

Mr DULUK: Not Shandong—as an MP who has probably chosen to have their professional career in South Australia but as someone who speaks from a graduating class of 2004 at Adelaide University I can say that many of my friends from that class no longer work in South Australia.

If you were the top law graduate in South Australia and you want to pursue a career in commercial law, you probably will not be practising in South Australia. If you were a top economics graduate you probably will not get a job with the RBA here in Adelaide, you will be in Melbourne or Canberra. If you were a top boilermaker or fitter and turner or you want to work with your hands in the mines you will not be doing that in South Australia, you will be doing that in the west or in Queensland. In so many industries, in so many sectors, the best opportunities for people to pursue those careers are, unfortunately, not in South Australia.

South Australia has always had a history of people moving to Melbourne and Sydney, and we are not going to stop that. We are not going to pretend that it is not going to happen. We see people moving from the country to the bigger cities. The problem is the trend of what is happening. The trend is that more and more young South Australians are leaving every day. The other problem is that where maybe a generation ago they were leaving by choice, they were leaving because they wanted to go to see something else, these days they are leaving because they need to—necessity is forcing them to leave South Australia.

This morning we have seen that, once again, South Australia has the highest unemployment in the nation at 8.1 per cent, and the highest level since 1995. Of course, youth unemployment is a high proportion of that. Our population in South Australia declines each year as residents leave this state looking for opportunities elsewhere. Since 2002, the average number of South Australians leaving to move interstate per annum has grown by 9.8 per cent—9.8 per cent of South Australians are leaving. That is not by choice because they love it here, people love living in South Australia and they love the 20-minute city and they love our wonderful schools, environment and services, but they leave for jobs; they leave because there is not the right job mix for them and their families.

Of course, the highest proportion of South Australians leaving is in the 25 to 29-year-old age group, an age bracket that I was in not too long ago. That is really concerning. Young people are studying here and finishing primary and high school here, they are finishing their university or trade years here but then they are leaving. Their trade or university result does not enable them to get a good job in South Australia. The government needs to share responsibility for that and it should hang its head in shame for what it has not been doing.

People are walking away from our state for study, careers and lifestyle opportunities. Young people are enticed by the perception of improved career prospects and a more vibrant cosmopolitan lifestyle interstate and overseas. The brain drain costs our economy millions each year. As I said, we lose people in the 25 to 29-year-old age group. We are losing future taxpayers which means that we have fewer taxpayers funding schooling and the services that go with it.

Unfortunately, young people are not coming back to South Australia as they used to. A good case in point is my cousin who lives in Melbourne. She has a very good planning job in Melbourne and, unfortunately, she has married a Hawthorn supporter over there, and she now has two kids and is staying in Melbourne and she is never coming back to Adelaide. My sister is in the same boat. She works in the wine game, she works for Treasury Wine Estates as one of their top marketing managers. She is not doing it in South Australia. My brother is in London. The member for Chaffey talked about his children and their friends. We all have examples of friends and family and relatives who are leaving the state day by day, and they do not want to.

The other big issue, of course, is that it creates a bit of a breakdown in our own family units as families are relocated. Between 23 December and 2 January we see a mass return of expats coming back to South Australia to celebrate Christmas. You can walk down Rundle Street and have a beer at the Exeter on 24 December and catch up with all your old university mates. They are all having a drink because they have all come back to Adelaide for Christmas but then they go back to Melbourne, Sydney and other states. The long-term effect of this is going to have a very detrimental effect on South Australia.

We need to have our young people staying here. We need to reverse an ageing population. An ageing population does not lead to vibrancy in a city. It is more expensive, obviously, to have an ageing population. There are benefits with an ageing population but we do need young people and families to stay in South Australia. An ageing community means there are fewer ratepayers, fewer taxpayers, fewer volunteers and fewer people to work with.

An ageing population and slowing workforce growth is placing increasing pressure on our local councils. If young people continue to leave South Australia, many of our councils will not have the ability to provide services because they will be outstripped by demand. The government has been banging on about the need for the city to have exciting job opportunities that keep people in South Australia. Unfortunately, the opposite is happening. Attractiveness to the city—mind you it has improved with the Adelaide Oval upgrade and certainly the small bar licences of late and that is one part of what needs to be done, but the real problem is economic growth.

Economic growth is the driver of prosperity; economic growth is the reason why people invest and why people employ, and with the worst unemployment in the nation that is correlated with our poor economic growth at the moment. As I mentioned the other day, our unemployment is heading into double-digit figures. Over 70,000 South Australians are unemployed and many are underemployed. The problem has obviously manifested itself in a lack of employment but also there is a lack of solutions from those opposite.

Last night I was at Hub Adelaide, which is one of our start-up locations, for their Spark forum. I was speaking to one person there who said, 'The problem with South Australia at the moment and the problem with the thinking of the government is that they want to find one employer that employs 500 people in an old-school model of thinking and an old-school manufacturing mindset. In South Australia we need to be looking at 100 employers who employ five people because that is going to be South Australia's future.'

The notion that we are going to have these big industrial firms come into South Australia and employ hundreds of South Australians on a production line, as was the case generations ago, no longer exists. We need to be able to create the right environment, the right regulatory environment for small business to prosper, and that includes removing barriers to employment—payroll tax, stamp duty—as is happening, I have to say, to give credit to this current Treasurer, albeit a bit late. We need to remove those barriers.

Mr Pengilly: Don't give him too much.

Mr DULUK: I will not give him too much, member, but I will give him a little bit. Red tape and council planning. Right now the Attorney-General has introduced his new planning reforms. Planning reforms should really be used as an opportunity to create employment, create jobs and to remove red tape for businesses in South Australia. If we are actually serious about jobs in South Australia, we need to support enterprise, we need to deregulate. We have seen—and this was a comment made to me last night as well—this with the small bar licences. The freeing up of enterprise in that industry has seen not only an explosion in vibrancy but also in job creation.

I think it is a great example when government gets out of the way, when we deregulate, when we set a framework for everyone to work in but people know that framework. Of course, we need rules and regulations, but when we set that framework of acceptable behaviour and when we set a tax regime that supports South Australians, then we will see employment and we will see job creativity.

When we see employment and job creativity, we will see young people making a choice to stay in South Australia, to be part of a community and to reinvest in South Australia, which will add to our skill set. We need them to buy their first home and to have their children here in

South Australia—not have them in Melbourne becoming Hawthorn supporters, but having them in Adelaide growing up as good Adelaide Crows supporters. That is what we want; we want more Crows supporters. I commend the member for Chaffey for this motion and for bringing this issue to the attention of the house. It is a very worthy motion.

Mr KNOLL (Schubert) (11:53): I rise to also support the Adelaide Crows and wish them well in their endeavours this weekend. They are truly the team for all South Australians. Mr Acting Speaker—

An honourable member: He looks very good there, doesn't he?

Mr KNOLL: He does; he looks like he belongs. I commend the member for Chaffey for bringing this issue to the house. It is an issue that is very close to my heart. I am technically a member of the gen Y generation. I probably act a little more generation X in getting married and buying my first home at quite a young age but still those around me are very much gen Y.

This issue of people leaving South Australia is quite personal for me. I have a younger brother who studied accounting at UniSA and then went on to work for Pricewaterhouse. He felt that his career advancement was limited in South Australia and moved to Perth, and then moved to London to work, and ended up working for the BBC which was quite an exciting job. We were lucky that we enticed him to come home to work in the family business. We offered him less pay, poorer conditions and far, far more hours working under arduous circumstances, but we are thankful that he said yes. It really highlighted for me, and he realised, that his career progression was outside of South Australia.

As someone who has been a proud member of the Young Liberals until I was no longer a young Liberal, I have seen many of my fellow Young Liberals move interstate—very intelligent, capable people who have a deep abiding love for policy and also South Australia—deciding their paths laid outside of South Australia. I now have friends who work within the Reserve Bank, the Department of Treasury and Finance, electricity regulators and a whole host of areas where they are able to ply their talents and skills but unfortunately those opportunities did not lie here in South Australia.

There was a headline in the *Sunday Mail* a couple of months ago that said 3,000 people are leaving our state every year. This tells a large part of the story because over the last two decades the average has been around 3,000 people a year, and that is a sad indictment on where South Australia is at—the raw and honest opinion of where South Australia is at—and we can see that by people voting with their feet to leave.

This is an issue that has been around for a long time but I do not think the government has been able to address it with any great clarity. We have heard a couple of times already, and the stats are just out for this month, that trend unemployment is up to 8.1 per cent which is the highest in the country, with the national average being 6.2 per cent. It is quite interesting that federal Labor tweeted this morning saying that any unemployment rate with a six in front of it is unacceptable. Well, hear hear to that, and I hope that the South Australian branch of the Labor Party is listening to what its federal colleagues are saying.

Whilst this government may try to spin this result as being other than an indictment on our state, the truth is there are not enough jobs to go around. I will touch a bit more on that later. Jobs are very much central and should not be the complete focus but the vast majority of the focus when it comes to arresting and dealing with this problem. Our labour participation rate remains steady, below the national average by 2.2 points, but the truth is that we have a larger older population because those younger people have left and they are the ones who hurt our participation rate.

I fear, though, that 8.1 per cent trend unemployment is only the start of the story. I had cause in the last couple of weeks to visit Leigh Creek, Moomba and Port Augusta. I look at the jobs that are being lost out there. Moomba was telling us that they were up to 1,400 people down to 600, and that is a cyclical issue that I hope turns around again quickly. Things like Leigh Creek and the jobs at Port Augusta at the power plant and also the jobs at the coal mine that we were able to visit in the beautiful electorate of Stuart really hit home what the changing South Australian economy means. These are well paid jobs by people who are very good at what they do who have moved to

Leigh Creek, which is not necessarily close to much else, but they have a beautiful and vibrant community and they choose to live there because there is job opportunity. There was not too much happening in the way of a nightclub on a Saturday night or small bars, although I did find the pub was quite a good place to hang out, but they were there because there were job opportunities and that has to be the fundamental focus of where we are at.

The problem, I believe, is structural from a government perspective in terms of job creation, but it is also cultural. These two issues, the structural and the cultural reasons behind not being able to create jobs and keep young people here in South Australia, were at the heart of the Liberal Party's policy agenda in the lead-up to the last election. These are two things we need to deal with going forward. At the last election, Steven Marshall and the Liberal team put forward a policy of establishing a start-up conference which would have featured high-level international speakers, tried to attract new investors and foster an environment for start-up culture to flourish.

We had a great policy of trying to encourage entrepreneurship in schools, and it was a great policy from the member for Unley that I wholeheartedly supported because that is where we are going to see this cultural change. I was part of a program called Speakers in Schools where I would go and talk to year 10 students about potentially seeing starting their own business as a viable career option. I can tell you that is a pretty tough audience—in fact, probably the toughest audience—to give a speech to, especially about entrepreneurship. But it is exactly that kind of thing, getting our young people to realise that problems in society could potentially be turned into opportunities to create jobs, not only for themselves but to fix problems. It can help to make money for themselves and for the broader South Australian economy.

We do need to focus more on creating a culture of entrepreneurship in South Australia. The government has done some work with stamp duty, but they have also pretended to deal with this issue when it comes to vibrancy, especially within the heart of Adelaide. Can I tell you that vibrancy does not put food on the table. Vibrancy does not, in and of itself, encourage young people to stay here in South Australia. Vibrancy is actually the product of a strong economy; it does not create one, and that is something that I do not think this government understands to any great respect.

Anecdotally, I do know that it is professional people, by and large, who are leaving South Australia, because there are not those opportunities there. Can I say that the loss of a lot of these manufacturing and industrial jobs that we have seen and will continue to see over the next years means that there are less services required from a professional sense. In order to get those people to stay here and apply their professional services, it is those upstream industries that we need to flourish and create, and the only way we are going to create them is by having a small-business start-up culture. That is the only thing that is going to help to support our professional services.

When it comes to new models and new ways of doing things, such as bringing UberX to South Australia, that is another way that this government has been dragging its feet and indeed pushing back on what is otherwise a new way of doing business. Uber is essentially a collection of a lot of small businesses: individuals deciding to create jobs for themselves by interacting with new technology to help us flourish.

In the Barossa Valley, we see this same issue. In the Barossa, we have about 450 kids who graduate from year 12 every year. Of those 450, about 150 leave the Barossa. They leave the Barossa to pursue education opportunities in Adelaide and for a whole host of reasons. When I go around and talk to my high schools, I always ask the same questions: 'What are you going to do next year?' but also 'What do you think of your local community?' Without a doubt, every single one of them says, 'The Barossa is a beautiful place to live, but I have to leave in order to be able to advance the career path I want to head down and to get ahead.'

The Barossa is never going to be able to keep all of its young people, nor does it really want to. We would love those young people to go out and have experiences that they can bring back later on in life when they are deciding to have a family. It is all about job creation and career advancement. That is the primary, and in many instances only, reason that they make these hard decisions to leave.

In the 1980s, Adelaide was home to 20 of the top 100 companies on the Stock Exchange. Today, it is only one, in Santos. We are not going to get those large ASX companies back. What we need to do is turn our attention towards creating a culture where young people do not strive to be a

lawyer (and keep in mind I am married to one), but where young people strive to create their own businesses. That is what needs to be cherished, encouraged, rewarded and exemplified in order for us to help turn this state around, so we can create a culture where business creation is at the heart of that. Business creation always invariably leads to job creation.

I commend the member for Chaffey for bringing this motion to the house and I look forward to the Liberal Party helping to be part of and lead the cultural change that is needed to turn South Australia into a more vibrant economy.

Mr VAN HOLST PELLEKAAN (Stuart) (12:03): I rise to also support the member for Chaffey in this motion and acknowledge the tremendous contributions of the member for Davenport, the member for Schubert and others who will follow. The government can say all it wants that it is addressing these issues and trying all sorts of things, but the reality is that the proof is in the pudding and people are still leaving our state for other states and other countries at an alarming rate. Try as they may and say as they may, the facts speak for themselves, and they are alarming.

I am certainly not in the camp that everyone wants to run down South Australia and say it is unexciting, boring, dull or that there is not enough to do. It is a wonderful, extraordinary, remarkable place. The difficulty is that we just do not have enough jobs there. There are just not enough employment opportunities for people, and particularly young people, in our state. We have, by a long margin, the highest unemployment in South Australia compared to any other state.

It is not going to be small bars or time zones or any other distraction that is going to change that. We actually need business opportunities for people—genuine, significant business opportunities not just fun or more daylight at more convenient times or trying to connect ourselves in any way. The modern world could not give a difference about a half an hour time zone between Sydney, Melbourne, Brisbane and Adelaide. It makes no difference whatsoever.

We need to focus on exports. We need exports internationally and exports interstate. We need opportunities whereby we do not even differentiate between selling South Australian goods and services to Western Australia, Victoria and New South Wales, or internationally. In fact, in many ways it is much easier to do it interstate rather than internationally, not even worrying about the freight difference or the communication difference.

One of the most important differences is that you are far more likely to get paid if you are dealing interstate than if you are dealing internationally. So, many opportunities exist to trade interstate but which still support our economy, which in many ways would be more attractive and, perhaps, most importantly much easier to get into than it would be into international trade.

This motion, while it is relevant to South Australia, is also actually relevant with regard to regional South Australia compared to metropolitan South Australia. We are losing young people in regional South Australia in droves from the country to the city, and the principle is exactly the same. The principle is incredibly alarming. It has been a fact for quite a while now that small, regional towns in South Australia with a population less than 1,000 people are shrinking and that small, regional towns in South Australia with a population of greater than 1,000 are growing. While that might be good for those larger small country towns, it is not actually good for regional South Australia because they are not necessarily just moving from the smaller less than 1,000 people towns to the larger greater than 1,000 people towns: they are actually leaving country South Australia and going to Adelaide, Sydney, Melbourne, London or where ever it might happen to be.

We have an example that really is very close to home for me at the moment with this in regard to the government's handling of the northern forests. We have two forests: the Bundaleer forest and the Wirrabara forest, which have operated for well over 100 years in our state. In fact, they are leaders worldwide with regard to forestry in some ways but certainly leaders for Australia with regard to forestry. There are 50 jobs at the Morgan sawmill at the moment which are at risk of being lost while the government looks for other ways to use the land.

Now, I do not mind looking for other ways to use the land, it is a very sensible thing to be doing, but find other ways to use the land in addition to the current commercial forestry not instead of the current commercial forestry. Do not let 50 jobs go so that new ideas can be started which may or may not succeed. Keep 50 jobs and then simultaneously work on those new ideas that may or

may not succeed; and I certainly support pursuing those new ideas but as well as not instead of existing jobs.

The member for Chaffey mentioned infrastructure. Now, certainly, from a regional and a metropolitan perspective, if we had the productive infrastructure being built in our state which our government has promised us for a very long time—and the two key points that I would like to raise would be the sealing of the Strzelecki Track, which will help not only regional South Australia but also metropolitan South Australia and other states' economies as well. If we can make the Cooper Basin oil and gas region more efficient because of a sealed Strzelecki Track that will support the Queensland, Northern Territory and New South Wales economies as well. That will make our nation more productive.

Also, an export port. We have been promised and promised a dual purpose, deep water export port in South Australia so that mineral resources and agriculture can get a leg up. It has got to happen. The government promised us two Junes ago that, within 12 months, it would have a plan. It is now September, so the plan at this point in time is at least three months late. We need that sort of work, not because of its immediate job creation aspects—that will certainly help, absolutely will help—but we can only build infrastructure that actually makes our state more productive for decades to come. Pick those projects, invest in those projects, and, yes, of course, the immediate job benefits will help us enormously. We need to address the lack of employment opportunities that we have in our state to hit this issue. It will not be small bars, it will not be time zones.

Lastly, the NBN: the NBN is on its way. We can all argue if we choose to—I do not—about whether it is handled efficiently or inefficiently, or anything like that, but the reality is that the NBN is on its way. I urge all South Australians, regardless of where you live, to take full advantage of the NBN, because that is going to create opportunities which address exactly the matter which the member for Chaffey is raising with regard to people having to leave South Australia. It will also address the expanded issue, which I raise, which is of regional people having to leave regions to go to South Australia or other states. It will be possible for commerce to operate far more efficiently in our state in the future, and that will support our job creation opportunities in South Australia. I wholeheartedly urge all members of this parliament to do everything they can to support the communities that they represent to take full advantage of the national broadband network when it is rolled out.

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

WORLD PARKINSON'S DAY

Ms BEDFORD (Florey) (12:11): I move:

That this house—

(a) recognises that 11 April 2015 is World Parkinson's Day;

(b) acknowledges the support provided by Parkinson's South Australia for people with Parkinson's disease and other movement disorders and their families; and

(c) welcome Parkinson's Australia to Adelaide as they host their national conference between 27 and 29 May 2015 at the Adelaide Convention Centre.

Today I want to recognise World Parkinson's Day, which was held on Saturday 11 April this year. Interestingly, the wait sees me able to observe the day in September which is, of course, Parkinson's Month. World Parkinson's Day was run in April by the Shake It Up Foundation and the Michael J. Fox Foundation. The day hopes to shine a light on Parkinson's and encourage the community to raise money for a cure for this debilitating disease. This year the Shake It Up Foundation asked Australians stop and pause and give a voice to those affected by Parkinson's. With over 3,000 people in Australia joining the Pause4Parkinson's festivities, I am told that it was all a huge success; but, there is still a lot more that needs to be done to both raise awareness of this disease and the funds to find a cure.

The theme of Parkinson's Month, being held throughout the whole of September, is 'get moving', where members of the community and members of parliament are being encouraged to increase their knowledge by attending a workshop or seminar hosted by Parkinson's South Australia.

I would like to encourage members to consider attending a workshop or a seminar or to attend one of the many support or education groups and fundraising events.

Parkinson's SA is a great organisation, and I commend the whole of the team, CEO Christine Belford and her president, Associate Professor John Power, and everyone involved. In addition to Parkinson's Month and World Parkinson's Day in May this year, Parkinson's Australia hosted the national conference at the Adelaide Convention Centre. The conference was designed to provide the latest information and research into Parkinson's and its management for health, care workers, and the conference was also made available to those with Parkinson's and their families to learn about the latest techniques and information.

The information included: the latest in stem cell research and the potential benefit for those living with Parkinson's; how environmental and genetic predisposition are involved in the development of Parkinson's disease; and, in conjunction with the Dystonia Support Group, they held a stream on day two of the conference that featured the latest information on dystonia, which is a state of abnormal muscle tone that can result in muscular spasm. I know that the conference was very well attended and everyone got a lot from it.

Parkinson's is an extremely prevalent disease and it is more common than prostate cancer, bowel cancer and many other cancers. An alarming 30 Australians are diagnosed with it every day and an estimated 8,000 Australians are currently living with the disease. Of those, there are over 8,000 diagnosed cases living with the disease in South Australia, with the potential for a much higher figure as many others are not yet diagnosed. This, sadly, represents an increase of 17 per cent over the past six years. Parkinson's South Australia provides much-needed support and information to these 8,000 South Australians with Parkinson's and, of course, their families.

Many people believe that Parkinson's is simply a disease that affects older people, with an average age of sufferers being diagnosed at around 65. Recently, though, it has been discovered that many young people are increasingly being diagnosed with young-onset Parkinson's. It has been estimated that around 20 per cent of sufferers are under 50 years old and 10 per cent are diagnosed before the age of 40.

I will give a bit of background on Parkinson's for those not familiar with the effects of this terrible disease. It is a progressive neurological condition that affects people from all walks of life. What happens is that the cells in the body that produce dopamine start to die. Dopamine is a chemical that helps you move normally. Sadly, there is no known cause for this and, more importantly, there is no easy way to diagnose the disease. There are currently no simple blood tests or brain scans available.

A specialist neurologist examination is needed for each person who shows signs of Parkinson's to assess the physical signs of the disease, which can include not just the better known movement symptoms of tremor, rigidity and akinesia (which is abnormal movement) but also some lesser known symptoms, for example, pain (which can be often severe), anxiety, depression and problems with memory and sleep. These symptoms can have a severe impact on the day-to-day life of a person with Parkinson's and flow on to their families. These symptoms are usually slow to develop and gradually get worse over time, and each person can be affected in a different way and at a different rate of progression.

Parkinson's disease, sadly, has a high rate of mortality. Some sufferers live with Parkinson's for a considerably long time, with the symptoms getting worse and subsequently causing their death. More research and assistance is needed to ensure people suffering from this disease can adequately manage their symptoms and its progression and that, eventually, one day we find a cure for this terrible affliction. I hope the breakthrough may come from some of the marvellous work being done here in Adelaide in medical research.

I was particularly pleased during last year's state election campaign with the Weatherill government's promise, and that of the opposition, to provide more dedicated nurses to provide ongoing education and support for those with Parkinson's disease. This support will assist them in navigating their way through the health system, as well as providing a variety of other health-related services as required, such as referrals to speech therapists and physiotherapists and other medical specialists.

I am pleased that the Premier and the health minister have already delivered on this key health election promise in the north. I welcome the recent appointment of a very experienced local nurse, who was most recently the specialist Parkinson's nurse at the Flinders Medical Centre. The appointment of a specialist Parkinson's nurse in the north will have a significant positive impact in the local area. The reason this and other specialist Parkinson's nursing positions around the state are so important is that a key challenge for people living with Parkinson's is to manage their condition adequately so that they can enjoy the highest quality of life for as long as possible.

These dedicated nurses can assist with development of programs and care regimes that encourage self-management of the condition and, therefore, put in motion steps to give sufferers a greater quality of life. These nursing appointments can also relieve some of the pressures on hospitals and services. Many people with Parkinson's are often admitted to hospital for reasons that could be avoided, in particular, falls and medication mismanagement.

Apart from the personal costs at many levels, the economic cost of Parkinson's in Australia was calculated by Deloitte Access Economics in 2011 as being $8.3 billion, that being an increase of 48 per cent over the preceding six years, mainly due to rising costs in the health system. Deloitte also calculated that a single Parkinson's nurse could save the taxpayer, on average, $58,000 in consultant appointments each year, $100,000 per day on avoided hospital appointments and around $200,000 per year in bed days. This represents a significant saving to the state in funds that can then be used elsewhere in the health system.

A constituent of the Florey electorate, Mr Peter Hill, and his late wife, Mrs Iris Hill (who had Parkinson's and has, sadly, passed away), are one couple that would have benefited greatly from a Parkinson's nurse in the north. Mr Hill was in regular contact with my office, lobbying for extra support for not only his wife but all sufferers and their families. Hearing the stories that the Hills faced and had to deal with on their own was quite heartbreaking. They are the reason this issue was lobbied for fiercely and became an election promise. I am proud I have been able to acknowledge their contribution to this in my message here today.

Even members in this place and their families could be called on to face and deal with Parkinson's at some stage, and I encourage everyone to support Parkinson's SA and the Shake it Up Australia Foundation in raising awareness and, most importantly, the much-needed funds to find a cure for this terrible disease. Members can find out more on the Parkinson's SA website at www.parkinsonssa.org.au. Let's all get behind their work and their initiatives and help fight Parkinson's.

Mr SPEIRS (Bright) (12:18): I too rise today to support the member for Florey's motion which seeks to recognise those who are suffering from Parkinson's disease and the need for all South Australians to increase their awareness of those who are suffering from this disease, and for the South Australian government, also, to have an increased focus on support for those who are suffering from this disease and their families.

As has already been mentioned this morning, there are approximately 80,000 sufferers of Parkinson's disease in Australia, of which around 8,000 are located in South Australia. That adds up to around 30 people being diagnosed every day in Australia with this disease. It is a disease that still remains a mystery to the medical profession in many ways. It is a disease which manifests itself in different ways, depending on the sufferer. People suffer from different symptoms and it is a disease which people find difficult to get control of and to keep a handle on. As a community, it is important that we have an increased understanding of what it means to suffer from Parkinson's disease and how we can be supportive of those people who suffer from the disease, and their families and carers.

As has also been mentioned by the member for Florey, Parkinson's sufferers are growing in number. The number of people diagnosed year on year in Australia and in South Australia continues to grow. Part of that is because diagnosis is easier and more symptoms are being recognised as being part of Parkinson's disease, but there is no doubt that, aside from better diagnosis, the number of sufferers is growing as well. That means that we as a community need to understand this disease and have mechanisms in place within our health system and within our community to provide support.

A particularly worrying trend when it comes to Parkinson's disease is the number of younger people who are being diagnosed with the disease. It has traditionally been seen as an illness which

is only suffered by older people and, sadly, that is increasingly not the case, with more younger people being diagnosed with this neurological condition. Obviously, it is bad enough older people suffering from it, but the way it curtails the lives and dignity of younger people is perhaps even more significant, preventing them from potentially being part of the workforce and living life to the full.

I saw recently that a school peer of mine from Scotland announced that he had been diagnosed with Parkinson's disease at the age of 35. Watching his journey and the uncertainty within that journey over social media was quite shocking. I continue to watch that unfold on my Facebook feed and I see the real-life impact that suffering from a disease such as this at a younger age can have.

I want to pay tribute today to the work of Parkinson's SA, led by Christine Belford. It is an excellent organisation that seeks to advocate for those with Parkinson's disease, increase awareness of the disease, raise funds to contribute to care and, in particular, for research into cures for Parkinson's disease. For those who have not had anything to do with Parkinson's SA, it is certainly an organisation that, as members of parliament, we should be looking into and looking for ways that we can raise awareness of this organisation in our communities so that those who are suffering from Parkinson's or who have family members who suffer from Parkinson's disease can be made aware of the work of Parkinson's SA, and can look to support that where possible. Parkinson's SA has annual fundraising events that can be supported.

In 2013, in the lead-up to the state election when I was a candidate for the seat of Bright, I was approached by a couple, Lindsay and Jenny White. Lindsay was the president of the Parkinson's support group of Brighton. They invited me along to their group to get to know what their group does and build a good connection with that group.

As part of getting to know what the Brighton Parkinson's Support Group does, I was able to attend a meeting with the shadow health minister at the time, Rob Lucas, and representatives from the Brighton Parkinson's Support Group at Parkinson's SA, meet the staff there and really hear their need at the time, which was the creation of additional Parkinson's specialist nurses in the South Australian health system.

We were able, entering the election campaign, as an opposition to have a policy to increase the number of Parkinson's specialist support nurses, and the government did match that. We have had a question in the house this week on that very matter. I would urge the government to fulfil that commitment in full. These support nurses are incredibly important because they come with that specialist knowledge and, as the member for Florey mentioned, they can divert people from the traditional healthcare system, keep people out of hospital, help them to manage their own illnesses, manage their symptoms, and keep control of their lives for much longer.

Having specialist nurses across a range of diseases is, I believe, an important approach to contemporary health care. We see that in action with Parkinson's nurses. We have a Parkinson's nurse operating, I believe, out of the Flinders hospital, and there is one based at Modbury. I understand the government is looking to have one who will be based in country South Australia, so that will take us to three. The government's election promise was to have four Parkinson's specialist nurses. I would urge the government, urge the health minister to continue down that path.

The health minister mentioned on Tuesday when asked that question that there was a need to ensure that nurses had the training to be able to become Parkinson's specialist nurses. We need to ensure that happens because those four Parkinson's nurses, when they are all up and running in South Australia, will make a significant impact on helping people to identify and manage the symptoms of Parkinson's disease.

I would finally like to pay tribute to the fantastic work of the Brighton Parkinson's Support Group. It is one of the largest Parkinson's support groups in South Australia. It is a very active group. It provides fellowship and community not only for sufferers but for carers of sufferers. I mentioned earlier Lindsay and Jenny White. Lindsay was Jenny's primary carer. Jenny was the sufferer of Parkinson's disease. Lindsay was actually, when I first met him, the president of the Brighton's Parkinson's Support Group.

Sadly, since the election and since I first met Jenny and Lindsay, Jenny has passed on. She was not an old woman; she died in her 60s as a result of the strain on her body of Parkinson's disease. I just want to pay tribute to Jenny and the work she did in building the Parkinson's support community in my electorate and in particular in Brighton.

I want to pay tribute to her and also to Lindsay for continuing to enhance Jenny's legacy, although not a sufferer himself of Parkinson's disease, as someone who understands the strain and the toll that it takes, by continuing his involvement in the Brighton Parkinson's Support Group. He has continued as an advocate for sufferers of Parkinson's disease. Only last week, he met me in my office to discuss the need to get these Parkinson's specialist nurses in place in South Australia's healthcare system. I want to pay tribute to Jenny White and her legacy and thank her husband, Lindsay, for continuing that legacy.

Ms COOK (Fisher) (12:28): It is my privilege to rise today in support of the motion of the member for Florey, who is a tireless campaigner, let me tell you, of Parkinson's nurses, supporting awareness of the struggles faced daily by community members suffering from Parkinson's disease and their carers, often family as well, and showing support for the work of Parkinson's Australia.

World Parkinson's Day was celebrated on 11 April this year and we welcomed Parkinson's Australia to Adelaide as they hosted a national conference between 27 and 29 May at the Adelaide Convention Centre. One in seven people living with Parkinson's is under the age of 40, but the average age of diagnosis is between 55 and 70 years of age. The cause of Parkinson's has still not been determined. If you were told that you would live out your days with tremors, rigidity, abnormal movements, poor balance, impaired memory and concentration, voice swallowing speech changes, depression, anxiety, sleep disturbances, bowel and bladder dysfunction, restless legs and incredible tiredness you would likely say, 'No thank you.'

Supporting consumers with Parkinson's disease is important to ensure that they are able to remain independent and at home, and as you can see with the plethora of awful symptoms to combat, this is a challenge needing expert oversight. In order to see this care and the care of people with other debilitating disease processes delivered in the expert way that is required, the government has committed to the training of 100 additional nurse practitioners, of which four are to be in the specialty area of Parkinson's disease.

The role assists in symptom management and reduction of hospital admissions. Out-of-hospital support is provided through nursing assessments; multidisciplinary coordination of professionals and services; and counselling, both in person and over the phone, to assist with medication, education and family support. It actually takes four years for a nurse practitioner to be trained, and the Minister for Health has instructed SA Health that the provision of additional Parkinson's nurse roles is a priority.

As part of the government's election promise, a commitment was made to increase the number of Parkinson's nurses across the state, one each in the Central Adelaide Local Health Network and the Northern Adelaide Local Health Network and also with an outreach service into country regions. The current state of play in relation to Parkinson's nurses, which will definitely interest the member for Bright, is as follows:

- Northern Adelaide Local Health Network has established and appointed a Parkinson's and other neurodegenerative disease clinical practice consultant role. This role has been taken up by the practice nurse from the south who, as a resident of the northern suburbs had been commuting for many years and working at Flinders.
- Southern Adelaide Local Health Network has appointed a Parkinson's nurse for the southern suburbs since the previously mentioned transfer of its nurse. This nurse commences work next week. They will be very busy, with a snapshot from October to December 2014 showing the previous Parkinson's nurse undertaking 1,093 occasions of service for 122 individuals. This translated to an estimated saving of 62 outpatient appointments, 23 emergency department presentations and 19 hospital admissions during this period. This role is now an ongoing position where previously it had been contracted on a financial year to financial year basis. This shows great commitment to the value of that position.

- Central Adelaide Local Health Network has a part-time Parkinson's nurse.
- Country Health SA is considering a Parkinson's nurse for the country region with the service model currently being explored with consumers.

This makes a total of 2.5 FTEs, with the country appointment expected in the next six months.

My father was a keen craftsman. He had a shed—a serious shed. He turned the wood himself for three wonderful cots for all his grandchildren to use and for us to share between our families. Within five years of this, his tools sat idle, never to be used again as Parkinson's took hold. Within 15 years he was almost completely incapacitated and, in combination with other degenerative medical conditions, dad lost his struggle with this condition two years ago.

When I met Martin Valentine, a resident of Happy Valley battling Parkinson's disease, on a very hot day last November while out meeting constituents in their homes, I immediately connected with his story. It was also very hot and he had very cold water, so I appreciated that. It has been a pleasure to visit him a couple of times now and to chat about issues that are really important to him and his fellow Parkinson's battlers. I will not call them strugglers because they are absolutely fighting and battling.

It was a privilege to visit the southern Parkinson's support group also, as previously mentioned by the member for Bright. This was on Martin's invitation and I listened to ways that we can best offer this support and make life much easier to live for them. We are very happy to see the appointment of the additional Parkinson's specialist nurses.

Like all groups with cruel degenerative diseases, the more than 8,000 fantastic South Australians who are battling Parkinson's disease do so with great humour, dogged determination, and splash around copious doses of resilience and inspiration. I am so pleased to represent these amazing South Australians in this place. I thank the member for Florey for her commitment to the Parkinson's nurse project. Thank you to the member for Bright for speaking also on the motion, and I commend this motion to the house.

Ms BEDFORD (Florey) (12:35): I would like to thank the members who have spoken and acknowledge the great work that is going on in medical research in South Australia. Let's hope that the next time we get up to speak about Parkinson's it is to acknowledge that the cure has been found. I commend the motion.

Motion carried.

INTERSTATE MIGRATION

Adjourned debate on motion of Mr Whetstone (resumed on motion).

Mr WINGARD (Mitchell) (12:35): I rise today to support the motion put forward by the member for Chaffey to stop South Australians leaving this state. This has been a key topic of conversation when I have been out doorknocking and at listening posts at supermarkets. I have heard so many examples from people who have stories of family and friends who have left or are going to leave SA because of the lack of job opportunities. I understand why many people head interstate to further their career and gain new experiences, as I did when I was in my early 20s, but what South Australia has lost is the ability for those people to be able to return, live and enjoy the great things that SA has to offer at their choosing.

The key factor behind this is jobs. There are no jobs in South Australia. These people want to come home, but they cannot. We know SA has the highest unemployment rate in the nation. The most recent ABS unemployment figures, which came out today, show that the unemployment trend rate is 8.1 per cent in South Australia, the highest of any state in the nation and the highest it has been since April 1999, 16 years ago.

The national figure is 6.2, Tasmania is 6.5, New South Wales is 5.9, Victoria is 6.2, Queensland is 6.4 and SA is 8.1 per cent. These are the Australian Bureau of Statistics' figures. South Australia deserves better. I have schoolmates who have moved back to Adelaide wanting their children to grow up here and make South Australia home. They have worked in various fields from

geology and mining to sports management, media, banking and accounting. They all wanted to be here, but a lack of employment opportunity has forced them out of South Australia.

Just for a minute, think of the fallout. This forces people away from their elderly parents reducing care in their twilight years, and children are separated from grandparents, cousins and other family members. In some cases, one parent is forced to leave the state to work while the other parent stays in Adelaide on their own to raise the children.

Ultimately, South Australia's poor unemployment figures are an indicator of the poor performance of the current Weatherill government. For SA to be 8.1 per cent when the national figure is 6.2 per cent is not acceptable and South Australia deserves better. The opposition has outlined our emergency response to help turn things around. Amongst these options are:

- bringing forward planned stamp duty relief to take effect next year;
- committing to reducing payroll tax;
- reversing Treasurer Koutsantonis' $90 million hike to the emergency services levy;
- committing to build the Northern Connector road;
- finalising investigation into the Strzelecki Track upgrade; and
- creating a state-based productivity commission.

We need the government to act now. This is a serious problem now.

As a father of four it is a large reason why I am here. South Australia is a beautiful environment in which to raise a family and live a healthy lifestyle. We have a caring society and community that, on the whole, is supportive and loving but, sadly, we are struggling economically and we are falling well behind all the other states.

I want to create an opportunity for everyone in my community. We need to grow business. We need to grow enterprise. South Australians are innovative and I back South Australian people to get our state up where it belongs, but we need a government that will create a positive environment that will allow people and business to flourish. I want all people to have the chance to follow their dreams, be what they want to be, and contribute to our society to make South Australia a great state. I will keep working to do everything I can to steer the state in the right direction, a state full of opportunity.

Debate adjourned on motion of Mr Speirs.

The DEPUTY SPEAKER: The member for Flinders, showing some Olympic prowess as he raced to his seat.

MINNIPA CENTENARIES

Mr TRELOAR (Flinders) (12:40): Thank you, Deputy Speaker—slightly out of breath.

The DEPUTY SPEAKER: And not even puffed, ready to go straight in.

Mr TRELOAR: Well, just puffing a bit, but Hansard will not pick it up.

An honourable member: He should have hurdled over the seat.

The DEPUTY SPEAKER: Next time.

Mr TRELOAR: So, thank you, Deputy Speaker. I rise today to move:

That this house—

(a) acknowledges the centenary of the Minnipa Agricultural Centre in September 2015, and the township of Minnipa in October 2015;

(b) congratulates the Minnipa Centenary Committee on organising a program of community events to celebrate the centenaries; and

(c) recognises the contribution of the Minnipa Agricultural Centre to the state's reputation for innovation and leadership in the agricultural research sector.

I would like to talk about the agricultural centre to begin with because, just last week on Wednesday 2 September, the Minnipa Ag Centre had its annual Spring Open Day and Field Walk which was attended by many hundreds of farmers from right across Eyre Peninsula and, indeed, right across the state.

Included in the crowd were, of course, minister Bignell, the minister responsible for agriculture, and also the shadow minister, David Ridgway, from the other place. The member for Hammond was there, as was Rowan Ramsey, the member for Grey in the federal parliament, who, incidentally, is a former chair of the committee responsible for the Minnipa Agricultural Centre. It was pleasing to see him there and he was able to make a speech. Also making a speech that day was Simon Guerin, a farmer from Streaky Bay, who is the current chair of EPARF.

The best thing about the day was that it rained. It rained all day. In fact, the parliamentary group arrived around lunchtime only to hear that, of the eight buses touring the field day site, four had been bogged in the morning. Given the patchy start to the season, there was not one unhappy farmer at the Minnipa Field Day because all the—

Mr Pengilly: I'll bet I could find one.

Mr TRELOAR: There was probably one, you're right, there would be something wrong—but I digress. We were all happy to see the rain. Bob Holloway, former director of the Minnipa Ag Centre, gave a keynote address. He is highly regarded and well respected within the agricultural sector and ran the Minnipa Ag Centre and its research diligently and very well for some years. He is, of course, the brother of Paul Holloway, former leader of the government in the upper house.

I spoke to him just yesterday and I am going to acknowledge him in my speech because I am going to give a good part of this contribution from his presentation that day. He summarises the history and the progress of the Minnipa Ag Centre in good detail.

In September 1839, Edward John Eyre travelled inland and east from Streaky Bay and looked across to the north-east to an area where Minnipa is today. Minnipa is, of course, in central Eyre Peninsula. It is farming country; it was mallee country. Eyre and his party camped on Minnipa Hill, which is now part of the Minnipa Agricultural Centre.

Stephen Hack was commissioned by parliament to explore the area, beginning from Streaky Bay in June 1857. Hack reported many of the prominent rock waters around Minnipa, noting that the local inhabitants, the Kokatha people, who frequented the area in wintertime when water was available, considered Yarwondutta rock, which is situated on the ag centre, to have a permanent water supply. A feature of this landscape is the granite inselbergs, which provide opportunity for water run-off.

Pastoral leases occupied the area from the late 1870s and agricultural development proceeded slowly northwards with the building of the railway line from Port Lincoln. That railway line arrived in Minnipa in 1914 and, in fact, we celebrated that centenary last year, so there are centenaries all over the place. The railway was critical. Minnipa was very much a railway town in the early days because the train from Lincoln went as far as Minnipa, turned around and went back and the train from Thevenard went as far as Minnipa, turned around and went back. So it was really the halfway point, or a bit more than the halfway point. It was very much a railway town and a focus for the railways and the farming community.

The year 1914 was a drought year across the state. In fact, I had a great uncle I was speaking to once, many years ago now, and he said at the time that 1914 was the worst drought he ever saw in this state. It was a particularly tough time for farmers right across the state; but Professor Perkins, the state director of agriculture at that time, toured the region, toured Eyre Peninsula, and settled on Minnipa as a centrally located site for an experimental farm on the Eyre Peninsula. Despite the dry conditions of that year, Professor Perkins reported favourably on the abundance and quality of potential agricultural land on the peninsula. You have to remember, Deputy Speaker, that almost all of it was still under mallee scrub. It would be brought into production in the ensuing decades and it provided admirable soil and climate for growing wheat.

The experimental farm was set up and a vegetable garden area laid out. The manager's tent was pitched in 1915, and there was a camp. There were even olive trees planted; there were plans

at one point to grow about 500 acres of olives as the centre of a local olive industry. I do not think that many of those trees survive now, but they were trying all sorts of things in the early days, they were experimenting with all sorts of things.

The Minnipa Experimental Farm continued until 1931 and, as part of the local pioneering farming community, it was valued not only as a reliable source of information and advice but as a place to buy wheat seed, hay, chaff and livestock. Machinery and tools were regularly borrowed and loaned out. It was a frontier existence, with dingoes howling at night and Adelaide days away—and it still is in some respects. The railway was the artery connecting Minnipa with civilisation, bringing up essential supplies like mutton and water and taking way produce, generally wheat, in a nine-hour round trip to Port Lincoln.

The experimental farm, or the government farm, as it was also sometimes known, was covered with mallee scrub and the first task, of course, was to clear it. Different clearing methods were investigated—and some were progressed from those that were already in place on the Yorke Peninsula—as well as sowing of crops on new ground, fertiliser types and rates, testing of different cereal varieties and sowing rates, control of diseases in crops, and testing of as many new crops as possible. Even peanuts and castor oil plants were tried, safflower, sunflower, sorghum, millet, cumin and coriander; the list goes on. An endless number of crops were trialled, and in fact in this year's trial site I noticed some quinoa, the modern day superfood.

The DEPUTY SPEAKER: The rediscovered modern day superfood. It's been around forever.

Mr TRELOAR: The rediscovered superfood. It has been around for a long time, but it is just starting to be grown in Western Australia, in particular, but also a little bit here in South Australia. I think the challenge will be to produce it by mechanical means, because we do not have the opportunity with labour that they do in other parts of the world.

The property was eventually renamed the Minnipa Seed Wheat Farm in 1940, with the purpose of growing and distributing true-to-type pure seed wheat to farmers on the Eyre Peninsula. Of course, the new varieties were so critical for the improvements in yield, and Minnipa was used to bulk up and supply the surrounding farms—indeed right across the state—with the new varieties that were being developed and bred.

By the 1950s the soil fertility had begun to build and the pasture-based rotation was well-placed to support rapidly rising interest in sheep and wool. So we were very much seeing the development of a mixed farming enterprise based on a ley system where wheat paddocks were rested and sown with medic pasture or sub. clover pasture. Certainly at Minnipa, in those alkaline soils, it was medic pasture.

The rebuilding phase continued in the 1960s with the South Australian ley farming system. Rotations were tightening to utilise the high fertility with more frequent cropping. By the 1970s the South Australian ley farming system was being demonstrated in the Middle East. This was about the time I was becoming involved in farming, and I remember many of the Department of Ag. extension workers making a trip to Libya or other parts of the Middle East, Iraq, to extend the work and the developments that we had made at Minnipa to the Middle East. It was—

Mr Pederick interjecting:

Mr TRELOAR: Yes, and some of our agricultural equipment as well. There was a record wheat harvest in Australia in 1968-69, that led to wheat quotas and that led to a search for an alternative for many farmers, and at that stage a lot of farmers turned to beef cattle. So, the research continued, herbicides arrived in the early fifties, or the hormone-type herbicides arrived in the fifties, and the spectrum of weeds controlled widened as new types of selective chemicals were developed in the sixties. By the mid-seventies, it had become possible to control ryegrass in wheat with post-emergent herbicides hitherto considered impossible, and it gave farmers the opportunity to sow much earlier in the season and make much better use of the rainfall.

By the 1990s, the lessons learned in early sowing experiments had extended to the farming community and always, right through this time, the extension work carried out from Minnipa was so critical. The spring crop walks, the fact sheets they put out, the publications they put out were much

sought after and read with great interest by the farming community. Cereal variety testing, which had been based at the centre since its inception, developed a mobile capacity to sow trials across the top half of Eyre Peninsula and, dare I say, it extended, in recent years under the guidance of the LEADA group, to the Lower Eyre Peninsula. As I said, the results from those trials have been published and widely recognised as important research. Some of the lupin trials were carried out on my place, the farm at Edillilie, so I was pleased to be involved with that.

By the 21st century, equipment had become amazingly sophisticated, with air seeders, headers and sprayers guided by GPS and electronically steered to centimetre accuracy, with most adjustments possible on the move. It is extraordinary. Our grandfathers, I am sure, would be delighted but also surprised at the size and sophistication of much of the machinery that is now being used by farmers across the state.

Back to wheat breeding because the multiplication and product of the new wheat varieties was so important. The late Tony Rathjen, who was a former wheat breeder in South Australia and much recognised, stated that cereal breeding has increased—improved varieties have led to increases of about 1 per cent grain yield per year since federation (we are talking now 114 years). So, just on varietal improvement alone we have had a 100 per cent increase in over 100 years.

That does not sound much but if you put in all the other improved farming systems and other contributions that farmers have made along the way, you can see that we are really at a point where our yields are still improving, despite seasonal variability. We have become much better at producing consistently good wheat crops and I have no doubt that this year at the Minnipa Field Day site and the surrounding districts they will deliver another good crop. In fact, if I do my sums correctly I think that is about seven average or better than average years in a row. Once upon a time, that would have been unheard of.

I did take note of a couple of graphs that Bob Holloway produced that day at Minnipa. One is a graph of an inclining wheat yield, steadily inclining wheat yield over the decades, and the other one was a graph of 100 years of rainfall. Despite what anecdotal evidence might suggest, rainfall at Minnipa has remained at a constant average of 325 millimetres per year throughout that 100 years. What has happened, I think, is that farmers have gotten much better at producing more grain on the rainfall available, but also with fewer people.

I will close my contribution there. I know I have the right of reply at the end of this motion and I will talk more then about the centenary of the township itself. I will congratulate all those involved, not just with the centenary field day last week, which we were fortunate enough to attend, but all those people, and they are too numerous to name, who have worked at the Minnipa Agricultural Centre over 100 years, who have dedicated a big chunk of their working lives to developing the agricultural sector, the very important agricultural sector and particularly the dryland farming sector in this state.

Mr PICTON (Kaurna) (12:54): I will speak relatively quickly to give the member the opportunity to sum this up and vote on it before the session ends. I would like to give the government support and my personal support to the motion from the member for Flinders. In particular, the Minister for Agriculture and the member for Giles also asked me to pass on their support for this motion.

As the member for Flinders said, the Minister for Agriculture was there with the member for Flinders and the member for Hammond on the trip up for the centenary, and I think everyone was delighted with their presence due to the fact that it rained significantly on their arrival, to the point that they had to go to Wudinna because they could not land at Minnipa. That was, obviously, a good luck point for those guys arriving in Minnipa and, no doubt, they will be inviting them back for the 101st anniversary.

For the past 100 years, the Minnipa Agricultural Centre has been providing world-class research and development for the farming communities of Eyre Peninsula. In May 1915, the then minister for agriculture, Clarence Goode, and director for agriculture, Professor Arthur Perkins, visited the newly-cleared experimental farm to select building sites for a 3,000-acre farm to test all branches of agriculture.

Since that time, the centre has seen many important research achievements, including the development of the iconic South Australian ley-farming system between 1940 and 1970. The system is an alternative crop of legume cereal. The centre also assisted with the introduction of early sowing systems for cereal and legume crops in the 1980s and 1990s, utilising reduced tillage and improved weed control.

I would quickly like to acknowledge some of the outstanding staff at the centre over the past 100 years. Among them was Henry Day, who was the manager from 1947 to 1958 and was awarded the Order of Australia medal in 1976 for his outstanding services to agriculture. He introduced medics, which as most people here know are annual self-regenerating pastures to South Australian farming systems. These produced a remarkable increase in cereal yields and livestock production.

More recently, Bob Holloway—who I was interested to learn is the brother of the former agriculture minister, the Hon. Paul Holloway—managed the centre from 1976 to 2006 and played a major role in studying and undertaking the impact of the region's alkaline soils on nutrient availability. Dr Holloway was awarded the Australian Centenary Medal for service to the community through dryland farming research and management practices in 2001 and the Order of Australia medal for services to primary industry, particularly as a contributor to dryland farming research and development in 2007.

Today, the centre is operated by PIRSA's research division, SARDI (South Australian Research and Development Institute). It is the base for a team of researchers and extension personnel, supported by the Eyre Peninsula Agricultural Research Foundation and other rural funding agencies and grain breeding companies. There is obviously a good collaboration between people in the government, the private sector and farms to make this work.

The work of the centre is crucial to remain innovative and discover best practice farm-management practices for low rainfall environments and, as was mentioned, it celebrated its centenary on 2 September. I think not only were the rains welcomed but I saw from the minister's release this morning that across Eyre Peninsula yields are up for this year, so obviously, the member's visit paid dividends and, no doubt, they will be keen to invite him back in the future. I would personally like to congratulate the organisers for these events to celebrate this important centenary milestone, and the member's commitment is greatly appreciated by everybody in this house.

Mr PEDERICK (Hammond) (12:58): In the very brief time I have left, I would like to acknowledge the motion of the member for Flinders in regard to the centenary of the Minnipa Agricultural Centre and especially the part of the motion about its contribution to the state's reputation for innovation and leadership in the agricultural research centre. In the very limited time I have at this stage, I would like to say that governments need to fully recognise what agriculture does for this state, especially in regard to the Minnipa research centre, and not just pay lip service to it when the mining industry has had a little hiccup, as it has at the moment.

The research that goes on at this dryland research centre is invaluable not only for South Australian farmers but for Australian farmers as a whole as a dryland centre of excellence. I had one concern when I attended the field days—and I had the opportunity to be there at the centenary celebrations. I talked to some of the people involved with the centre regarding their concerns about how the farm was run by the department. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

Members

SENATE VACANCY

His Excellency the Governor, by message, informed the House of Assembly that the President of the Senate of the Commonwealth of Australia, in accordance with section 21 of the Constitution of the Commonwealth of Australia, has notified His Excellency the Governor that, in consequence of the resignation on 10 September 2015 of Senator Penny Wright, a vacancy has happened in the representation of this state in the Senate.

The Governor is advised that, by such vacancy having happened, the place of a senator has become vacant before the expiration of her term within the meaning of section 15 of the constitution and that such place must be filled by the houses of parliament sitting and voting together, choosing a person to hold it in accordance with the provisions of the said section.

Petitions

REPATRIATION GENERAL HOSPITAL

Mr MARSHALL (Dunstan—Leader of the Opposition): Presented a petition signed by 85,831 residents of South Australia requesting the house to urge the government not to close the Repatriation General Hospital and recognise this hospital as the spiritual home and vital lifeline for veterans of South Australia and the South Australian community.

Parliamentary Procedure

ANSWERS TABLED

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

VISITORS

The SPEAKER: I welcome to parliament today students from Norwood Morialta High School, who are guests of the member for Hartley, and also two groups from St Joseph's School, Tranmere, who are also guests of the member for Hartley.

The Hon. T.R. Kenyon: It's my former school, sir. I am an old scholar.

The SPEAKER: The member for Newland wishes it to be noted that he is an old scholar of St Joseph's, Tranmere.

Ministerial Statement

SEXUAL ORIENTATION DISCRIMINATION

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:04): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Governments should support the greatest possible engagement in society for all members of our community; that is, they should govern for all people. The fact remains that some individuals and families are not able to participate fully in our community because they are who they are, whether that be gay, lesbian, bisexual, transgender, intersex or queer.

At the opening of parliament this year, the Governor outlined this government's plans to improve our democracy in a range of ways, including the removal of the last vestiges of discrimination on our statute books. To lead to this end, earlier this year we asked the South Australian Law Reform Institute to review our laws and identify legislation that discriminates against these members of our community. The institute has identified areas where immediate action can be taken, and other areas that require further consideration. The government has now received the institute's report on those matters for which immediate action can be taken. It can be found at the Law Reform Institute website.

I am pleased to inform the house that I will have an omnibus bill drafted for the parliament to consider that will remove elements from up to 14 pieces of legislation that discriminate against members of our community to identify as LGBTIQ. Parliament will also be given the opportunity to consider the second part of the South Australian Law Reform Institute report once it is received in the first half of next year.

This legislation will remove aspects of existing laws that are outdated and discriminatory. For instance, a person who identifies as a woman but is not legally recorded as such may be prevented from taking a position on a government board because they are not recognised as a woman under relevant legislation. Other pieces of legislation, like the Wills Act, discriminate by treating married

couples differently from those couples or individuals who are not or who cannot be married, including LGBTIQ South Australians.

I can think of no better time to start this work of removing discrimination than right now, as we enter a month-long festival of 14 events to mark the 40th anniversary of the decriminalisation of homosexuality. It was pleasing that earlier today this parliament was able to come together to recognise the efforts of a previous generation to end this discrimination. The South Australian Law Reform Institute's report gives this generation the opportunity to remove the last vestiges of discrimination from our statute books.

SAMPSON FLAT BUSHFIRE

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. A. PICCOLO: On Monday 5 January 2015, the Chief Officer of the Country Fire Service, Mr Greg Nettleton, arranged an inspection of the Sampson Flat fireground. The chief officer invited me, as the Minister for Emergency Services, to accompany him and to be briefed on the situation. In mid-February 2015, media reports suggested that firefighters were redeployed for a 'public relations exercise with the minister' instead of battling the bushfire. On the same day, the CFS chief officer publicly refuted these allegations, saying:

> The minister's office had no involvement whatsoever and I would not tolerate the minister's office or staff being involved in operational matters on an active fireground.

The Country Fire Service Volunteers Association called for an investigation and, given the gravity of the allegations, the CFS chief officer started an independent investigation. This was something I fully supported.

As both the chief officer and the CFS deputy chief officer had been present at the fireground inspection, Mr Chris Beattie, Chief Officer of the State Emergency Service, was asked to organise an independent investigation. I am advised that the investigation was robust, with many pages of witness transcripts being provided to Mr Beattie.

The findings have now been finalised. The abridged seven-page report contains all the facts, findings and conclusions about the fireground tour. This finding supports the CFS chief officer's original statement refuting the allegations. I table the report today as it is a matter of public interest.

TIME ZONES

The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Defence Industries, Minister for Veterans' Affairs) (14:09): I seek leave to make a ministerial statement.

Leave granted.

The Hon. M.L.J. HAMILTON-SMITH: On 5 February this year, the government of South Australia asked the public to consider whether there was merit in changing our state's time zone. There had been several attempts in recent decades to address the value and relevance of the half-hour time zone: was it a barrier to our social and economic progress, or was it, as our legislators believed in 1899, a positive point of difference?

The state government chose the broadest possible path of consultation, investigation and decision-making. Some of our fellow legislators have revealed that they have no such appetite for a considered and orderly consideration of the matter. The initial phase of community consultation revealed a broad range of arguments for and against change. Many of the issues—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: They're all living in the past, sir; they're all living in 1899. The anti-everything brigade, sir, there they are.

The SPEAKER: The minister—

The Hon. M.L.J. HAMILTON-SMITH: Sorry, sir.

The SPEAKER: —will not taunt the opposition.

The Hon. M.L.J. HAMILTON-SMITH: Sorry, sir, I got carried away; I will regain my composure. The initial phase of community consultation revealed a broad range of arguments both for and against change. Many of the issues raised had emerged for the first time in the context of time zone economics, technological change and transport. Some issues presented opportunities for South Australia, others presented complexity.

In June, the government released a report into the community consultation titled 'What we heard'. As has been reported, it showed a very loud and forthright group from the West Coast had very serious concerns. Regardless of the outcome of the time zone debate, the concerns relating to the West Coast community will be addressed. Flexible school hours, business opening times and other options would be considered.

Mr Marshall interjecting:

The Hon. M.L.J. HAMILTON-SMITH: There he is, the captain of the anti-everything brigade. Mr No. Is there a policy idea over there, Mr Speaker?

Mr GARDNER: Point of order.

The SPEAKER: Point of order.

Mr GARDNER: Yes, 128 identifies what the Speaker is available to do when ministers defy the Speaker's rulings and instructions.

The SPEAKER: He is taunting you a second time.

The Hon. M.L.J. HAMILTON-SMITH: Sorry, Mr Speaker, I was overcome by the intelligence of the interjections, sir, and it just swept me away.

The SPEAKER: Then regain your composure, minister.

The Hon. M.L.J. HAMILTON-SMITH: Very well, sir. The state government has done a thorough analysis of the arguments for and against change. A yet to be released economic study into the value of South Australia's export activity has shown that a huge number of South Australian jobs are dependent on exports, and I would ask members opposite to listen carefully because there are 203,000 jobs in South Australia linked to activities outside the state and of these the majority—the vast majority, 113,800—are related to interstate exports. Our largest economic partners are our fellow states. These are the facts. It has always been the view of this government that whatever change might be made to the time zone, it would need to be for the social and economic benefit of this state. That process requires rigour.

I recently flew to Dubai for meetings with international airline executives to drill down into the pros and cons for our international connections in and out of Adelaide.

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Listen to them. Calm down. I can reveal today that the government had completed a draft bill and new research for consideration by cabinet and ultimately by parliament. It was drafted because we had shattered some myths about time zone shifts and developed possible solutions for West Coast and other communities—solutions that would have worked well—and then the heavy hand of negativity shut the door. Incoming, the captain of the anti-everything brigade. Before they had even seen the bill and without a skerrick of investigation, the opposition declared today that they would say no. There was a leak. Apparently they resolved formerly to block a matter that had not even been introduced.

The consultation had been completed, information had been gathered and its veracity tested. Debate was set to start, but members opposite closed their eyes, blocked their ears and turned their backs. What this process has shown is that many people in our community are passionate about democratic debate, yet there are some who just watch things. They just sit there and let the world pass them by.

The decision by those opposite to vote against a measure before it has even been introduced into the parliament is just extraordinary. There is a government in this state that is looking to the future, and then there is the alternative, looking endlessly into the past, back to 1899. Gee, they miss it. The political opponents of the time zone proposals have slept through the sunrise, and today they are just left to ponder the sunset. I regret to inform the house that the draft bill will not proceed if the opponents of change—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: What's the point? If the opponents of change—

Members interjecting:

The Hon. M.L.J. HAMILTON-SMITH: Here they go. There is a bit of ill-discipline over there, sir. They are leaking, they are arguing—

Mr GARDNER: Point of order.

The SPEAKER: Point of order?

Mr GARDNER: If the minister has completed his ministerial statement, I am not sure what he is doing anymore.

The SPEAKER: Has the minister finished?

The Hon. M.L.J. HAMILTON-SMITH: Almost. One final sentence, and it is this simple message. If the opponents of change ever develop the courage to advance our state, the government remains willing to reopen the process. Have a think about it.

The SPEAKER: Arising out of that ministerial statement, I call to order the members for Chaffey, Mount Gambier, Davenport, Morialta, Hammond, Finniss, the deputy leader, the leader, Hartley, Kavel, Adelaide, Goyder, the Treasurer, Newland and MacKillop. I warn for the first time the members for Chaffey, Davenport, Hammond, the deputy leader, Kavel, Morialta, Finniss, the leader, Adelaide, Hartley, Goyder and Mount Gambier. I warn for the second and final time the members for Chaffey, Hammond, the deputy leader, Morialta and Finniss.

Question Time

REPATRIATION GENERAL HOSPITAL

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:17): My question is to the Minister for Health. Given that, on 12 February this year, the Minister for Health dismissed online protests by saying, 'If the Leader of the Opposition can provide 13,000 signatures, of course that would carry some weight,' will the minister now reverse the decision to close the Repat Hospital after tabling a petition more than six times larger than the minister's threshold, with 88,000 signatures?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:17): No, I won't. I must say, on this issue the opposition speak, and in particular the opposition leader speaks, with a forked tongue, because we well know that what the Leader of the Opposition says behind closed doors is quite different to what he says to the Repat protesters on the front steps. We know—

Mr GARDNER: Point of order.

The SPEAKER: Point of order?

Mr GARDNER: That is clear reflection on a member and probably imputing improper motive as well.

The SPEAKER: I think it is imputing improper motives. The question was asked in a reasonable spirit. It was not strongly rhetorical or insulting, so I would ask the minister to move away from that line of reasoning.

The Hon. J.J. SNELLING: Well, the short answer is no, sir.

REPATRIATION GENERAL HOSPITAL

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18): Supplementary: can the minister explain his decision to ignore the views of in excess of 119,000 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) (14:19): Simply because this is a view that not even the Leader of the Opposition shares.

REPATRIATION GENERAL HOSPITAL

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:19): Can the minister perhaps explain to the parliament why he has made the decision to ignore the views of 119,000 South Australians, the veterans' community and, most importantly, the people of the southern suburbs, who are now going to be without vital healthcare facilities in their region?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:19): Mr Speaker, we all know that there are members of the opposition who have expressed to members on this side the view, 'Thank goodness that you're making the decisions because it means we won't have to.' That is what the opposition say behind closed doors, what they say privately and in such a cowardly way that does not reflect their public pronouncements.

The simple fact is that we have been through the arguments 100 times before about the reasons why the government has made this decision. Anyone can look at the public record about why the government has taken the decision it has. It is a decision we stand by and it is not one from which we will be shifting; and I know that it is one that privately members opposite applaud because they are happy that it is not a decision they will have to make, and they are quite happy to exploit for base political purposes a decision, a difficult decision, that this government is prepared to make. We are prepared to make the tough reform decisions, and if the leaking of the minutes of the Liberal Party room demonstrate anything it is that they have no guts.

Mr VAN HOLST PELLEKAAN: Point of order, Mr Speaker: 127 and 98.

The SPEAKER: Yes, I uphold the point of order. Point of order from the member for MacKillop.

Mr WILLIAMS: No, sir. I seek leave to make a personal explanation.

The SPEAKER: Well, I am not granting you leave. Leader.

POST-TRAUMATIC STRESS DISORDER CENTRE FOR EXCELLENCE

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:21): My question is to the Minister for Health. Can the minister confirm that the $15 million committed for the rebuild of Ward 17 at Glenside includes a dedicated facility for research? What component of the $15 million is going to be dedicated to that new research facility?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:21): Well, it does. It includes all of the facilities that are there currently and all the services that are currently provided by Ward 17. As to the breakdown, I am happy to get a report back and tell the Leader of the Opposition.

POST-TRAUMATIC STRESS DISORDER CENTRE FOR EXCELLENCE

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:21): Supplementary, sir: how can the government hope to provide 24 inpatient beds and a new research facility for $15 million when the estimates for a rebuild of the inpatient facility at Daw Park were between $17 million and $24 million?

Ms Chapman: Bunks in a caravan!

The SPEAKER: The deputy leader can leave for the day under the sessional order.

Mr GARDNER: Sir, point of order. The sessional order allows you to exclude somebody for up to an hour.

The SPEAKER: Sorry. Yes, for an hour. I am sorry. Minister.

The honourable member for Bragg having withdrawn from the chamber:

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:22): Sir, we are confident that we can meet all that we have said we will meet within the budget which we have provided and which we have announced.

POST-TRAUMATIC STRESS DISORDER CENTRE FOR EXCELLENCE

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:22): Does the government expect that the move of Ward 17 to Glenside will see a reduction in the length of stay in the ward?

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 will need to check with the clinicians who work there, but the clinicians who work there, including the clinical leader of Ward 17 who was involved in the working group, will no doubt have some views on whether they can achieve reduced lengths of stays, but Ward 17 has a particular purpose to deal with not only veterans but also first responders suffering from post-traumatic stress. As to whether there is some capacity to reduce length of stay, I am not sure; I will need to speak to the clinicians involved in that work.

HEALTH SERVICES

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23): Why has the Repatriation General Hospital been dropped from the SA Health's elective surgery dashboard given that the Repat does 25 per cent of Adelaide's orthopaedic and urology elective surgery?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:23): I will need to check. I think there has been an issue with the dashboard and with a couple of sites with respect to elective surgery, and I just need to check about why it is not there.

HEALTH SERVICES

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23): Can the minister update the house as to what the length of stay is and the elective surgery dashboard information should be for both Noarlunga and for the Repat, which has magically disappeared from the dashboard in recent weeks?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:23): As far as I am aware there has just been a technical issue with providing that information.

Members interjecting:

The Hon. J.J. SNELLING: I have to say, it is a bit rich for the opposition to be making complaints about what is on the dashboard given there was never a dashboard when they were last in government. We are the government that introduced the dashboard. We are the government that introduced some transparency. Under the previous Liberal government, you wouldn't have a clue what was going on in our hospitals because it was covered with a shroud of secrecy.

Mr PISONI: Point of order: I think the minister is entering debate.

The SPEAKER: Yes, I think the minister is agitating matters from the ancient world. Leader.

STAMP DUTY REFORM

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:24): My question is to the Premier. Given today's statistics showing South Australia has the highest unemployment rate in the nation, will the Premier now take urgent measures to halt the jobs crisis by accelerating tax cuts to stamp duty to encourage South Australian businesses and to employ more people?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:25): This is accelerating the tax cuts that the opposition suggested would have no effect and would be of no benefit to the

South Australian economy. We don't follow the chain of reasoning. The budget reply speech by the Leader of the Opposition is that our tax cuts will do nothing to assist the growth of the South Australian economy or create jobs, and now he suggests that we should accelerate those same cuts as a response to growing the economy. I think in the parlance of the political discourse that lacks coherence. That one idea does not—

Members interjecting:

The SPEAKER: The Treasurer is warned, and the Minister for Health and the member for Taylor are called to order.

The Hon. J.W. WEATHERILL: What we will be doing is to accelerate the 10 economic priorities which represent the economic plan for South Australia. Indeed, just this week, in pursuit of one of the critical economic priorities, which is the internationalisation of the South Australian economy, we saw the decision to reach an agreement to pursue a $4 billion iron ore mine, with the potential to create in the order of 2,500 jobs in construction, as part of the agreement that was reached just this week, with further updates on that agreement to occur later this year.

We also saw a new $70 million agricultural park investment agreement reached just this week. Another critical economic priority, of course, is the economic priority about making South Australia the best place to do business in the nation. An important piece of information we received from the business community about that is that—

Mr Pisoni interjecting:

The DEPUTY SPEAKER: The member for Unley is warned.

The Hon. J.W. WEATHERILL: —we should align our time zone to the Eastern States. That has been a regular demand of the business community to create the most competitive business environment. We've done the heavy lifting on the taxation side. The Treasurer has introduced a nation-leading budget which has already introduced important tax reforms from the date of the budget, which has taken South Australia, on some scales, from the highest taxing state to the lowest taxing state in the nation.

Mr Marshall: The highest in the nation.

The Hon. J.W. WEATHERILL: We've never accepted that characterisation, but on some methodology, the one that's preferred by the Leader of the Opposition, we have gone from the highest to the lowest in the nation. That gives us the capacity to tell a very persuasive story to businesses looking to set up business here in South Australia to create jobs here in South Australia. So we will be taking steps to accelerate the work that we're doing in relation to our 10 economic priorities. Rather than oppose our efforts to pursue those priorities, either come up with some of your own or get in behind ours.

EXPORT INDUSTRY

Ms VLAHOS (Taylor) (14:29): My question is to the Minister for Agriculture, Food and Fisheries. What feedback has the state government received from South Australian businesses about exports following the government-supported trade delegations to South-East Asia?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:29): I thank the member for Taylor for the question and also acknowledge the great advocacy she does on behalf of primary producers in her electorate. I have had the pleasure of being out in your electorate many times, member for Taylor, going through the glasshouses and other businesses of people who are doing such a terrific job in that horticultural sector.

Last month, the Premier and the Minister for Trade led a delegation of businesspeople from South Australia, including 30 people from the agribusiness sector representing 20 food and wine companies. Already, just a month after that visit, we're starting to see some of the rewards. Of course, one of the government's key economic priorities is premium food and wine from our clean environment exported to the world.

We have been a government that has gone out there seeking new markets and trying to build relationships and build exports in all sorts of markets right around the world. That's the way we're going to improve the economy of South Australia and that's the way we're going to create more jobs in South Australia—by bringing money from outside our state into South Australia and getting that money flowing right through the South Australian economy.

A member of AUSVEG SA has struck a $500,000 deal to export vegetables to Malaysia, and a McLaren Vale family-owned wine producer, Nardone Baker Wines, secured export deals in Singapore, Malaysia and Thailand. These deals are brilliant for South Australia, not only for individual premium food and wine companies but for the economy overall.

AUSVEG SA State Manager, Jordan Brooke-Barnett, has said the trip provided a unique opportunity to build relationships and was an excellent chance to look at Thailand as a potential export market for South Australia's vegetable industry, a market they hadn't thought was feasible. He said, 'Thailand really has the potential to be a lucrative market and we're going to start the process of sending trial shipments of South Australian vegetables over there.'

Nardone Baker Wines' Managing Director, Frank Nardone, has said that this mission provided an opportunity never experienced before. Mr Nardone was able to meet with potential buyers in all three markets, and I understand he signed export contracts in Singapore, with some of his wine that is normally exported to Europe now being sold there. I'm also told that an order for Nardone Baker wines has been placed in Kuala Lumpur and they are in the process of finalising a deal in Thailand.

It's all terrific news and, of course, it comes in the same week that we have had the most powerful man in Shandong, the Party Secretary, Mr Jiang, here in South Australia. He led a delegation of 150 people from Shandong Province. Of course, 100 million people live in Shandong Province. It has an economy worth $1 trillion—the same size as the Indonesian economy.

The Premier hosted a wonderful state dinner on Tuesday night, and then last night I had all the procurement people, about 80 of them, who had come over from Shandong looking to buy South Australian produce. We started the day in the National Wine Centre where we had Laucke Flour, Golden North and many other great South Australian producers showing their wares. Then the Party Secretary and I went up to the Waite campus. He was blown away by the high level of research that is done there in a place that is renowned throughout the world as being one of the leading agricultural science facilities.

In the afternoon, Darren Thomas hosted us at his home set-up at Nairne, where we looked at the great work that Thomas Foods International has done—a company with a turnover of $1.8 billion a year, which is pretty good going for a South Australian company. They see that figure likely to grow and grow. It is beholden on all of us here to go out and build new markets, build relationships and make sure we can sell as much of our premium produce as possible to those in other parts of the world.

MODBURY HOSPITAL

Ms BEDFORD (Florey) (14:33): My question is to the Minister for Health. Minister, what information can you provide about doctors and the Modbury Hospital emergency department?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:33): I would like to thank the member for Florey and acknowledge her dedication over many years on behalf of her electorate and people of the north-eastern suburbs when it comes to the Modbury Hospital. Recently there have been some inaccurate claims made about Modbury Hospital and its emergency department. Chief among those claims was that the Northern Adelaide Local Health Network is struggling to recruit doctors to work at the emergency department. This is simply not true.

While the emergency department has been dealing with the demands of a very difficult flu season, in terms of both patient presentations and higher sick leave taken by medical staff, there has been no issue in recruiting doctors to work at Modbury. In fact, there have been many more applicants than there have been positions available. I am told by the Northern Adelaide Local Health

Network CEO, Jackie Hanson, that the emergency department just added three doctors to its staffing list in the last week and it expects to employ additional consultant level doctors in coming months.

Similar to other EDs across our metropolitan network, Modbury has been very busy and unfortunately we have seen this result in higher sick leave taken by doctors compared to last year. In response, SA Health has used locum medical staff to cover this shortfall as part of its winter demand strategy. I would like to thank the doctors, nurses, paramedics and staff across our system for their hard work and dedication during this very busy period.

For over 40 years, Modbury Hospital has been serving the north-eastern community, and I would like to assure the house that, with Transforming Health's investment, Modbury Hospital will continue to be an important part of our public hospital system for many years to come.

APY LANDS, TRADE TRAINING CENTRE

Ms HILDYARD (Reynell) (14:35): My question is to the Minister for Education and Child Development. Can the minister advise how the trade training centre on the APY lands is supporting young people to gain qualifications and boost job opportunities?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:35): I do just return from my visit to the APY lands, which is my first as an adult. I had gone as a child to Mimili when I was about eight but other than that had not had the privilege of visiting the APY lands. I had an extraordinary few days travelling some thousand kilometres by car around to three of the communities plus Umuwa.

The trade training centre is what could have been a white elephant. It is a very large shed in the middle of Umuwa, which is essentially not lived in by Anangu, and it has facilities to allow training in automotive repairs, metalworking and woodworking, and it has a very large commercial kitchen for hospitality as well as a seminar room. In fact, it is far from being a white elephant. It has been an extraordinary place for Anangu to receive training and also for non-Anangu people living in the area to receive training. It is a facility that is used by various RTOs, including TAFE, and in the 2½ years it has been in place it has had nearly 600 enrolments and some 73 graduations with complete certificates to date.

So, what happened just two days ago is that we had a graduation for the students who had graduated to date in those 2½ years, and that is important not just because every student who graduates ought to have the opportunity to have a graduation ceremony but to emphasise both to the students and to the community that this is a solemn and serious event where their young people have made a decision, not only to make themselves stronger through education but to make their community stronger.

To be privileged enough to be part of that ceremony to sit and watch numerous Anangu go across the stage to be handed their certificate, to have several students use those to contribute towards their SACE—and one student from Mimili was there to receive her certificate as part of having completed her SACE—it was an extraordinary privilege. It reminds me that, while there are many complications and many difficulties on the lands, there are also lots of stories of strength and hope, particularly when the Anangu community itself is sitting behind the projects.

What I saw was a community that understands how important it is, not simply for training for its own sake but training in areas where there will be employment on and off the lands, and obviously with hospitality the possibility of working in various services on and off and into the Northern Territory at the five-star catering level and at the production of lots of meals for aged-care services and so on, that is an extremely useful skill for employment in the future. So, I was impressed, it was a privilege, and I wish all of those who have graduated and are still on their way to graduating every success.

TEACHING QUALIFICATIONS

Mr PISONI (Unley) (14:39): My question is to the Minister for Education and Child Development. Can the minister confirm that the government will deliver on its election promise for 'all new teachers to have master's qualifications from 2020'?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:39): The difficulty—and I do not think I can bring you completely

up to date today—is that I believe we are still in discussions with the commonwealth government about adjusting the cap on master's places. However, given that minister Gago in the other place is the lead on undertaking that work, I will seek an answer from her to bring back to the house.

TEACHING QUALIFICATIONS

Mr PISONI (Unley) (14:39): Supplementary, sir: can the minister advise how that promise will be delivered when there are now only four academic years until 2020?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:39): As I have indicated, the minister who is leading that is minister Gago in the other place; I will seek a report back.

TEACHING QUALIFICATIONS

Mr PISONI (Unley) (14:40): Supplementary, sir: will students have access to HECS or FEE-HELP in order to obtain their master's degrees?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (14:40): Again, I suspect that falls firmly into the task of minister Gago. However, I would like to say that the idea of having teachers have higher qualifications is a good one. What we want is for our teachers who are capable of leading their kids in the 21st century to develop those skills that are required for the future. I am absolutely delighted to be part of an effort to lift the level of the qualification for teachers, not only pre-service but also we are funding a number of scholarships for existing teachers who are already in service to gain their master's in order to further improve their qualifications for teaching.

PALLIATIVE CARE

Mr BELL (Mount Gambier) (14:41): My question is to the Minister for Health. Due to the palliative care cuts to the South-East, can the minister inform the house how bereavement counselling will be delivered?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:41): I suggest the member for Mount Gambier direct his question to the federal government, who are the ones who have made the cuts.

PALLIATIVE CARE

Mr BELL (Mount Gambier) (14:41): Supplementary, sir.

Members interjecting:

The SPEAKER: The member for Morphett is called to order. Supplementary, member for Mount Gambier.

Mr BELL: This is to the Minister for Health as well. Is there an increase in the overall health budget, or a decrease?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:41): Let's be quite clear about this. The federal government had national partnership agreements that were funding the palliative care service at Mount Gambier. I have a lot of time for the member for Mount Gambier; he is a strong advocate for his community, but I have to say that I am a little bit tired of hearing this nonsense about cuts to palliative care in Mount Gambier when the member for Mount Gambier knows full well that the only reason for this cut is that the federal government cut the national partnership agreements. That is the only reason.

The only money that has been taken out of palliative care in Mount Gambier is because of cuts by the federal government. If the member for Mount Gambier was serious about this issue he would be taking it up with the federal Liberal member for Mount Gambier and with the federal government, not with me.

Dr McFetridge interjecting:

The SPEAKER: The member for Morphett is warned. Member for Colton.

AGRICULTURAL ROAD TRANSPORT

The Hon. P. CAICA (Colton) (14:42): My question is to the Minister for Transport and Infrastructure. Can the minister update the house on the progress of the 90-day project between the government and the agricultural sector regarding agricultural transport?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (14:43): I thank the member for Colton for his question and interest in this area. As members would be aware, the state government, in partnership with Primary Producers SA, conducted a 90-day project to review road transport for the agricultural sector. In March this year, the project report was released identifying a large number of issues to be investigated and resolved across the state.

Since March, the Department of Planning, Transport and Infrastructure, Primary Industries and Regions SA and Primary Producers SA have been working through the recommendations announced in this report, titled 'A modern transport system for agriculture'. The government is grateful for the dedication and hard work of the former premier, the Hon. Rob Kerin, for leading this work.

I am pleased to advise the house that, of the 184 issues that were raised as part of the project, 47 of these matters have already been resolved. I have already advised the house of the following productivity initiatives that have been implemented:

- Approval for BAB quad and ABB quad road train access to the 53.5-metre road train network between the Northern Territory border and Port Augusta.
- Amending the existing South Australian tri-axle dolly policy to be nationally consistent.
- Increasing from 100 kilometres to 160 kilometres the travel radius beyond which a primary producer must carry and fill out a heavy vehicle fatigue work diary. As announced in March, we are also progressing B-double and road train access to the Jamestown saleyards, extending the maximum permitted length of a road train prime mover when operating as a semitrailer from 19 metres to 20 metres, and we have updated the road access on Carslake Road at Dublin from general mass limit vehicles to higher mass limit vehicles.

I am pleased to announce today to the house that approval has been granted for higher mass limit vehicles to access 18 Viterra sites across South Australia. These include Viterra sites in:

- Meribah, Wunkar and Lameroo in the member for Chaffey's electorate;
- Two Wells in the member for Goyder's electorate;
- Orroroo, Yongala, Kapunda and Jamestown in the member for Stuart's electorate;
- Monarto South in the member for Kavel's electorate;
- Kimba in the member for Giles' electorate;
- Saddleworth/Auburn and Gladstone in the member for Frome's electorate; and
- Poochera and Yeelanna in the member for Flinders' electorate.

Approving these vehicles means heavier loads can enter these sites, meaning more grain can be delivered per load, increasing productivity and hopefully driving down transport costs to benefit farmers in the future. The flow-on effects will have a huge impact across the supply chain, which is good news for South Australia's regional growth and economic development.

I would again like to take this opportunity to thank the contribution of Primary Producers SA and its chair, the Hon. Rob Kerin. Mr Kerin has been a crucial part of getting a number of these important measures completed through this 90-day project and implemented so quickly. I have also appreciated the support from a number of MPs opposite, as well as the Minister for Regional Development and the Minister for Agriculture, Food and Fisheries for helping drive these initiatives.

The government is committed to continuing to resolve the issues raised as part of the report, and I look forward to making further announcements to the house as this work progresses.

SAMPSON FLAT BUSHFIRE

Dr McFETRIDGE (Morphett) (14:46): My question is to the Minister for Emergency Services. Given the minister has tabled a report today on his visit to the Sampson Flat bushfire, can the minister tell the house when the more substantive report into the cause and the management of the Sampson Flat bushfire will be tabled?

The Hon. A. PICCOLO (Light—Minister for Disabilities, Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety) (14:46): Can the member repeat the second part of the question?

Dr McFETRIDGE: We are wanting to know when the more substantive report into the cause and management of the Sampson Flat bushfire will be tabled.

The Hon. A. PICCOLO: In terms of the cause, etc., of the fire, that's been made publicly available by SAPOL. SAPOL undertook an investigation, and that information has been made publicly available, but I am happy to provide further information if—

The Hon. J.M. Rankine interjecting:

Dr McFetridge: And the management of the fire?

The Hon. A. PICCOLO: In terms of management of the fire—

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

The Hon. A. PICCOLO: In terms of management of the fire, I can advise that an independent investigation under the auspices of AFAC was undertaken. That report will go to the Emergency Management Council next week, and it will be made public thereafter.

SUICIDE PREVENTION

Ms VLAHOS (Taylor) (14:47): My question is to the Minister for Mental Health and Substance Abuse. Today is World Suicide Prevention Day. Can the Minister for Health outline what the state government is doing to support suicide prevention in South Australia?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:48): I would like to thank the member for Taylor, who is also parliamentary secretary, for her question and her interest in working with stakeholders and the community to improve our mental health system. I note, in the last few days, the secretary has been involved in a forum with the RSL and other veterans' organisations to talk about the work South Australia is doing to assist veterans with post-traumatic stress and to explore new and innovative ways to deliver veterans' mental health services.

Every suicide is a tragedy, and the South Australian government is committed to preventing suicide and supporting those bereaved by suicide. To this end, the government is committed to maintaining and updating its suicide prevention strategy and it has committed an additional $1 million in funding every year specifically for suicide prevention and prevention initiatives.

Around $0.5 million has been committed to *beyondblue* and Lifeline for depression, anxiety and suicide awareness and telephone crisis support services. Recently, the parliamentary secretary and I met with the chair of *beyondblue*, the Hon. Jeff Kennett AC, to discuss *beyondblue's* work and, in particular, the impact of depression and higher risk of suicide among first responders, including our paramedics, police and firefighters. As a result of these discussions, the parliamentary secretary has committed to working further in this area on behalf of the government to see how we can support the important work *beyondblue* is doing to assist our first responders.

Suicide prevention is a whole of government and, indeed, a whole of community problem, and that's why the government also wants to work with and empower local communities around the state. We have committed $150,000 to establish and support local suicide prevention networks to raise awareness, reduce stigma, improve individual community resilience and enhance referral

pathways. An amount of $150,000 is also being committed for small grants schemes for local suicide prevention initiatives and activities.

This investment has already allowed the establishment of suicide prevention networks in Clare, Gawler, Mid-Murray, Mount Gambier, Murray Bridge, Naracoorte, Playford, Whyalla, Yorke Peninsula, and a South-East Aboriginal suicide prevention network based at Mount Gambier, with discussions underway to establish others. Support has also been given for the suicide prevention work of Aboriginal organisations, an arts group, disability organisations, a men's group, a refugee organisation and a veterans' group, as well as working with other programs such as the commonwealth's Suicide Hotspots program to enhance safety on the Noarlunga rail line.

On World Suicide Prevention Day, it would be remiss of me not to mention the Australian initiative, R U OK?Day. The most effective way to reduce the risk of suicide for a person who is feeling distressed or overwhelmed is genuine connection and engagement from people around them, whether family, friends, work colleagues or service providers. I encourage everyone in the chamber and elsewhere in our community to make a difference to the lives of others today by asking the simple question: R U OK?

HEALTH SERVICES

Mr TARZIA (Hartley) (14:51): My question is to the Minister for Health. Given the government announced in August that the Felixstow BIRCH facility will be transferred to the Hampstead Rehabilitation Centre on 14 September, why did the minister claim in estimates in July that 'there are certainly no plans to change it'?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:51): I am more than happy to have a look at my comments in estimates and correct the record if I was incorrect, but I am confident they would have been correct at the time.

HEALTH SERVICES

Mr TARZIA (Hartley) (14:51): Supplementary, sir: will the move of BIRCH to Hampstead be delayed past 14 September?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:51): I am happy to get back to the member for Hartley. This is being handled by the Central Adelaide Local Health Network, and I am happy to get some advice to the member for Hartley.

REPATRIATION GENERAL HOSPITAL

Mr DULUK (Davenport) (14:51): My question is also to the Minister for Health. Can the minister explain why South Australians need to spend $170 million on a new rehabilitation centre at Flinders Medical Centre when, at the same time, the government is shutting down the Repat, a centrally located centre that works well and has overwhelming public support to remain open?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (14:52): Mr Speaker, I have been asked this question a hundred times before, and the answer has not changed. There are important reasons why we need to integrate rehabilitation with our major hospitals. One of the issues we have in this state—when we talk about South Australia having longer lengths of stay than other states, one of the prime causes of that is that we do not have good integration of our rehabilitation services with our hospitals.

For people who have had a trauma or a stroke, or needed a procedure such a hip replacement, their rehabilitation just does not happen soon enough, because generally, rehabilitation happens at a different site to where those patients are. So, the patient effectively has to, for all intents and purposes, recover, and then their rehabilitation begins. That means their rehabilitation takes much longer than it otherwise would.

What we need to do—and the main thinking about having rehabilitation integrated with the Flinders Medical Centre—is enable people, whether they have an injury, a stroke, or a procedure

such as a hip operation, for their rehabilitation to begin far earlier. In fact, best practice would suggest that generally rehabilitation should start the day after an operation like a hip operation. Too often in this state that does not happen. The other reason, of course, is simply one of infrastructure. For—

Mr Marshall interjecting:

The Hon. J.J. SNELLING: The opposition might be content with people being treated in facilities that are old and, for all intents and purposes, no longer fit for purpose—

Members interjecting:

The Hon. J.J. SNELLING: Although, we know, secretly—they do not even make a secret of it: what they say to other people is they agree with what the government is doing.

Members interjecting:

Mr GARDNER: Point of order, sir: despite the minister's relaxed tone, the content is clearly debate.

The SPEAKER: I will listen carefully to what the minister has to say; I do not think he is imputing improper motives to any individual.

The Hon. J.J. SNELLING: Very precious, aren't they? Very precious on this particular issue.

Mr Wingard interjecting:

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

The Hon. J.J. SNELLING: For all of these reasons, it make sense for us to invest in a brand-new rehabilitation facility, purpose-built rehabilitation facility, at the Flinders Medical Centre. Of course the great work that ACH do—

Mr Pisoni interjecting:

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

The Hon. J.J. SNELLING: —with their facility at the Repat will continue, and of course the government has made it quite clear that, with regard to the future of the Repat site, our intention is to find a partner who can continue to deliver health and aged-care type services, and who can happily continue to provide such services.

Mr Marshall interjecting:

The Hon. J.J. SNELLING: Given that the Leader of the Opposition is interjecting, I am more than happy to quote what the Leader of the Opposition says behind closed doors, and I quote:

> Our working theme is one of transforming the Repat, rather than saving it in its exact orientation. We believe that there is an opportunity to transform the Repat, not just from a Veteran's perspective, but for a range of other groups that would benefit from the site being transformed, particularly for aged care needs.

Exactly the government's position, shared by the Leader of the Opposition. The Leader of the Opposition speaks with an absolute forked tongue on this issue.

The Hon. A. Koutsantonis interjecting:

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

Dr McFETRIDGE: Can the Minister for Health table that document?

The Hon. J.J. SNELLING: I was just about to do so.

The SPEAKER: The member for Napier.

Members interjecting:

Mr GEE: Are you ready for it?

Mr Pengilly interjecting:

Mr GEE: I thought you'd already had enough.

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

GEOSCIENTIST ASSISTANCE PROGRAM

Mr GEE (Napier) (14:56): My question is to the Minister for Mineral Resources and Energy. Can the minister update the house on initiatives to support the resources and energy sector and the important work carried out by geoscientists?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (14:57): Due to its reliance on commodity prices—

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: Sorry? Yes. The government's support for the resources and energy sector is recognised nationally and globally as being innovative. The ground-breaking approaches taken in the design of the Plan for Accelerating Exploration and the award-winning South Australia Resource Information Geo-Server, or SARIG, as well as the SA Mining app for smart phones have ensured South Australia has remained out front in meeting the demands of the resources sector, innovation I know the member is very supportive of. This innovative spirit does not end there and due to its reliance on commodity prices, the resources and energy industry more keenly feels the ebb and flow of the global economy, and as industry deals with the downturn, it is important to ensure that there is a highly skilled and trained workforce.

To address this the government has been working with the industry and our universities to assist graduates to get a toehold in the sector through the Geoscientist Assistance Program. During its last period of operation between 2009 and 2012, the assistance program placed 33 graduates and professionals in a variety of geoscientific roles, with almost all being retained by the company after their GAP tenure ceased.

The $425,000 budgeted for the next two years will help maintain, develop and diversify the skills base of geoscience graduates and professionals affected by this unprecedented downturn. In the first six months of the new program, GAP has already placed nine graduates and experienced geoscientists with eight companies. The program works by providing partial salary subsidies for the employment of GAP participants; negotiating appropriate work programs and plans in partnership with the industry partner; and actively engages tertiary institutions by promoting GAP and providing advice for all geoscience graduates wishing to enter the industry.

This collaboration with the South Australia Chamber of Mines and Energy, local universities and the resource sector can prevent the loss of skilled and highly trained individuals from the South Australian exploration and mining industry workforce. We have found that the two critical points in the commodities cycle is during the upswing when there is substantial competition for geoscientists across the country and during downturns when exploration budgets are squeezed and geoscientists with them. I am confident that the program will continue to meet with overwhelming support from geoscientists and their employers and generate significant interest for companies wanting to submit project proposals and employ exploration staff. I commend the program to all members of the house, and the member for Schubert can find the press release to be released in about two minutes.

ELECTRIC TRAINS

Mr WINGARD (Mitchell) (15:00): My question is to the Minister for Transport and Infrastructure. Can the minister inform the house whether, since the old 2000 Jumbo trains were taken out of service a few weeks ago, any department staff have reported the 4.23pm or 4.38pm Gawler trains departing Adelaide station as being dangerously full?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (15:00): Can I thank the member for Mitchell for his question. Mr Speaker, you will recall that yesterday we were canvassing the issue of the retirement of the 2000 class diesel trains, which are the oldest of the train fleet that we had in service, and we were talking about the

government's policy to procure the new 4000 class electric trains (or the EMUs as they are called), to procure 22 of those EMU sets, which is roughly the equivalent of an extra 66 railcars.

We retired the 29 carriages of the 2000 class diesel trains and, given that we have, I am advised, taken into service approximately 20 of these three-car EMU sets or the equivalent of 60 single carriages, there is a substantial increase to the train fleet. That has been necessary, as obviously there is a growing demand for public transport services, including in particular the rail services, and that has been borne out by the fact that, in the last financial year, we had a record patronage level on our public transport services and significant increases on our train services.

Specifically, on the member for Mitchell's question, as to those two services, which I understand to be (I do not recall the exact times) before 5pm in the afternoon, being full, I do not know the exact consist configuration of those trains, but if they are departing the Adelaide Railway Station before 5pm, they are likely to be smaller consist trains than the ones that they will put on during peak hour. I will investigate the matter and come back to the Mitchell, but I should say that patronage has been increasing, as I indicated, certainly in the last financial year, but there is a growing trend of that. Carriages have been experienced by commuters as more and more full, which of course justifies the reason why we have invested in the additional rolling stock to grow capacity across the network.

RAIL SIGNAL FAILURES

Mr WINGARD (Mitchell) (15:02): My question again is to the Minister for Transport and Infrastructure. Were there more signal failures on the Gawler line again last night during peak travel and how many signal failures have there been on the Adelaide Metro line over the past two months?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister Assisting the Minister for Planning, Minister Assisting the Minister for Housing and Urban Development) (15:03): As for signal failures that occurred yesterday, I will have to seek a report for the member for Mitchell and come back to him. Of course, as we outlined in the recent state budget, the failure of signalling equipment and the disruption that it causes across the Adelaide Metro rail network has been of concern to this government, to the extent that an additional $12 million has been provided in the most recent state budget to upgrade different parts of the signalling infrastructure in an effort to minimise the risk of these sorts of incidents occurring in the future.

MULTICULTURAL FESTIVAL

Ms WORTLEY (Torrens) (15:03): My question is to the Minister for Multicultural Affairs. How is the government celebrating South Australia's rich cultural diversity?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for Multicultural Affairs, Minister for Ageing, Minister for Youth, Minister for Volunteers) (15:04): I thank the member for Torrens for this question. Our government is committed to creating an inclusive and cohesive community where cultural and religious diversity is welcomed and celebrated. We recognise the positive contribution of our multicultural communities and we respect their right to express and share their individual cultural heritage within our thriving state.

I am very pleased to advise the house that the Department for Communities and Social Inclusion will host the annual Multicultural Festival in Rundle Mall on Sunday 1 November 2015. The festival aims to increase cross-cultural understanding, bringing together South Australians from all walks of life to celebrate diversity through a host of activities and events.

It will feature 62 multicultural community groups showcasing their cultures through music, dance performances, cultural displays, food sales and workshops. Most recently arrived and more established multicultural communities will participate, and up to 80,000 people are expected to converge on Rundle Mall for the state's most diverse festival.

As members of this house are aware, South Australians have made festival living part of their identity. Everyone seems to be outside watching the artists paint, listening to musicians, laughing with comedians. Our government is committed to increasing social participation of our culturally and linguistically diverse communities, and that is why we have tripled the investment in multicultural communities with an extra $8 million over the next four years.

These funds will help move our experience of multiculturalism and our appreciation for cultural and linguistic diversity into a new age of openness and inclusion. Our government understands the importance of investing in our multicultural communities because they enrich our cultural fabric and strengthen our economy.

Earlier this year I invited multicultural communities across South Australia to apply for a grant to support the costs of participating in the Multicultural Festival I was very impressed by the applications received, and I am pleased to announce that 46 multicultural communities have received funding to participate in this festival. These communities will host many activities to showcase their culture, and some of the highlights will include:

- the internationally renowned African and Burundian drummers, singers and dancers;
- Brazilian Capoeira Martial Art displays combining dance, acrobatics and music;
- the vibrant colours and sound of Bollywood and Ukrainian dancers;
- Mexican arts and crafts; and
- Japanese calligraphy and origami.

This festival is an excellent way to showcase and celebrate South Australia's rich cultural diversity. I encourage all members of the house to come along on Sunday 1 November. Our government will continue to create opportunities for South Australians to experience the many cultures that make up our thriving state.

MULTICULTURAL FESTIVAL

Dr McFETRIDGE (Morphett) (15:07): Supplementary: the minister in her answer then said that there were 46 multicultural communities in South Australia. Can she tell the house how many of those are Syrians and what discussions the state government has had with the federal government about accepting Syrian refugees, how they are going to be funded and where they are going to be placed?

The SPEAKER: I do not think that is a supplementary question. The member for Adelaide.

TRANSFORMING CRIMINAL JUSTICE

Ms SANDERSON (Adelaide) (15:07): My question is to the Attorney-General. Is the Attorney-General satisfied with his department's response time to people who called into the Transforming Criminal Justice phone line on 23 June, considering that at least one constituent of mine is still waiting for a response some 11 weeks later after being promised a response within two weeks?

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) (15:08): I thank the honourable member for her question. That particular phone-in was actually very successful, and as I mentioned before we had something like 150 or 180 phone calls. It was not as good as minister Mullighan who had nearly 300, but, of course, the member for Bright was responsible for 125 of them through a ring around that he did. So, full marks to the member for Bright.

Can I say to any other minister who might be contemplating a ring around, make sure you put it on an evening when he is otherwise busy, otherwise all of his group will be phoning in. Member for Bright, you have had a response to all your 125 things, haven't you? Haven't you? Not yet, okay. Never mind. I think the issue is that, as far as I am concerned, the department has been asked to respond to all of those. If it has not I am disappointed. If the member can provide me with details of the person concerned I will definitely follow that matter up. It was my expectation they all would be followed up within two weeks, and I was led to believe that had been successfully accomplished. If it hasn't been, that's a matter I should take up, and I thank you for drawing that to my attention.

TRANSFORMING CRIMINAL JUSTICE

Ms SANDERSON (Adelaide) (15:10): Supplementary.

The SPEAKER: Well, is the member able to provide the name?

Ms SANDERSON: I am; however, this person has also written to your office four weeks after not receiving a response. I was cc'd in, and I've responded to that, so it's actually been sent to your office in writing and to the DPP's office.

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) (15:10): The mystery is killing me, to be honest. If you can just write it down on a piece of paper and slip it to me this afternoon, I'll get onto it.

LEIGH CREEK

Mr VAN HOLST PELLEKAAN (Stuart) (15:10): My question is for the Minister for Health. Given that it's three months today since Alinta announced its planned closure of the Leigh Creek coalmine and it's very likely that that coalmine will be closed within another three months, will the minister advise the house what the government's intentions are for health service delivery in Leigh Creek and the surrounding district?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:10): The final decision hasn't been made, but my strong expectation is that we'll continue providing the hospital there, certainly a health service, in any case, because of where it's situated on the highway and because it provides a service to the surrounding districts. We'll confirm it, but my very strong expectation is we will continue to have the hospital there.

LEIGH CREEK

Mr VAN HOLST PELLEKAAN (Stuart) (15:11): Supplementary: just to confirm that the expectation is that it will be provided indefinitely, and when will the confirmation be provided, given that the mine will close probably in less than three months?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for Mental Health and Substance Abuse, Minister for the Arts, Minister for Health Industries) (15:11): I can guarantee we wouldn't be closing it in three months. There is a body of work going on in the government not just with regard to the hospital but all government services that are provided at Leigh Creek. Once that body of work is done, then I will be in a position to confirm it; but, as I say, my initial advice is that where it's situated on the highway and the fact that there are strong communities around there who rely on the hospital, it would be very, very unlikely that we would be closing it post the Alinta closure. I'm happy to get back to the member for Stuart. There will be a time when the government will have a broader announcement to make about all the services with regard to Leigh Creek. That's in the hands of the Hon. Kyam Maher, who's dealing with those issues.

REFUGEES

Dr McFETRIDGE (Morphett) (15:12): I'll try again: to the Minister for Communities and Social Inclusion. Can the minister tell the house what discussions the state government has had with the federal government about housing Syrian refugees in South Australia, how many refugees we're expecting, where are they going to be housed and what the expected budget will be?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:12): We welcome the commonwealth government's decision to give assistance to refugees from Syria and we welcome them to South Australia. This has been done before, and we are in discussions with the commonwealth government about arrangements about cost. When we have a more detailed fix on what the commonwealth will provide, we can understand better what the state's contribution will be. I think it is fair to say that everyone in the cabinet and in the caucus thinks we can and should do more to help with people who are fleeing situations like we are seeing in Syria. The Premier and Premier Baird were the ones who led the charge on this, and I'm glad to be part of a government that wants to do more for people who are fleeing what can only be described as hellish conditions.

REFUGEES

Dr McFETRIDGE (Morphett) (15:13): Supplementary, Mr Speaker: we've heard about those leading the charge, but what about the details of the campaign, Treasurer, when will we hear about that? This is going to be a long campaign, there will be many, many people involved. We want to know how substantive the state government's response is going to be.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy, Minister for Small Business) (15:13): The government's response will be substantive, Mr Speaker. I can reassure members opposite we want to make sure we look after people when they get here, that we have a conversation with the commonwealth government about what services they will provide, and there should be a clear delineation between the commonwealth and the state. Obviously, we want to make sure that our local communities are comfortable, that they are well informed, that we have information programs go out, that of course we do what we can with communities that are already here to provide assistance. There will be language issues, there will be health issues, there will be educational issues, trauma issues.

There will be a whole range of responses, but we are in discussions with the commonwealth government about how best to do that and, of course, we are attempting to understand what our contribution was last time, but we've come to some difficulty. It's very hard to find records of what the previous government did when we had the last Kosovo exchange here in South Australia—

Dr McFetridge: Warradale—they went down to Warradale.

The Hon. A. KOUTSANTONIS: I know where they were housed. We're just trying to find what services were provided, what it cost, how much was allocated. Those numbers don't seem to exist.

Mr Bell: Stop copying the Liberals and do your own.

The Hon. A. KOUTSANTONIS: 'Stop copying the Liberals.' We're a competent government that wins elections, so we're not copying you. We will do what we can for those Syrian refugees.

FRUIT FLY

Mr WHETSTONE (Chaffey) (15:15): My question is to the minister responsible for agriculture and biosecurity. Does the minister believe that the 50 million fruit fly pupae to be produced at the new sterile fruit fly facility at Port Augusta will be enough to cover the national demand?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:15): It's 50 million a week. That's 50 million a week more than we've got at the moment, so that's a pretty good start. That sterile insect facility that we went up and turned the first sod on the other week is a tremendous boost for agriculture, not just here in South Australia. Of course, South Australia is the only mainland state that is fruit fly free, but we want to make sure that we can help those on our borders to the east in particular where fruit flies have come into record numbers. We want to make sure that we can go and join the battle on that side.

A lot of people have been involved in this. This isn't just the government. We're the ones putting up the money to build the facility. It's a $3.8 million or $4 million facility and we're putting up $3 million of that, so it's not a decision that we've taken lightly, but we're also working with our researchers at SARDI, the universities around Australia and the horticultural groups around Australia as well. The exact number of these fruit fly we will produce each week—and it's a big number—is something they would have all worked on.

I must congratulate the architects, Phillips/Pilkington, who have done a terrific job on the design of the sterile insect facility. They also built the $20 million Waite plant genome accelerator, so they're very good at this sort of stuff. It was terrific to be up there with so many members of the opposition, including Senator Anne Ruston, the member for Chaffey, and the member for Stuart (it's in your patch). There will be 10 full-time jobs associated with this for people in the local area, plus all those building jobs over the next eight or nine months.

Of course, we had the member for Hammond there and the member for Flinders, as well as Mr Ridgway from another place. It was good to see the bipartisan support. If you think we should have more than 50 million flies a week, let me know the basis for that and we will keep working together on that one, but I reckon 50 million is not a bad start.

Grievance Debate

FITCH, DR R.

Dr McFETRIDGE (Morphett) (15:18): I rise to tell the house about the sad passing of one of my constituents, Dr Ron Fitch. Dr Fitch died recently, on 20 July this year, aged 105 years. I will tell you why he is called Dr Fitch a little bit later, but Dr Fitch was born Ronald John Fitch on 8 June 1910. He was born into a railway family in Victoria. After growing up in Perth, Dr Fitch spent his railway career working for Western Australian Government Railways, Commonwealth Railways and South Australian Railways, where he became the railway commissioner in 1965.

Ron began his railway career in 1927 with Western Australian Government Railways as a cadet. During this time, he worked in the drawing office of the Way & Works Branch, as well as spending considerable time working in the countryside and at rural depots. The 1930s depression affected Western Australian Government Railways and a large number of staff lost employment due to the lack of work. However, Ron was transferred to Kalgoorlie in 1931 and took up the role of engineering assistant.

Over the next 13 years, he worked around regional Western Australia before returning to Perth in 1944. Ron spent the next four years as engineer in charge of design work for Western Australian railways' gauge standardisation report. In May 1949 Ron left the Western Australian Government Railways after 22 years of service and relocated his family to Port Augusta in South Australia to commence work for the Commonwealth Railways. Ron formally became the Commonwealth Railways chief civil engineer responsible for the Trans-Australian Railway, Central Australia Railway and the North Australia Railway.

During 1951 and 1952, Ron was a member of the royal commission into the route of the proposed new standard gauge railway line from Port Augusta to Leigh Creek. It was during this time that the working relationship between Ron and the Commonwealth Railways Commissioner, PJ Hannaberry, began to break down. Ron tendered his resignation on 8 February 1954 and was appointed assistant to the Railways Commissioner in South Australia.

Still with the South Australian Railways, Ron's role and title changed in 1959 to Deputy Commissioner, essentially the same role but expanded to include stepping into more senior roles when the Railways Commissioner was ill, on leave or suspended from duty. In late 1962, Thomas Playford, the Premier of South Australia, proposed that the narrow gauge line between Port Pirie and Coburn on the New South Wales border be reconstructed to standard gauge. Playford approached the commonwealth government to provide funding for the project. On 19 April 1963 formal approval was granted and allowed construction work to commence immediately. There was a slight change to the plan. Instead of converting the existing narrow gauge track to a standard gauge, a new standard gauge railway was built on the narrow line.

In 1966 Ron became the South Australian Railways Commissioner. The mammoth standard gauge project between Port Pirie and Broken Hill was completed in late 1969. The South Australian Railways planned to hold events at Port Pirie and Peterborough in recognition of those who worked on the project. Unfortunately these official opening events would be marred by a strike of the Australian Federated Union of Locomotive Enginemen and Ron had no option but to cancel these events at short notice.

During his tenure as Deputy Commissioner and Railways Commissioner for South Australian Railways, Ron was an important ally to the fledgling railway preservation scene in South Australia. In 1973, after 46 years of service, Ron retired from the railways. Ron never stopped thinking about the railways. In fact, in 2002 Ron became the oldest PhD recipient in the world. Ron completed a PhD through the University of New South Wales on the railways of South Australia from 1949 to 1975. As a PhD recipient, Ron was always very enthusiastic in talking to other PhD students about their work and saying that, if he could do it as a 92 year old, then the much younger PhD candidates could complete theirs without any concerns at all.

To recognise Ron's efforts over his lifetime and particularly his PhD achievements, Ron became a member of the Engineers of South Australia's Hall of Fame. This occurred in 2008 when Dr Fitch joined such other luminaries as Sir Eric Neal, Malcolm Kinnaird and Dr Andrew Thomas. The numbers of people who have been inducted into the Hall of Fame are very few. The fact that Dr Fitch is in there is impressive, as is the fact that he was able to complete his PhD at 92. He never stopped thinking about his engineering background and was able to prove that engineers can write PhD theses, as one of his lecturers said. He was a wonderful person. I knew him personally over the last 10 or so years and I pass on my condolences to his family. He will be sadly missed. He was a thinker, a mover and a shaker, and he was one of those people we need to talk about.

Time expired.

MINTON FARM ANIMAL RESCUE CENTRE

Ms COOK (Fisher) (15:23): One of the most common reasons for people contacting my office is to ask for support in relation to animal welfare issues. I am a lifelong lover of animals and want to make sure that we keep our animals as safe as possible. I assure all constituents who contact me I will do my utmost always to support the protection of animals.

It was great recently to visit Minton Farm Animal Rescue Centre and see the fantastic work they do looking after sick and injured wildlife. Minton Farm is located in Cherry Gardens. This non-profit, non-government organisation has been caring and rehabilitating sick animals since 1992. On the goodwill of the community, grants and volunteer time, Minton Farm shelters and provides veterinary assistance to animals from right across the state. Minton Farm has an international reputation, having received an IFAW or International Fund for Animal Welfare award.

Each year this amazing team is responsible for hundreds of animal rescues and overall has rescued nearly 10,000 animals in their ICU, with more than a third of them being there secondary to attacks by domestic cats. The primary objective of the organisation is to educate and enrich the lives of community members through the rescue and care of injured and orphaned native animals and birds, the aim to rehabilitate and release rescues as soon as possible into their territories with the best interests of the species in mind. They also offer advice to members of the public who find injured wildlife. Some quick tips I discovered from their brochure was to try to warm the animal to 30 degrees and keep it in a dark and quiet place. They also recommend that people seek expert help as soon as possible.

When I arrived in Minton Farm I was greeted by a very friendly group of volunteers and shown into the centre. The volunteers come from a range of backgrounds and volunteer for a number of reasons, but they share a common love and interest in animals and a desire to make a huge difference in the lives of the lucky creatures that find themselves there. Many university students and people trying to gain confidence to support entry into the workforce volunteer there, as well as people with just a few hours to spare a week.

Bev Langley has a background in primary school teaching and has also worked with a number of veterinarians. She is a consummate earth mother. Her affect is calm and nurturing and there is no question that she is in her perfect place among her animals. She showed me the incredible amount of first aid supplies that they will get through over spring, which is the busiest time of the year. Rather than go to waste, partly used packets of clean dressings and syringes and other supplies with slightly damaged packaging are donated by hospitals, which save them thousands of dollars per year. While quiet at this time of the year, their rescue intensive care unit is impressive and has pieces of equipment that I can see have been adapted or modelled on neonatal unit or retrieval service equipment that I have used myself on people in intensive care. It is truly fascinating.

I then went on to an incredible and heart-warming tour of the animals. Many of them come to Bev like she is their mother. It is an amazing experience to have kangaroos standing face-to-face with you licking your cheeks or trying to fashion a pouch out of your dress. Yes, a six-foot kangaroo trying to fashion a pouch out of your dress is a very interesting concept. I think the most intimidating of all was a walk through the emus. I really think they have forgotten that they are emus and they certainly do not resemble the emus that my sheep-farming friends have told me can be so brutal to their stock. These emus actually want to hug you. They put their heads on your shoulder and happily walk alongside you. It is just an amazing experience.

I saw the mandatory joeys yet to grow their fur and incredible birds of prey, one missing part of its wing after being hit by a truck. If I remember correctly, Bev drove for eight hours up north to meet with the rescuer of this bird and bring it back to Minton Farm. This is just one of many stories of dedication.

I met a very large pig that is living out his days with chickens, ducks, cows, sheep, alpacas and many other farmyard animals alongside the native wildlife. Older than 15 and possibly not prime for anything else other than being a friend to Bev, he is definitely starting to struggle. He is a friend and in fact a confidant to Bev, who has daily conversations and, of course, a hug with this big guy. Philosophically, she admits that his days are numbered and when she sees that he is distressed, she will help him on his way.

Minton Farm is still housing animals from the Sampson Flat bushfires that are recovering from severely burnt paws and are unlikely to ever be released. They live at Minton Farm in what is high-risk bushfire territory. As we race towards a predicted catastrophic bushfire season, please support their amazing work by donating via their website. Donations of cash, medications, seed and supplies are most welcome. The website is mintonfarm.org. You could even offer to volunteer. It is truly one of the great treasures in our community.

RENEWABLE ENERGY FORUM

Mr DULUK (Davenport) (15:29): One thing I would like to do as the new member for Davenport is to host regular community forums to raise matters of interest to my community. On 18 August I hosted one such forum on the topic of renewable energy in South Australia. Held at the Blackwood centre, we were fortunate to have Adjunct Professor Monica Oliphant AO as our guest speaker.

Concerns about climate change and energy security have encouraged the development of renewable energy technologies, especially solar and wind technologies. Ms Oliphant, who has given long and distinguished service as a research scientist in the renewables sector, presented at this forum. The list of recognition in terms of Ms Oliphant's work includes being president of the International Solar Energy Society and patron of Citizens Own Renewable Energy Network Australia. She is adjunct professor at Flinders University and the University of South Australia, and her current work includes developing community-owned solar and energy efficiency projects with local governments and leading a feasibility study to establish a United Nations University in Renewable Energy in China.

A little over 30 years ago, solar was for water heaters, solar cells were for satellites and wind was used by farmers to pump water and run small electricity generators. Today, the power generation capacity of solar and wind technologies is driving a shift in solar thermal collectors and integration in building design and construction.

My community forum was really to provide the residents of Davenport with an opportunity for them, the community and myself to learn more about renewable energy developments from one of Australia's leading experts on that topic. We had about 85 people at this forum, and I think everyone left the forum with the benefit of the presentation and Ms Oliphant's experience and knowledge in the area.

As with many aspects of modern life, technology is driving dramatic and rapid change in renewable energy. Today, large-scale solar energy projects are creating huge power generating capabilities with significant capacity to deliver reliable, clean, non-intermittent base load power to consumers off the central grid. These projects include the solar power facility in California's Mojave Desert, which is one of the largest solar thermal installations in the US. It has come online in the last couple of years and is supported by Google.

The Crescent Dunes Solar Energy Project in Nevada includes 17,500 heliostat mirrors that collect and focus the sun's thermal energy to heat molten salt and produce steam to generate electricity. The solar energy project in Chile, the Copiapó Solar Energy Project, is scheduled to reach commercial operation by 2019, and 560,000 homes will be powered 24/7 by this grid.

A common theme of these large-scale power projects is government support to a certain extent. Spain was the leader in these initiatives in solar approaches with commercial activity taking

off in about 2008, but of course this was driven by government incentives, and a decline in those incentives saw a decline in that production. Ideally, if we are going to get to where we want to be in terms of solar energy in the world and indeed in South Australia, this is something that needs to be generated by private investment. Political and policy stability to encourage and retain investment in renewable energy is crucial.

Of course, one example of where things are gangbusters at the moment, and something for us perhaps to learn from in South Australia, is what is happening in China. China continues to invest in renewables. They are the world's largest manufacturer and user of solar water heaters, the world's largest manufacturer and user of wind generators and the world's largest manufacturer and soon-to-be user of solar PV power systems. In 2013, there were 2.64 million renewable energy jobs created in China. In that field, wind has overtaken nuclear as the third-largest source of electricity after coal and large hydro in China. There are plenty of opportunities for us to learn from the Chinese and for us to certainly get on board with the manufacture and export of products to the renewable energy sector.

At the forum, I was fortunate enough to meet Mr Rob Paterson, Director of Product Development at Heliostat in South Australia. Based in Beverley, Heliostat are at the cutting edge of CSP and CSPV technology in South Australia. Heliostat helps companies and nations worldwide produce renewable, uninterrupted and utility grade power. It is certainly something great for our industry in South Australia. Developments in renewable energy markets are fast moving and fluid. I would like to thank Ms Oliphant for her time in delivering an interesting and informative presentation to my community.

ELDER ELECTORATE SCHOOLS

Ms DIGANCE (Elder) (15:34): Today, I rise to talk about just three of the great schools in my electorate of Elder. Over the past few months, I have had the pleasure of hosting a number of school groups and, of these schools, all have their own unique richness and culture. They are part of the dynamic network of school offerings in my local area complementing one another. The three schools I mention today are Clovelly Park Primary School, Edwardstown Primary School and Suneden Special School. Each school planned their Parliament House tour to supplement the understanding of the studies they were undertaking in the school curriculum.

Firstly, Clovelly Park Primary School, which is a school of great variety, incorporating mainstream by way of a range of core subjects, special education and intensive English language classes. The intensive English language program, which is designed to assist new arrivals, as well as the special education classrooms, are assimilated into mainstream classrooms, with students embracing diversity within the school.

The school offers a number of avenues for students to pursue their interests, including performing arts and sporting teams. Just recently, around 80 students from reception to year 7 participated at Wakakirri, telling the story of acceptance through props, music and dance. The school's values of respect, tolerance, responsibility, cooperation and persistence are lived and palpable.

The strong focus on developing positive and caring relationships within the school community is evidenced through the partnership that sees the community garden within the school grounds flourish. It was both fun and a great pleasure to host teacher Vicki Faulkner with just over 40 energetic year 6/7 students, who asked amazing and inquiring questions.

The second school I hosted not long ago, thanks to teacher Christie Evans, was the Edwardstown Primary School, and that involved around 50 vibrant year 6/7 students,. The group of well-mannered, enthusiastic students asked many great questions. Edwardstown Primary School has a community of caring and dynamism that is supportive of learning underpinned by its strong values. The learning programs across the school reflect the school's values of respect, care and consideration, and doing your best.

The strong parent and community culture culminates in many events, with a standout being the annual Strawberry Fair, which the whole school community pitches in to run food and fun stalls. This year, it will be held on Sunday 1 November, and there is always a great turnout. It is a well-

known local community event. Edwardstown Primary School offers a specialised curriculum in performing arts and French, and builds on the wide variety of enrichment programs that include concerts, camps, junior and senior choirs, English as a second language, and Greek mother tongue preservation.

The third school I give a big mention to is Suneden Special School, as I welcomed Leanne with a group of her students aged between 13 and 16 years. The group were excited to be in Parliament House and enjoyed sitting in the seats of the Speaker, Premier, and many of the ministers. Founded in 1943, Suneden is a non-government, low-fee paying, nondenominational school for children with intellectual and multiple physical disabilities aged from five to 21 years.

The school is located in a quiet part of my electorate in the suburb of Mitchell Park. It is a warm and welcoming school catering for around 65 students, providing by way of small class sizes a caring and educationally stimulating environment. It has excellent facilities and a high staff-to-student ratio. A range of educational programs supported by the school's onsite speech and occupational therapist are tailored to suit the needs of individual students. As you enter the school, you are instantly met with warmth and sincerity based on Suneden's philosophies of a safe and caring environment where everyone is treated with dignity and respect, and that needs are met on an individual basis.

Suneden also enjoys an award-winning sensory play space. At this year's Australian Institute of Landscape Architects 2015 South Australian Design Awards, WAX Design were rewarded for their tireless work in designing a sensory play space that enhanced the experiences, cognitive learning and enjoyment of students with physical and intellectual disabilities. Having been at the awards night, I learned that the play space exceeded the expectations of staff and parents and is now a place of fun and excitement which remembers and celebrates Georgia, a student who passed away in 2013. Suneden is well known in the local area for its annual art show of brilliant and vibrant art created by the students.

I loved showing all these school students through Parliament House, and I enjoy visiting them in their schools and seeing the commitment of the schools and their teachers as they positively mould, nurture and guide these students to become the best they can be.

Time expired.

FLINDERS ELECTORATE

Mr TRELOAR (Flinders) (15:39): I rise today to speak on a couple of issues that have taken up a great deal of my time as the member for Flinders—issues that have been concerning my local community. They are issues that, probably, in the grand scheme of things, do not seem particularly important but they have become critical to my constituency and, as a consequence, I have had much correspondence on these two issues and, as I said, it has taken up a lot of my time.

The first of these issues has already been discussed today and that is the issue of time zones. I was very pleased today that the Minister for Trade and Investment announced to the parliament that the draft bill regarding the state's time zone will not be proceeding. I believe that this is a victory for common sense and I certainly believe that this is a victory for the people of South Australia: 86 per cent of all respondents to the consultation process opposed a move to Eastern Standard Time. Of those 86 per cent, it was around fifty-fifty as to those who wanted the time zone to remain as it is or those who wanted to move half an hour back in time and be closer to what I would call true Central Standard Time.

Interestingly, when the former member for Flinders had a private member's bill way back in 2005 proposing a move to half an hour to the west, at that time the member for Waite supported that particular bill, although the bill did not get up. It was decided that it was a conscience vote, but it was interesting to see the support from the member for Waite at that time.

Most of the people, almost to a person, who I spoke with regarding this understood that this was a distraction by the government from the real issues of the state, and I have to say that it was a distraction and it worked very well. It has taken, as I said, a lot of my time over the last few months and indeed a lot of time for a lot of people.

I suggest that there are other issues that are far more important than this and I am pleased that the issue has been resolved for the time being at least, and hopefully finally. But of course, just today we have seen that our state's unemployment rate sits still at a very high 8.1 per cent. The nature of the state's economy should be a priority for the government, not messing about on the fringes with distractions. So I thank the minister for withdrawing this particular bill.

The minister alluded to the fact that solutions would be developed for those people who lived in the west of the state. I cannot see that that would be possible with a change to Eastern Standard Time because it would invariably result in those who live in the west being disaffected from the rest of South Australia.

The other thing I want to talk about today which, once again, has taken a lot of my time, is the issue of open road speed limits. I note that the Minister for Road Safety is here and I would thank him for his visit to Flinders recently and also the presentation that he and his departmental people made—

The Hon. A. Piccolo: Part presentation.

Mr TRELOAR: Part presentation, I will get to that, minister—to the Eyre Peninsula Local Government Association—and it was a part presentation. The presentation was not completed. The EPLGA has agreed to invite the minister back—and the minister has accepted—to finish the presentation. I would have to say, and I am sure the minister would agree, that it was a fairly cool reception to the proposal that open road speed limits may be reduced from 110 km/h to 100 km/h.

I would urge the minister not to do this in the west of the state. It is Eyre Peninsula: distances are vast, populations are sparse. I understand, of course, that speed limits have been reduced in the nearer areas, but we are not Yorke Peninsula, we are not the Fleurieu, we are not the Adelaide Hills, we are not even the Gilbert or Clare Valleys, we are Eyre Peninsula. As I said, we drive a long way every single day and we would much prefer, minister, to be able to drive those distances at 110 km/h.

The Hon. A. Piccolo: I would prefer to keep people alive.

Mr TRELOAR: We cannot argue about road safety ever and I am not arguing against that but there are a whole number of reasons for accidents on the road: fatigue, drugs, alcohol, inattention—

The Hon. A. Piccolo: Speed.

Mr TRELOAR: Speed is sometimes a factor certainly, but the most important thing that drivers can ever do is drive to the conditions, and I believe that what we need to do is encourage good driver training, responsible driving and driving to the conditions.

BURNS, COMMISSIONER GARY

The Hon. J.M. RANKINE (Wright) (15:44): Time constraints prevented my contribution to the motion before this house in the last sitting, so today I wish to place on record my appreciation of retired commissioner of police Gary Burns, wish him well in his retirement and offer my congratulations to our newly appointed police commissioner Grant Stevens and Deputy Commissioner Linda Williams. I have had the opportunity to work with Commissioner Stevens when I was Minister for Police and also at various at times when I had different ministries, particularly during the Shannon McCoole investigation.

I have also worked with our new Deputy Commissioner Linda Williams when she was the senior officer at the Holden Hill LSA. From a local member perspective, I found her to be professional and responsive, and I really appreciated the working relationship we were able to establish. Her appointment is particularly notable, being the highest appointment of a woman yet in the South Australian police force. Times have changed remarkably from when I first married into the ranks of the SAPOL family back in the very early 1970s. I well remember the ruckus when women officers became patrol officers working with their male counterparts.

I was the police minister at the time of the appointment of commissioner Gary Burns, and it was pleasing to see how warmly his appointment was received. There is no doubt Gary Burns was greatly respected for his extensive operational experience, which was the hallmark of his term as

commissioner. I would like to place on record my appreciation for his dedication to our community, to SAPOL and his officers, and his good advice and assistance to me as his minister.

No community can function effectively without the highest level of ethical law enforcement. We expect our police to be the holders of truth in South Australia and we can accept nothing less. It is incumbent on each and every officer to fulfil their roles with the highest degree of honesty and integrity. Gary Burns operated in that vein throughout his career. When things went wrong or someone got something wrong, he never shied away from it, always reinforcing integrity and honesty with both his words and actions.

The situation I was confronted with in relation to the horrific abuse of children at the hands of Shannon McCoole was the most difficult and challenging I have had to face. The horror, quite frankly, is unimaginable and nothing prepares you for these circumstances. At all times, I was guided by senior officers in charge of the investigation about the information that could be publicly disclosed, bearing in mind the investigation was still underway and it involved other policing agencies in other states and countries. I was not able to share immediately all of the information to which I was privy.

Needless to say, I faced a barrage of criticisms and accusations as stories were published in *The Advertiser*. Knowing full well I could not divulge information, the Leader of the Opposition took full political capital to try to exploit this matter, asking something like 63 or 64 questions in this place over two days. In not one question did he ask about the welfare of the children. To her credit, the member for Adelaide at least did that. I was not prepared to say or do anything that would jeopardise this investigation or prejudice the court case.

Commissioner Burns returned from leave and on ABC radio told South Australians that a care concern from Families SA about McCoole had been referred to SAPOL and that they had determined, based on information they had at the time, that it did not warrant investigation. Commissioner Burns, in his very honest and forthright way, never shied away from the facts and never tried to divert or deflect responsibility for SAPOL's decisions. He made it very clear that I had done the right thing, that it was he as commissioner who was responsible for the investigation into Shannon McCoole and he would be the one who determined when and what information would and could be released publicly.

This was a torrid time and, when matters are concluded, I may take the opportunity to expand on these comments further. But, for now, I want to congratulate Gary Burns on his esteemed career in our South Australian police force, thank him for his leadership and for the example he set.

Bills

NATIVE VEGETATION (ROAD VERGES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 July 2015.)

Ms COOK (Fisher) (15:50): I rise today to oppose the Native Vegetation (Road Verges) Amendment Bill moved by the member for Morphett. The government is committed to ensuring adequate fuel load reduction along our country roads, but this is not the way to do it. The opposition has irresponsibly put forward a bill that will allow landowners, or, in fact, even just chainsaw owners, to come along to decide what is the best way to deal with fuel load issues without restrictions

I am standing by the current arrangements in place to deal with road verges to both meet safety needs but also to meet our commitment to preserving our native vegetation. For the reasons I will outline it is not only this side of the chamber that opposes the bill but also the Country Fire Service, the Department of Planning, Transport and Infrastructure and the Department of Environment, Water and Natural Resources.

Across the fire and emergency services and native vegetation acts there already exist provisions to allow for tree removal. The Fire and Emergency Services Act already imposes an obligation on local councils as landholders to take reasonable steps to prevent or inhibit fire from land that is in their care or control. There are also provisions currently under the Native Vegetation Act and regulations that enable clearance of native vegetation for bushfire safety.

The Native Vegetation Act and associated regulation provides for clearance of native vegetation for fire prevention and control through either a bushfire management plan endorsed by the State Bushfire Coordination Committee under the Fire and Emergency Services Act, or through an application and approval by the SA Country Fire Service. These applications and approvals can and should be done before the fire season.

Works identified with bushfire management plans, once approved by the State Bushfire Coordination Committee, do not need additional clearance approval from the Native Vegetation Council. If people are concerned about the fuel load in native vegetation that is further than 20 metres from buildings, they can apply to the CFS to remove further vegetation as part of their fire management planning via a streamlined application process.

The Native Vegetation Council has delegated its power of authorising native vegetation clearance approval for bushfire hazard management to the CFS chief officer. This power was delegated by the chief officer to eight CFS staff members who were trained by the staff of the DEWNR Native Vegetation Unit. In considering applications, the CFS will refer to the Australian Standard for construction of buildings in bushfire-prone areas that recommends distances to manage native vegetation around a building dependent upon the surrounding type of vegetation and slope.

The CFS has authorisation to approve as much clearance as it deems necessary to achieve bushfire prevention. Early preparation for the fire season is important as it is appropriate fire prevention, but these things are already catered for by existing legislation that sensibly allows for both longer-term planning for roadside vegetation management as well as the ability to take action to address more immediate threats.

Current laws allow for landholders and other persons, such as bushcare volunteers, who can also undertake roadside weed control measures of their own accord provided they have written permission from the relevant local council and do so with an appropriate duty of care.

There is an underlying issue with the bill regarding land ownership. The care and management of road is vested in the relevant local council, and it is not the right of an adjacent landholder to manage native vegetation on their land. The bill does not appear to consider this matter.

Allowing any person to embark on clearance with what they see as necessary for bushfire prevention or road safety is fraught with danger. It could result in uncontrolled fires, it could result in wholesale clearance of native vegetation where it is both unnecessary and contrary to our goals of conservation of native vegetation. It would undermine the existing management framework of native vegetation on roadsides, one that has been carefully designed with the input of a number of state agencies, local governments and landholders more generally. For all these reasons, the government and I are opposing this bill in its entirety.

Mr GARDNER (Morialta) (15:55): I do not know that I have ever heard a four minute speech sound so long, like an indefinitely timed opposition speaker, for a lead speaker against a bill. The point that I want to make is that this is a very brief bill. I make no reflection on the member for Fisher. I think that she put forward the government's case such as the government's case is and can be put forward, but the government's case is based on a bureaucratic approach to governing that typifies so much of what is wrong with the way that the South Australian government has dealt with the community over the last 13½ years.

There has never been something that could be dealt with simply for which this government has not found a complex, bureaucratic, longwinded, red tape-driven method of applying an approach instead, and this bill is the perfect example. I encourage and will be encouraging any casual reader of the *Hansard,* who is interested in the way that government and opposition interact in relation to the laws of the state, to consider the government's case as just put by the member for Fisher and then consider the substance of the bill. The substance of the bill is really very simple. It is two clauses, one of which, I remind members, is that:

> native vegetation may be cleared without any other restriction under this act if the clearance occurs on a road verge and is reasonably required—

and there are two reasons for which it is reasonably required—

> (1) for road safety purposes; or

(2) to reduce the fuel load on the road verge.

Then, there is a definition of road verge:

road verge means the area of land adjacent to a public road bounded by—

(a) the edge of the carriageway of the road; and

(b) —

(i) if the boundary of the property adjacent to the road is not more than 20 metres away from the carriageway of the road that boundary; or

(ii) in any other case—a line running parallel to the edge of the carriageway of the road at a distance of 20 metres.

It is a very clear, simple definition of what our community expectation should be to create safety in both the sense of road safety and in the sense of clearing fuel loads such as to present disaster when there are fires.

I know the member for Fisher represents an area for whom many constituents would have concerns about this, as I do, as both of our electorates are on the boundaries of the city, where the Hills and our CFS units in our townships are equally as important to us as for those who live in what would be more typically be categorised as suburban Adelaide. So I know she has an understanding of some of the points of view that we put forward in relation to this, but I know that I when talk to my CFS captains and CFS volunteers, and when I talk to road users, the people who live along these roads, who have to live through every summer with the prospect of fire coming along, when there is an uncleared build-up of fuel on the road, they ask why it has not been cleared up, and it is because of the monstrous amounts of paperwork that have to be dealt with before dealing with it.

The opposition's view—and it is a view on which the shadow minister for emergency services, the member for Morphett, consulted with the CFS, the SES, the MFS and the Local Government Association—is that we should take a common sense approach which, as I have identified in the two clauses, says that if fuel needs to be cleared to reduce the fuel load on the road verge or if for road safety purposes vegetation needs to be cleared, then that is something that is available to the community. However, the government seeks to complicate, the government seeks to add red tape.

The government does not seem to have any trust in members of the South Australian community. They assume that members of the community, who live in these areas every day having to deal with the issues, are going to be less wise about the management of their affairs than the people who are employed to go through the forms and check that they have gone through the procedures and check they have filled out in triplicate and are sent by the right date and gone through all the authorities. It is something that should actually be in place not only for public safety in terms of bushfires but also for road safety.

Fundamentally and simply, this bill will allow property owners to clean up their road verges without having to deal with all those state government and local government regulations in the circumstances identified very simply in the bill. It will clear confusion. It will apply a little bit of common sense. The bill allows for what is reasonably required. It does not give a defence for removing significant trees; it does not give a defence for desertification of the road verge; it does not give a defence for environmental vandalism; it does not give a defence for the sorts of behaviours that I think the government expresses concern about.

I am disappointed that the government has identified that they will not be supporting the bill and, as I do not think the bill will be voted on this afternoon, I hope that the government will take some time in the weeks and potentially months ahead, while this matter is under further consideration, to change its mind.

The Hon. A. Piccolo: No. I won't.

Mr GARDNER: The minister identifies that—

The DEPUTY SPEAKER: Order!

Mr GARDNER: —he does not think that is likely.

The Hon. A. Piccolo: The advice I got from the CFS—

The DEPUTY SPEAKER: Order! It is unparliamentary to interject and to respond to interjections. The member for Morialta is entitled to be heard in silence. I give the call to the member for Morialta and ask him to remain on task.

Mr GARDNER: In that case, I return to—

The DEPUTY SPEAKER: And not speak for the government.

Mr GARDNER: I return to—

The DEPUTY SPEAKER: No, on task.

Mr GARDNER: Yes, I return to the task I was on before I responded to the interjections of the minister.

The DEPUTY SPEAKER: Thank you.

Mr GARDNER: The point I would make to all members of the chamber is that, if one is here as a representative of a party that is not supporting this bill, then I urge such a member to reconsider their position and encourage such a member, whatever party they might be a part of, to go to their caucus and rethink this, because it is frankly common sense.

People in outer suburban and Hills areas and those who actually represent areas with CFS brigades having to deal with these sorts of issues, I think would have some comfort. If there are parties that seek to continue opposing what this group in our community needs and what the CFS—and other volunteers, I am sure—would be grateful for, then they can continue to do so, but it is not what the community wants.

Dr McFetridge: And the next coronial inquiry, they won't give evidence.

The DEPUTY SPEAKER: Order! If I reach for the Speaker's book, which I am bringing now to look at—

The Hon. J.M. Rankine interjecting:

The DEPUTY SPEAKER: —the member for Morialta is on his second warning—

Dr McFetridge interjecting:

The DEPUTY SPEAKER: Order—and the member for Morphett is on his first warning and I will have no hesitation in adding to the score, none whatsoever. Back on task. Off you go.

Mr GARDNER: The point I was making before again—

The Hon. A. Piccolo interjecting:

The DEPUTY SPEAKER: Order!

Mr GARDNER: —I was so rudely interrupted by the member for Wright was that all members should have a good long hard think about this and, in the time remaining, in the weeks before we may come to a vote on this, everyone has an opportunity to have a road to Damascus style conversion—

The Hon. A. Piccolo: You can too. One day you will too and join the winning team.

The DEPUTY SPEAKER: Minister.

Mr GARDNER: —and come to a sensible conclusion that, in fact, the Liberal Party has in fact come to, which is that the member for Morphett has brought forward an entirely sensible proposition to the house—

The Hon. A. Piccolo: Why are you on that side, then?

The DEPUTY SPEAKER: The Minister for Emergency Services is called to order.

Mr GARDNER: —something that will make people's life better, something that will improve public safety. Imagine that! A bill that will actually improve public safety and reduce red tape all at the same time.

The Hon. A. Piccolo interjecting:

Mr GARDNER: I am distracted, Deputy Speaker, by the—

The DEPUTY SPEAKER: I'm being provoked. I know how you feel.

Mr GARDNER: I am distracted by the comments of the minister—

The DEPUTY SPEAKER: I'm being distracted as well.

Mr GARDNER: I feel I need to restate where I was, which is that members of the government should think long and hard about what they are doing if they choose to vote against this matter. It is something I urge them all to consider.

The Hon. P. CAICA (Colton) (16:03): I will be brief in my contribution. I can assure the opposition that there will be no reconsideration of this matter. There will be no road to Damascus, and the reason there will not be is that, if there was—

Mr Gardner: That's what Paul said before he went to Damascus.

The DEPUTY SPEAKER: Order! I remind the member—

The Hon. P. CAICA: If there was—

The DEPUTY SPEAKER: Order! I remind the member for Morialta that you are on your second warning. That means you will not be here for the rest of the debate. I am trying to be as fair as I can. I have asked everyone to respect the standing orders. You are not disrespecting the Chair but you are disrespecting the house and wasting the house's time.

An honourable member interjecting:

The DEPUTY SPEAKER: I'm asking the member—

The Hon. A. Piccolo: John, Damascus is in which country?

The DEPUTY SPEAKER: Minister! You are warned for the first time. Member for Colton.

The Hon. P. CAICA: I would also note that I listened to the member for Morialta in absolute silence. If we were on such a road, we would be on the wrong road. In my time as environment minister, I recall having many interactions with a lot of people about roadside verges. Of course, roadside verges are a legacy of the past. They were and remain very important to our ecosystem and biodiversity, but there are already measures in place that allow for verges to be cleared and there is a process in place.

This is taking away what are very sensible regulated processes for managing native vegetation along our roadside verges. The CFS are already on the record as very strong supporters of the current provisions that are in place. Far be it from me to say that I know more than the CFS on these particular matters, but I would defer to their advice in this matter. If they are satisfied and pleased and believe that the processes that are in place are appropriate, that is good enough for me. We should not, as parliamentarians, think we know better than those people who are experts in that particular field.

That also goes for the advice that is provided to the community by the Department of Environment, Water and Natural Resources. I saw some very good things in the electorate of Finniss on Kangaroo Island. There were certain verges that had not been burnt for a very long period of time, up to 50 or 60 years, and they undertook cold burns, warm burns and hot burns to see what benefit that had to the biodiversity. There were 60-year-old seed banks that had not been regenerated in that period of time that then gave the opportunity to go away and replant within those and other areas these species that had diminished in numbers.

I guess I am deviating a bit from the point that I am making. The point is this: we have various experts in this field who provide advice to government, and that advice has always been supported

by the processes and regulation that we have in place that they in turn—and this includes the CFS—support. Quite frankly, I think we are wasting, without being disrespectful, the time of the house on this matter and I would urge that we go to a vote on it because we are not going to change our mind on this because we know that we are correct in our position that we maintain in this matter.

Mr WINGARD (Mitchell) (16:07): I rise in support of this bill and the amendments put forward by the member for Morphett and note a number of the concerns raised by members, particularly on this side of the house, about the fire dangers from overgrown native vegetation on road verges. We do see a lot of this. Probably now being the middle of winter it is not talked about all that much, but we know that in the bushfire season in the middle of summer the growth on roadsides and its relation to bushfires is incredibly influential and important as far as being fuel for bushfires is concerned.

I note the amendments here that are raised about improving road safety, which is another area and a fact that is dear to my heart, but the amendments to this bill talk about how the native vegetation may be cleared without any other restriction under the act if the clearance occurs on a road verge and is reasonably required for road safety purposes, as I mentioned, and to reduce the fuel load on the road verge, hence the concern surrounding bushfires.

It also talks about how the road verge means the area of land adjacent to a public road bound by the edge of the carriageway of the road, if the boundary of the property adjacent to the road is not more than 20 metres away from the carriageway of the road or the boundary, or in any other case a line running parallel to the edge of the carriageway of the road at a distance of 20 metres. You see in a lot of places—in rural areas, some of the Hills areas in South Australia and even down south where there is heavy bushland—that on the road verge there is a big fuel being built up. If people want to come along and remove this fuel to help prevent bushfires, I think it can only be a very positive thing. The member for Morphett, also the shadow minister in this area, has spoken with the CFS, the SES, the MFS and local government and he has received support from quite a number of people in these areas and they can see real benefits in what he is putting forward.

From a road safety perspective, I think we should perhaps look at things right across the board as far as trees on the side of the road are concerned. The chair of the Motor Accident Commission, Roger Cook, said earlier this year that some of the trees on the side of roads really need to be looked at because they are in high risk zones. I think there is a lot of merit in that. Last year's road toll was exceptionally high and, as it stands today, South Australia's road toll is at 65, which is not tracking where we want it to be. Overgrowth and trees on roadsides in high risk areas are things that I think should be looked at and assessed. I think what the member for Morphett is trying to do through his amendments with regard to road verge shrubage and reducing fuel load is very positive.

Another group that I have worked with very closely is the O'Halloran Hill Recreation Park. There are some wonderful people up there doing some really great work: Don Webster, John Bollinger, Toni Beaty and Peter Haarsma. I have been out there weeding with them, pulling the olive trees out, and it has given me a great insight. They are great people doing some wonderful things. I learn a lot going through the O'Halloran Hill Recreation Park with these guys, and also with Michelle Lensink from the other place, pulling out some of these olive trees. The way these olive trees (which are weeds in fact) grow, the way they sprout, the way their seed is dropped by birds and foxes, it really is very hard to remove them. So, if we can get stuff removed, we really must do all we can to get rid of it, especially when it is fuel for bushfire in the fire danger season.

When I was up at O'Halloran Hill working with these people, it was quite amazing to learn about the way these weeds, as I call them (the olive trees), actually sustain themselves and grow. The volunteers have to do some very specific work to get in and drill into the core, in the lignum tubes around the roots of these olive trees. They have to drill in and drop in poison. These volunteers do an absolutely superb job; they really help the state and save money for the department by doing this work. And they work very closely with the rangers. I know rangers in these recreation parks have had their hours reduced dramatically over recent times, so to have these volunteers is invaluable. As I said, they go around and drill holes in all the lignum tubes, pouring in the poison to kill these trees. They have to be very quick because they only have a matter of seconds after they drill the hole and drop this poison in before the holes close over. The tree can actually protect itself from the poison.

This is the sort of work that is being done out there by people trying to help our environment and our recreation parks. It rolls over to roadside verges as well. We have great people out there wanting to do great work; they can come along and actually help the department, help do the work and help make roadside verges safer by reducing the fuel load for the bushfire season. That, in part, is a big part of the reason why I support the amendments put forward by the member for Morphett. It would be great to get more people helping out and carrying the load, like the great people up at the O'Halloran Hill Recreation Park are doing to reduce the burden on that park.

If you actually look at that park and the scarring and the olive trees that have infested that great reserve up in my local community, in my electorate, and see what these people do to help alleviate the problems we have there, it is outstanding. If we could roll that model over and remove dangerous vegetation along road verges that only enhance bushfires come bushfire season, it could only be beneficial to South Australia.

Debate adjourned on motion of Dr McFetridge.

CONTROLLED SUBSTANCES (COMMERCIAL OFFENCES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 2 July 2015.)

Mr GARDNER (Morialta) (16:15): The Controlled Substances (Commercial Offences) Amendment Bill will in fact make it substantially easier, if my memory serves me correctly, for us to obtain convictions against some of our most serious drug dealers who, up until now, have been able to use technicalities. This bill would close those technicalities.

I think it was only a couple of hours ago that I was listening to the Leader of the Opposition talking about the dreadful scourge of what drugs are doing in our community, and I noticed the member for Wright talking about the valuable contributions that our new police commissioner Grant Stevens has made. Of course, one of the taskforces with which he has been most closely associated has been in terms of serious and organised crime and dealing with the drug situation.

The Controlled Substances (Commercial Offences) Amendment Bill was brought to the house by the member for Hartley with a view to making it more feasible to have some of those who perpetuate these crimes against our community, and against our young people in particular, locked up so that they can no longer do those crimes. As I recall, the nature of the offences, when there is a series of offences, can be put together, as it were, so that they can be considered in light of other offences that have been committed and more serious charges can therefore apply.

It is a historical fact that, for many years, South Australia was unfortunately seen as a light touch when it came to drugs. Many of the criminal operations that operate in this sphere took the opportunities provided by things such as the fact that you could grow 10 plants before you were having more than an expiable offence to ply their trade and to take advantage of the vulnerable people in our community who might want to sample their deadly wares.

I am sure the Minister for Transport would remember, because he and I are of an age, when we would have been starting to drive. If we were going to visit friends interstate, then we would certainly, with our South Australian number plates and potentially a P-plate above that, have been the target for any interstate law enforcement operations on the highways who would have seen us as a high prospect of potentially having something inappropriate in our cars.

I remember being stopped about three or four times in my teens. Fortunately, I had a clean bill of health, I am pleased to report to the house, because I was never a drug trafficker and I was never somebody who carried drugs in my car across state lines but, unfortunately, because of the nature of the laws that existed in South Australia for a long period of time, there was a significant number, in the view of interstate police officers, of P-plated cars from South Australia that were likely to be a reasonable prospect of picking up somebody carrying drugs.

I am pleased that more details of the bill are now available to my memory. Particularly, the Controlled Substances (Commercial Offences) Amendment Bill provides a maximum penalty of $500,000 or life in prison for the new offence, and that offence involves carrying on a business

involving trafficking, manufacture, cultivation or sale of drugs. As I identified before, the offence available now must be considered as an individual, specific instance of offending, and the totality of the offender's offending cannot be taken into account. This bill will change that. The Supreme Court recommended that:

> …the merits of adopting in South Australia a provisional act section 5 clause 1 of the Drugs Misuse Act 1987 (Qld) deserves the attention of the legislature.

That was R v Faehrmann, R v Moore, and R v Price-Austin 2014. I think that this will, in fact, create efficiencies within the justice system, as well as ensuring that the appropriate penalties are in place for those who, up until now, have been using the loopholes of having their crimes considered individually and specifically, rather than in totality. They have effectively been able to get away with what is little short of murder, because that is what their trade does: it kills people; it tears families apart. It is a scourge on our society that we need to do everything we can to stop.

Our police work very hard and they are doing a tremendous job. As the minister has identified on a number of occasions—and I thoroughly agree with him—we have the highest public confidence in a police force of any force in Australia. Given some of the things I have seen overseas, that would put us very high worldwide. But, the police can only do the jobs they can do with the laws that they have. There are some things in our laws which, for various reasons over the years, have been allowed to develop which create what might seem to be strange and different consequences for different types of activity.

We have drug laws, for example, that have not been changed in years, specifically in relation to the personal use and consumption of cannabis. Up to 100 grams of cannabis attracts a fine of $300, which is expiable. It is a hangover from the time of the 10 plants, and it is utterly—

Mr van Holst Pellekaan: You have 29 minutes to go.

Mr GARDNER: I think the member for Stuart is wrong; I think I have four minutes to go—it is utterly inappropriate, given that that is an amount of cannabis on which you could make over $1,000 if you were to sell it amongst your contacts. That leaves opportunities for a business model to be created where people, with fear of getting nothing more than an expiation notice for carrying a personal quantity of cannabis, are actually able to make thousands of dollars a week from selling drugs. That is just one example of the sorts of things we have.

If you are one day late in paying your car registration, you are liable for $1,000 and pursuit for significant liability. If you are carrying enough cannabis to sell for thousands of dollars, then you are up for a $300 fine. Those are the sorts of things that need to be addressed. Serious crime needs to be dealt with in a serious manner. The member for Hartley's bill will go a long way towards that. It is not a very complex bill—it is four pages long, I am pleased to inform the house—so I am sure that all members will have the opportunity to get their heads around it. It has been on the *Notice Paper* for a little while, so, with the assistance of the members speaking today and being provided with a bit more detail about the bill, all members should now have no excuse not to be fully informed about the merits of the bill and its consequences.

I know the member for Stuart is somebody who takes these issues very seriously. As the shadow minister, he did a lot of good work in this area and has put a number of things on the agenda that are worthy of further consideration, and we will talk a bit more about them later. Fundamentally, this is an issue that needs more attention than it gets from the government. This is the sort of level of crime that needs to be suitably addressed for the safety of the community, and in particular, for those young people who are currently often the targets of those seeking to pedal drugs in our community.

Mr VAN HOLST PELLEKAAN (Stuart) (16:23): It gives me great pleasure, on behalf of the people of Stuart, to rise to support the member for Hartley in this work. Just to pick up where the member for Morialta finished, this is really straightforward; this is really common sense—

The DEPUTY SPEAKER: Just before you continue, member for Stuart, the table has informed me you have already spoken on this on 2 July, so I am sad to inform you that it is going to be the member for Morphett's turn. Has he spoken yet?

Dr McFETRIDGE: No, I have not. I checked with the table staff, and I definitely have not spoken on this particular one.

The DEPUTY SPEAKER: We are going to let you go back to 10 minutes. We are going to reset the clock, so as not to deprive ourselves.

Dr McFETRIDGE (Morphett) (16:24): Only 10 minutes. Thank you, Deputy Speaker. The member for Hartley has put forward a number of pieces of legislation to this place and each one of them has been an impressive piece of common-sense legislation, yet we see, again and again, the government and the adversarial system at its worst.

They just deny, deflect and they will not cooperate in any way with sensible legislation that is suggested by anybody else but themselves. This is another piece of very sensible legislation. The Controlled Substances (Commercial Offences) Amendment Bill 2015, as the member for Morialta has said, and other members have said, is not a complex piece of legislation. It is fairly straightforward. It talks about the trafficking of drugs and it talks about the sale and manufacture of controlled drugs.

Can I tell you that, having been involved in the veterinary profession where we are dealing with S8 drugs and drugs of dependency, I had my practice broken into a number of times—the grilles ripped off the windows, holes smashed through brick and timber walls to get through to the safes and things. People are desperate to get out there and get drugs, and the extent to which businesses such as my veterinary practice have to secure these drugs emphasises to me that we need to have systems of not only protecting law-abiding citizens but also controlling the substances that are out there that these people are wanting to acquire.

Apart from the drugs that I used in my veterinary practice, there are many legitimate drugs that people want to use for illegitimate reasons. There are many other drugs which are completely illegitimate—illicit drugs—and this bill aims to bring into 2015 some very straightforward, common-sense measures that will help deter people who want to get involved in the drug scene.

Why anybody would want to get into the drug scene with the stories you hear on the radio and the vision you see on television. The number of documentaries I have watched and sat through; and the number of newspaper stories I have read, it is tragic and, can I say, it is even more tragic for the parents of young people who get involved in the drug scene and get hooked on drugs.

Obviously the common one at the moment is ice. I had a chap in my office just the other day who was at his wit's end. This young fellow—the son of this man who came to see me—is from a very well-educated family yet he is hooked on ice. The big problem for the parents was that this young person had nowhere to go. We have to have somewhere to go not only for the addicts who become addicted to these drugs, but let's try and stop the problem in the first place, let's try and control the problem. This is about dealing with controlled substances which are out of control. It is an oxymoron, isn't it—controlled substances—and we see their widespread use.

What we need to do with this piece of very sensible legislation is increase the penalties, and increase the ability of the police to go about and do what they want to do—what they are very good at—but they need the help of this legislature here. We have to make sure that people who are caught are then penalised, and there is also the deterrent of significant penalties. While we see new legislation or amendments brought into this place with penalties that are in the tens if not hundreds of thousands of dollars, and gaol terms of ten, 15 and 25 years, we very rarely see those maximum penalties applied. That does not mean to say that we should not be increasing the opportunity for our legal system and our judges to implement the maximum penalty and we consider that that maximum penalty should be increased.

In this case a person who carries on a business that involves trafficking in controlled drugs is guilty of an offence, a maximum penalty of $500,000, or imprisonment for life or both. The need to be able to look at what these people are doing with their illicit gains is something we are all trying to work on, and certainly the confiscation of criminals' assets is something that I personally support, but let's put the deterrents in place before we have to go and then retrospectively grab people's possessions.

I should put on the record that there are many cases where there is collateral damage. The children and the families of these idiots who get involved in the drug scene whose possessions we would like to grab become the collateral damage. I think if we can have some system in place so that we can be fair about directing our punitive approach, directing our preventative approach, directing our legislative approach at people who are wanting to become or are involved in this drug scene, then this sort of legislation should be part of that approach. The need to have members of parliament bring this legislation in is, to me, an indication of the fact that in the past our legislation has not been working, so we need to look at it, fine-tune it and amend it. This is a straightforward amendment.

I do not know how we can measure the cost to the public—not only the financial cost but the social cost of drugs—because it is just so wide. The number of people, whether they are businesspeople, like I said, being broken into and robbed, whether it is people who are being attacked by ice addicts, or whether it is our doctors and nurses in our EDs being attacked by people on drugs—there are social ramifications. Then, for every ED admission for someone who is on drugs, it is about $1,700 I understand to process them, so that is the financial cost.

Even the most hardened economic rationalist cannot argue with the fact of getting in and making sure that we are putting deterrents in place and reducing the problem through the deterrence and detection of perpetrators, and then also having systems in place for rehabilitation so that the people who are unfortunately involved in the drug world are not kept on this downward spiral of drug dependency and the effects on their health.

In fact, as just a bit of an aside, a number of years ago I visited a drug injecting room in Amsterdam. The people working in that room said to me that this is not so much about getting people off their drugs and stopping them using drugs, it is about maintaining their health, because once they get on these drugs, their health goes down and down. They end up with all these other comorbidities and many of them die, unfortunately. The cost to the health system, to social services, to these individuals, their families and the community is just enormous. I keep emphasising that.

There is a need to emphasise that this legislation is sensible and straightforward. It was put up by the member for Hartley, a very good member of this place who will be a terrific addition for many years to come. This piece of legislation should be taken up by this government. We should add an extra deterrent and extra penalties so that, when people are caught, they are going to suffer the consequences. When do you stop being responsible for the consequences of your actions? That is what I am trying to say. You should not, unless unfortunately you are high on drugs, and even then, is it the drunk's defence or is it the drugged-out dopehead's defence? I do not know; I am not a lawyer, and by that I am boasting, not apologising.

I look at the legal system we have and I look for justice and fair outcomes for people. I tell you: if we need to improve, increase and expand the penalties that are put in place, giving our police and judiciary the opportunity to detect and deter these people who are dispensing, selling and making millions out of controlled substances, if we can do something about that, we should be doing it. We should not be arguing about it in this place; we should be taking the legislation on its merit and we should be making sure that people like the member for Hartley who put this sensible legislation up are able to achieve what they want to do and that is have good outcomes for their constituents.

The member for Hartley did not come into this place for any reason other than he wanted to make the constituents of Hartley feel that they are well represented in this place, better than ever before, in my opinion, other than Joe Scalzi, who we remember as the lion of Hartley. The constituents in Hartley, like my constituents in Morphett and everybody's constituents in this place, want to feel safe in their homes, safe in the streets and safe in their communities. How will we do that? By giving the police and the judiciary the tools they need for deterrence to be able to stop these people doing what they are doing and control substances.

Debate adjourned on motion of Mr Whetstone.

STATUTES AMENDMENT (RIGHTS OF FOSTER PARENTS AND GUARDIANS) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 19 March 2015.)

Mr TARZIA (Hartley) (16:35): I today rise to support the member for Hammond in his endeavour to put forward the Statutes Amendments (Rights of Foster Parents and Guardians) Bill. This is a cause that, for some time, has been close to the heart of the member for Hammond, and I commend him for bringing it forward. I understand that the mother of the child initially involved is a constituent of the member for Hammond.

I think that if we see an issue in our electorates respectively that can be amended and cured by legislation put forward it is incumbent upon us to put that legislation forward, and that is what the member for Hammond has done here in making amendments to not only the Births, Deaths and Marriages Registration Act 1996 but also the Family and Community Services Act 1972 to amend the laws to recognise the rights of foster parents in the event of a child dying.

As the member for Hammond has mentioned in the past, under the acts that I have previously mentioned, I understand that the legal rights of a child who may be under the guardianship of a foster carer revert to the biological parents in the event that the child dies. So, in that circumstance, the carer under the current legislation has little or no rights to assist in funeral arrangements, rights to view or identify the deceased's body or to have their guardianship recognised on the child's actual death certificate.

As I made mention, this issue was raised by a constituent of the member for Hammond, a South Australian Mother of the Year 2014 award winner, Mrs Monica Perrett, whose nephew and foster son (whose name was Finn) died whilst under her care. Mrs Perrett, who is a fighter, decided to do something about this for other children who might also be in the same sort of scenario, and to her credit she established an online petition.

This petition called on the Premier and also the state government to change laws that stop legal rights to carers—if a foster child dies—after going through what must be an emotional and tragic loss of a child. I understand that the petition in question has raised over 40,000 signatures, so this is a large issue. Let us not kid ourselves, it is a significant issue—40,000 signatures is a lot.

The matter has certainly attracted a lot of media attention, and there have been a number of articles, not only in *The Advertiser* but other channels, and it has certainly been a regular topic of commentary and discussion on many talkback radio shows. I understand that the member for Hammond has met with Mrs Perrett several times, and I believe that she has actually met with one of the government ministers—

Mr Pederick: Several.

Mr TARZIA: —several government ministers to bring this to a head. What I will say is that there are many ways to bring this kind of change forward, and it is very rare that we see this government act in a statesman-like manner to support good legislation on its merit put through by the opposition.

I say to the government: remember these sorts of things, because there will be a time when we are in government and they are in opposition and they might raise some good ideas. I would ask that this government affords the opposition the respect that if there is a good suggestion put forward they judge it on merits, because we are in a meritocracy here. Therefore, good ideas should always be judged on their merits for the good people of South Australia, because that is what we are here to do. We are here to put good laws forward for the benefit of South Australians. It should not be a political thing.

This is not of a political nature. We are talking about a child who is deceased, we are talking about a mother who is grieving, we are talking about many other children who could be affected by the same thing. It is incumbent upon all of us to put forward good ideas, and if legislation can be enacted, it should be; so I would lobby the government of the day to support this legislation.

The member for Hammond has gone to some trouble in having this bill drafted, going through consultation, meeting with stakeholders. I understand that the government has not quite announced its plans to support this legislation yet, but it should. If it has a productive suggestion to amend it, as it sees fit, so be it, but all in all I hope that the government will support this legislation because it is a good idea. I commend the member for Hammond for putting it up. Do it for Mrs Perrett and her family,

and also for the 40,000 people who have signed the petition and the families that it could affect in the future.

Debate adjourned on motion of Ms Digance.

ANIMAL WELFARE (LIVE BAITING) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 13 May 2015.)

Mr WHETSTONE (Chaffey) (16:43): I rise today to speak on the Animal Welfare (Live Baiting) Amendment Bill and indicate that I will be the lead speaker for the opposition. We will be supporting the bill and hope that it can be dealt with as swiftly as possible so that changes can be enforced. I would also like to note that I am the shadow minister for racing. It has taken a long time to get to this stage in South Australia, obviously since revelations of live baiting interstate were revealed on the ABC.

We have been told by the state government that there is no evidence to date that live baiting is occurring or has occurred within the South Australian greyhound industry. However, reforms are vital to ensure that there are no opportunities for live baiting to happen. In saying that, the RSPCA has claimed that Greyhound Racing SA has told them in a meeting that some dogs from South Australia have been trained interstate using live baiting. I will be seeking to find out how the government's strategy, through this bill, will address dogs that are live baited interstate and just how the state government is dealing with the RSPCA's concerns.

Where does the Minister for Racing stand on this? Has he taken the RSPCA's concerns on board? It would appear that perhaps he has not, considering his comments in the media recently accusing the RSPCA of grandstanding. As the state government procrastinated on reforms, a property was raided by police at Two Wells earlier this year, and all greyhounds at the property, run by a leading South Australian trainer, were suspended.

In February, the ABC's *Four Corners* aired programs showing greyhound trainers and industry figures using a range of animals as live bait and it was certainly horrific to see a practice that is condemned in the industry. The footage, taken from training tracks in Queensland, Victoria and New South Wales, has led to over 70 individuals being implicated and the suspension of some 20 to 30 owners and trainers. We have seen penalties enforced on high-profile trainers and many well-known names in the industry across Australia, so there is widespread public outrage at how deeply this practice may be entrenched within the industry.

This has obviously raised questions as to whether live baiting is occurring in South Australia. I note that our racing bodies in South Australia have come out strongly and condemned such a practice, stating that they were shocked by the footage and that there has been no evidence of live baiting in South Australia. It has been made very clear that it will not be tolerated, but my sympathies go out to the hardworking people in the industry who, unfortunately, have perhaps been tarred with that brush, as malicious practices interstate have been going on.

The RSPCA has put forward four key animal welfare reforms for the greyhound industry. They are the implementation of an independent agency responsible for integrity and oversight; that a formal system of traceability of greyhounds through their life cycle be established and that the data be made publicly available; that funding be set aside by the industry for the future welfare of greyhounds bred for racing, including comprehensive rehoming and retirement programs; and that a formal referral mechanism be established, mandating that all breaches of animal welfare legislation regulations or codes be immediately reported to the appropriate enforcement agencies for their investigation and action.

On 26 February, the Liberal Party announced and tabled a bill targeting live baiting in South Australia. Essentially, the Liberal Party sought to amend the Animal Welfare Act to assist in the detection of live baiting in the greyhound racing industry in South Australia by requiring that lure coursing and, in particular, devices known as bullrings be licensed.

Live baiting was phased out in the late 1920s when a mechanical hare, designed to simulate live prey, was used on a circular track. Later, the use of a squeaky toy was added to the lure. The use of live prey was made illegal in Australia in the 1980s, with the last event held in South Australia in 1985. We need to restore confidence in the industry by establishing a set of rules to ensure that this practice is not taking place in South Australia.

Currently, live baiting is illegal, as it would be considered to be an offence under section 13 of the act, attracting a gaol term of up to four years and a financial penalty of up to $50,000. Section 13 of the Animal Welfare Act refers to ill treatment of animals. Subsection (1) provides:

> If—
>
> (a) a person ill treats an animal; and
>
> (b) the ill treatment causes the death of, or serious harm to, that animal; and
>
> (c) the person intends to cause, or is reckless about causing, the death of, or serious harm to, the animal,
>
> the person is guilty of an offence.

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 these inhumane training sessions. I note that this bill seeks to amend the act so that these related offences are covered.

The RSPCA is the authority responsible for the monitoring and enforcing of the act. The RSPCA can enter property, seize animals and collect evidence in line with other authorised officer provisions under other acts of parliament, and these authorised officer powers are set out in section 30 of our Animal Welfare Act.

Greyhound Racing SA has a code of practice for greyhound establishments focused on standards for the welfare of greyhounds and there are 1.5 FTE GRSA stewards who undertake kennel and track inspections. I have met a couple of those stewards at a recent greyhound meeting up at Port Augusta and I think they are doing an outstanding job. They are diligent with their work, they have compassion for the industry, they have compassion for the animals, as do the stewards who undertake the kennel and track inspections. In South Australia there are approximately 300 premises and 350 trainers who are likely to receive a visit once every two years.

Greyhound Racing SA's inspectors do not have the same powers under their code as the powers under the Animal Welfare Act and, until the airing of the program, the focus has been on the care and welfare of greyhounds rather than the detection of the animal cruelty associated with greyhound training. GRSA's existing registration system requires that all trainers and facilities be licensed and subject to random inspections. Penalties for breaches of the code can attract up to a $50,000 fine and a lifetime ban from the sport.

The RSPCA in South Australia and SAPOL are responsible for monitoring, enforcement and prosecution under the Animal Welfare Act, including alleged instances of cruelty to animals. The government proposed measures to target live baiting in South Australia are based upon recommendations of a working group from GRSA, RSPCA SA, SAPOL and DEWNR animal welfare officers.

In conclusion, it is time to restore confidence in the industry for the sake of all and the honest and decent people who work in and are associated with the industry. I have met most of these people who are associated with the industry and they are good people. They have a passion for the industry, they have a passion for their animals, and they have a passion for competitive sport. This scourge of live baiting has tarnished their good work, their commitment and dedication to greyhound racing in South Australia. We need to establish a set of rules to ensure this practice of live baiting is not happening in South Australia and will not happen in this state in the future.

Sitting extended beyond 17:00 on motion of Hon. S.E. Close.

Mr PICTON (Kaurna) (16:52): It is my pleasure to speak on this very important piece of legislation to take a number of steps in regard to live baiting and preventing that sort of inhumane, illegal action from taking place which, as everybody knows, is also against good practice in the racing industry. I think we have all been shocked by the revelations that have come out following the

Four Corners report, particularly the video of some of the practices that were happening in the eastern states in the greyhound industry, and luckily we have not see any evidence of that sort of action happening in the South Australian greyhound industry, but I think it is prudent for the parliament to take some legislative measures at this time to ensure that that sort of practice does not happen here in South Australia.

We need to be able to have laws that will punish anybody who participates in such activities in the future and also send a clear message to those in the racing industry that cruel, barbaric and inhumane treatment of animals will not be tolerated. Like many members, I have spoken to many constituents in the electorate of Kaurna in the southern suburbs who have been very concerned about the revelations following the *Four Corners* report. They have emailed and phoned my office and have met with me, and they have all been extremely concerned about the maltreatment of animals. I believe it is testament to the kind-hearted nature of the community that they are so concerned about this issue.

In Kaurna, residents are primarily concerned about the fact that the practice of live baiting has not occurred in isolated instances in other states but has become common practice in some of those states for some of those industry participants, and they definitely do not want to see that happen in South Australia. One woman even wrote to me to say that she found it difficult to sleep after watching the footage, knowing the elements of this practice could still be lawful. I think that goes to show how deeply concerned people across the community are about this issue. They want to see parliament take action on this matter.

The bill that has been proposed by the minister seeks to address all the issues that have arisen from the *Four Corners* report, providing a wide scope of activities relating to live baiting that will now be punishable by a fine up to $50,000 or four years imprisonment. This is a very significant piece of legislation that has been put before the house. Anyone who organises or promotes live baiting, allows live baiting to occur on their property, provides animals knowingly for the use of live baiting, or does anything else relating to live baiting can be severely punished under this piece of legislation that is being proposed. Even an individual who is present where any of these activities are occurring can be punished by a fine of up to $20,000 or gaol for two years.

I think what we are seeing from the minister in this bill is that the government is taking these allegations very seriously and he has been keen to ensure that we work with the industry to take measures, but also have in our laws a clear indication that this sort of practice is not acceptable and will face outcomes if it is found.

I believe that this amendment provides a solution that is necessary, just and effective in relation to dealing with the problem of live baiting. The inclusion of such a wide array of activities in relation to live baiting ensures that all parts of this repulsive practice can be put to an end and hopefully not ever spread to South Australia, and anybody engaged in this practice will be punished accordingly. It is my hope that, through this legislation, we will not see that practice here in South Australia.

I think it has been good to see that the greyhound industry in South Australia has been prepared to take action in this matter. They have been prepared to work with the Minister for Racing and the minister for the environment to take further action. I think there have even been discussions about drones flying in the sky to catch out some of this activity that might be further afield, away from the public eye, as well as more people employed to check on activities that are happening across the state.

A number of people who have written to me are also concerned, saying that they want to see government funding for the greyhound industry stopped. I think it is worth clarifying at this point that there is not direct government funding of the greyhound industry; but, of course, there is a levy in terms of what people bet through the TAB, and a proportion of that goes back into the racing industry. So that fund really comes from the people who engage in gambling on the racing industry and not from a wide variety of other taxes. I commend this piece of legislation. I hope it achieves a speedy passage through this house and helps stop these sorts of practices coming to South Australia.

Mr WINGARD (Mitchell) (16:57): I too rise to support this bill. I must say that I strongly oppose any cruelty to animals. Like everyone in this house, I am horrified by the vision that was

shown on *Four Corners* on 16 February of the greyhound racing live baiting scandal that really brought this to a head. This practice, of course, is illegal in South Australia and comes with severe penalties, and I think everyone would think that that is the right way to go. The abuse of animals, including live baiting, is considered a criminal act in South Australia, as we are aware, and carries a prison sentence of up to four years and fines of up to $50,000.

I strongly support the decision of Greyhound Racing SA to immediately prosecute and ban anyone in the industry who is found to partake in the barbaric practice of live baiting and also support the RSPCA investigating any ill treatment of animals, if this were to be seen to be the case. I know from the earlier reports that it has not been proven or seen to be a practice that takes place here in South Australia, for which I think everyone is very grateful, and I hope that remains the case. It has been more prevalent in other states. Of course, we know that live baiting is the use of live animals (rabbits, possums, pigeons and the like) to try to lure greyhounds. I think it is something that really no-one accepts right across the state and probably right across the nation.

As far as our sporting industry is concerned, we do not want to see this sort of practice evolve. I have had a number of people contact my office disgusted with what they saw on television. It has created a lot of heartfelt thought from people in my community. I must say that I fully support their disgust at what was shown on television, and we will do everything we can to make sure this does not go on in the future.

I have had people from Sheidow Park, O'Halloran Hill, Dover Gardens, Trott Park, Old Reynella, Reynella, Warradale and right throughout the entire electorate really who have contacted me. An amazing number of people have contacted my office just to outline their disdain for what they saw on television.

I commend the Hon. Michelle Lensink in the upper house for bringing forward this animal welfare amendment bill around the greyhound training principle of live baiting to say that we just absolutely must move to get this happening as soon as possible to make sure that there is no way this can infiltrate into South Australia and make sure that we knock it on the head. To say that it is not happening in South Australia so we do not need to move this bill forward, I think, is a really poor way to view it. Knowing that it is happening interstate, we cannot sit here blind to the fact that it may or may not have happened here in the past and people may or may not be looking to do it here in the future.

I think it is vital that, as a collective, we move this amendment to the bill through and do all we can to make sure that the practice of live baiting is stamped out once and for all. What we need to achieve as the outcome of this bill is that there is no way that it can possibly infiltrate here into South Australia and so there is no way or means of having it here. I think, as you speak to people in the community and again, as I said, people who have contacted my office, you know how it makes people feel to even believe something like this can be going on, so anything and everything we can do to stamp this out and make sure it is not part of the sport going forward and not a part of our society is very important.

I will not go into the details of live baiting—I have made a couple of mentions of it—because it is really something that I think people do not want to revisit. Anyone who has seen the footage would like to rewind time and unsee the footage because it really is very unpleasant. From our position in this parliament, anything we can do to help prevent this from happening, to eliminate this from happening, to stop this from happening and make sure that it is not something that is practised in South Australia, I encourage everyone to support and be a part of.

Mr SPEIRS (Bright) (17:01): 'He who is cruel to animals becomes hard also in his dealings with men. We can judge the heart of a man by his treatment of animals.' Those were the words of Immanuel Kant, the 18th century philosopher and they are perhaps even more relevant in 21st century Australia than they were in 18th century Europe. In 2015, our world is very different from Kant's and, when it comes to animal welfare, we are faced with a range of additional pressures which leave animals vulnerable to exploitation and cruelty.

I am fortunate enough to be able to stand in parliament and advocate for the people who I represent. That includes issues which confront people in my electorate, but I also believe that this

position gives me the opportunity to discuss issues that confront humanity, and that includes animal welfare.

I believe that animals, whether wild or domesticated, are part of our ecosystem and our society. I am not a vegetarian and I do believe that animals can be harvested for our sustenance, but this is a privilege, not a right, and with such a privilege comes responsibility: a responsibility to treat animals with dignity, a responsibility to avoid any sort of animal cruelty and a responsibility not to exploit animals for our own indulgence. As stewards of this planet, we are given much responsibility but equally much is expected of us, and those who make a living out of animals have a duty of care to ensure that those animals are treated well.

This line of thinking means that I have significant personal reservations against many forms of intensive animal farming and the use of animals for sporting indulgence. There is a balance here obviously, but it is a balance that often gets out of kilter.

This brings me to the bill which is before our parliament today: the Animal Welfare (Live Baiting) Amendment Bill 2015. This is the state Labor government's legislative response to the exposé by the ABC's *Four Corners* in February 2015. This program was an excellent example of investigative journalism, something which I believe has an important place in our democratic processes and which should be encouraged.

The government's bill has taken a long time to get into this chamber. The ABC aired *Four Corners* in February 2015, yet it has taken seven months for the government's legislation to reach the House of Assembly for debate. Meanwhile, the Liberal Party introduced laws into parliament within two weeks of the shocking revelations on *Four Corners*.

At that time, the Liberal Party sought to amend the relevant legislation to require bullrings to be licensed. Bullrings are enclosed circular greyhound training facilities surrounded by a fence, usually with a pole in the centre and a rotating arm from which a lure is attached and rotated. Licences for bullrings would enable trainers to be located and monitored. The Liberal Party had been informed that bullrings have been used previously in South Australia, and that if live baiting is happening, it is most likely to occur using bullrings.

We have been reassured time and time again by Greyhound Racing SA that live baiting does not occur in South Australia. The government takes them at their word, hook, line and sinker. I do not take them at their word, and I have significant reservations about Greyhound Racing SA and their self-regulation approach to looking after their industry. I think it is a case of the fox being put in charge of the henhouse.

The assurance by Greyhound Racing SA that live baiting does not occur in South Australia does not sit well with me. We can take them at their word and we can hope that it does not happen here, but we know that a significant portion of the greyhound racing industry is located in quite isolated areas within regional and rural South Australia. Whether greyhound racing uses live baiting is really something that is very difficult to ascertain. Is it happening? We can cross our fingers and hope it is not, but I do have my personal doubts.

The state government chose not to support the Liberal Party's legislation, and instead we had to wait a further six months until legislation was introduced. The bill which is now on the table goes some distance to reassuring people that the state government has the welfare of animals as one of its policy priorities. But, does it go far enough? That is the question.

The bill seeks to create new offences for live baiting, releasing an animal from captivity for the purposes of it being hunted or killed, selling or supplying an animal for the purposes of live baiting, and keeping an animal for the purposes of live baiting. These new offences have penalties attached to them, including a maximum fine of $50,000 or up to four years' imprisonment, which is substantial in terms of the level of penalty imposed and will hopefully provide an appropriate deterrent.

The bill also seeks to beef up Greyhound Racing SA's inspectorate, refocusing it to include detection of potential animal cruelty and improving protocols with the RSPCA and SAPOL. Again, this is part of the entire process that personally does not sit with me very well at all, because, as I just said, the idea of the henhouse being patrolled by the fox does not sit comfortably with me. I

would prefer, as the RSPCA would prefer, a stronger, more independent government-run inspectorate to be put in place. Again, that is my personal view.

I note that the RSPCA disagrees with many of the state government's assumptions which underpin the bill, and they have a significant disagreement with the government's viewpoint that, because South Australia has not in the past prosecuted any owners or trainers for live baiting, the industry does not need to undergo any genuine reform. The RSPCA have claimed that the industry has told them that there are dogs in operation which have in the past been live baited interstate.

When the Minister for Racing was asked about this recently, he accused the RSPCA of grandstanding. This is deeply disturbing, and such an approach to be taken by a government minister troubles me, because it appears that he is not taking a fair-minded view to this very difficult policy area which has raised huge concerns in our state. The RSPCA also believes that the greyhound racing industry should be, as I previously mentioned, regulated by a strong independent body, not a system of self-regulation, whether that is beefed up or not.

I will support the bill, as the Liberal Party will, and I hope that it is successful in creating a robust legislative framework through which greyhound racing can work in South Australia. I am proud of being an advocate for animal welfare in this parliament. It is one of those things which we must always keep a watchful eye on, improving legislation and where appropriate taking action, whether that is in response to the views of our constituents or in response to investigative journalism such as we saw from the *Four Corners* program.

Animal welfare is not simply the domain of the Greens party. There are many members of the Liberal Party who are committed to this cause and it is with disappointment that I have to count on the government's lack of speed in getting reforms moving in this area. Their efforts to date have been slow, pale and their effectiveness will be told in time. I hope no more animals need to suffer while we wait to see if the government's legislation is effective. I commend the bill to the house and urge its speedy progression into South Australian law.

Ms COOK (Fisher) (17:11): I rise today to speak in favour of the government's Animal Welfare (Live Baiting) Amendment Bill. On 16 February, the ABC's investigative journalism program, *Four Corners*, revealed to Australia the seedy underbelly that exists within a small element of the greyhound industry. It exposed where the scandalous and cruel act of live baiting was still happening within our greyhound industry. The documentary graphically showed the live possums, rabbits and piglets being strapped to the greyhound lures and dragged around a track, sometimes more than 20 times while these greyhounds were being blooded. It was a truly awful thing to view and I think actually worse to listen to.

Do I believe that an overwhelming majority of South Australian greyhound trainers support live baiting? Well, no. Do I believe that most punters in South Australia support live baiting? No. Do I believe that there is much support at all for live baiting in South Australia? No. Since being elected to represent Fisher just months ago, this has been one of the biggest issues that constituents have contacted me about, with not one single supporter for the practice of live baiting thankfully.

The act of blooding a greyhound is done to make the animal more aggressive and to coerce the animal to run around the track faster. Greyhounds are not naturally an aggressive dog, so the use of live baiting is done to awaken some kind of primal instinct in the animal to coerce it into running faster, running after the lure in a kind of bloodlust frenzy that is not natural to the dog.

Greyhounds' kind soul and nurturing spirit are well documented not only by animal behaviourists on an academic level but also through the wide range of companion animal programs run throughout the state with the breed. I had the opportunity to see firsthand the program that the Greyhound Adoption Program of South Australia runs with Adelaide Women's Prison which has greyhounds as companion animals for prisoners. This benefits both the prisoners and the dogs, giving the prisoners some care and affection in their lives, and the same also to these dogs. Adoption greyhounds are also used extensively by the University of Adelaide's Veterinary Science School. Greyhounds are a perfectly good-natured dog to work with our budding veterinarians in a truly compassionate way to get them starting to work with animals.

The documentary exposed a number of high-profile greyhound races on Australia's east coast including what the documentary described as 'the King of greyhound trainers'

Darren McDonald. He has made millions racing dogs. It was disturbing to see that so many high-profile people across the Eastern States have since faced charges on animal cruelty. These were the people that the industry held in such high esteem. It is a disgrace. There has been no evidence that the practice of live baiting takes place in South Australia, there have been no prosecutions of live baiting in South Australia, nor have activist groups been able to uncover any evidence of it taking place currently.

While it is my sincerest wish that live baiting is not taking place in South Australia, I harbour some thoughts, like the member for Bright, and cannot be certain that it is not the case, given the secretive way that small cabals of trainers have been operating interstate. The practice of live baiting is currently illegal in South Australia, with section 14 of the Animal Welfare Act 1985 making it a crime to 'cause (an) animal to be killed or injured by another animal'.

The offence can carry with it up to $50,000 in fines or up to four years imprisonment. Noting this, how does the new bill change the situation and why is it necessary? Currently, there are no penalties for the activities associated with live baiting, like supplying the animals to use as bait, providing the venues for the live bait training to take part in. Facilitating live baiting needs to be taken as seriously as engaging in the act directly and I am happy to support reforms that do this.

The bill will make engaging in any part of the live baiting process carry the same penalties for those who engage in organising live animal fights, such as pit bull fights and cockfighting. To demonstrate our abhorrence to those fights, the penalties will be increased to a maximum of a $50,000 fine or up to four years imprisonment. The possession of a lure with a live or dead animal attached to it will also be added to the list of paraphernalia for those associated with animal fights. This should prove a significant disincentive to those who engage in live baiting or support it.

I also wanted to comment on the fact that this bill has been written in consultation with both the RSPCA and Greyhound Racing SA, and that goes some way to reinforcing why this did take some time to come before the house, because it brought together a number of organisations in a best-practice approach to legislation. Both of these organisations condemn in the strongest possible terms the disgusting practice of live baiting and want to ensure that no trainers are engaged in the practice. I would like to commend Greyhound Racing SA for their commitment to ensuring that the practice is not taking place, with Greyhound Racing SA's CEO Matt Corby saying that the industry would not 'succumb to the irresponsible and unethical minority'. I believe he is sincere in his desire to ensure that the practice is not occurring in our state and that those who are caught doing it are punished to the full extent of the law.

I would like to also thank the RSPCA for their compassion and advocacy used, providing our furred, feathered and finned friends a voice. Also, thank you to the people of Fisher who, with their kind hearts and strong wills, have contacted me and really thrown their support behind this important bill. This bill protects our dogs, our animals and indeed our humanity. I urge all members to support it and commend the bill to the house.

Mr DULUK (Davenport) (17:16): I rise also to speak in support of this bill. Like many who saw the ABC *Four Corners* episode 'Making A Killing' back in February of this year, I was deeply troubled by the report and the footage shown. As honourable members are well aware, I was not the only one appalled by what I saw. After the program aired, I received many hundreds of phone calls, emails and letters from my constituents asking for parliament to act to prevent such cruelty to animals. I have no doubt that many other members had a similar experience, and I am glad today that we are finally acting on what we saw on the *Four Corners* program.

The callous nature of what was depicted in the documentary showed the greed of unscrupulous greyhound trainers who sought advantage from what they knew to be an unfair, illegal and cruel practice. Those who would choose to engage in this act of live baiting smear all greyhound trainers, including those who do their utmost to properly care for their animals. In Queensland, one of the three states where live baiting was found to have been taking place, there have been significant developments in recent times. It has been reported that a Queensland police taskforce investigating live baiting has so far made 25 arrests based on 68 charges, the vast majority of those charges based on animal cruelty.

In response to an inquiry conducted by commissioner Alan MacSporran QC, the Queensland government committed to significant reform to the racing industry in their state, and I will return to reform of the industry shortly. Thankfully, there has been no evidence suggesting that greyhound trainers in South Australia have been engaging in this despicable practice, but we cannot be certain about this, and as the government has already pointed out, there is no assurance that it does not take place in our state as well. I believe the bill before us provides a measured response to make sure that the integrity of current laws are upheld and allows a safe, fair and humane racing industry to continue in South Australia. Most notably, this bill imposes strict penalties for not only those personally engaged in live baiting but also those persons who in any way contribute to such disgraceful practices.

The house should note that it was the Liberal Party that immediately took the initiative to amend this important legislation. Within 10 days of the airing of the *Four Corners* episode, our colleague in the other place, the Hon. Michelle Lensink, introduced a bill: the Animal Welfare (Greyhound Training) Amendment Bill 2015. The bill introduced by the Hon. Michelle Lensink, like the government bill, has sought to toughen the penalties on those persons who commit acts of animal cruelty and those associated with acts committed. However the bill put forward by the Liberal Party and, indeed, by the Hon. Michelle Lensink went further in putting forward suggested reform, namely, the introduction of a licensing system of greyhound training facilities overseen by the minister.

In relation to the bill before us, although the government's bill toughens penalties to prevent animal cruelty in the racing industry, it does not specifically address the regulation of training facilities, particularly licensing, which I would like to see. In terms of the current bill, the new penalties include a maximum penalty of $50,000 or imprisonment for four years for a person who organises or otherwise takes part in live coursing and is guilty of that offence, which is a dramatic increase and certainly a harsh penalty.

Additionally, a person who sells or supplies an animal to another knowing that the animal is to be used as bait in live coursing is guilty of an offence, with a maximum penalty $20,000 or imprisonment for two years. Indeed, in terms of operating without a licence, the bill states:

> A person must not accept, in accordance with the licence under this part, operate a prescribed facility for the purpose of training or exercising a dog or undertake an activity to which this part applies.

The maximum penalty is $10,000 or imprisonment for one year for noncompliance. There are a lot of harsher penalties in this proposed bill, but as I reflected on, it would be worthwhile I think for the government to consider the introduction of a licensing system for greyhound training facilities overseen by the minister.

It is for this reason that I would encourage the government to work with Greyhound Racing SA and the RSPCA to implement a stronger system of oversight for all training facilities. Since the cruel acts occurred at training facilities in the Eastern States, it is imperative that the government ensure robust reform at a regulatory level to prevent the widespread cruelty such as we have seen in Queensland.

My colleagues and I have seen evidence of much stronger action from the racing industry in South Australia, which is welcome, and I note that a high level of cooperation from Greyhound Racing SA has been forthcoming, and I commend it for that. The vast majority of those involved in the racing industry are good and honest people. Our support for them should remain as long as they maintain the highest possible standards of animal welfare. Indeed, if this high standard of animal welfare cannot be maintained, then the industry should be under serious investigation and lose its right to operate as an industry.

The government has made an admirable start to prevent the incidence of animal cruelty in the greyhound racing industry, so I do encourage it to work with all stakeholders through law regulation and partnerships with relevant organisations for oversight to be effective. Those of us on this side of the chamber, as we have readily demonstrated time and time again, will always remain committed to the prevention of cruelty to animals. I commend the bill to the house.

Dr McFETRIDGE (Morphett) (17:22): I put on the record that I am still a registered veterinary surgeon in South Australia, and also I need to put on the record that my daughter Sahra McFetridge is a veterinarian employed by the RSPCA in South Australia. Having said that, I

can use that experience of over 20 years in veterinary practice—a lot of veterinary racehorse practice in thoroughbred and harness practice.

I had some overlap into the other arm of racing, and that is the greyhound racing. I used to actively discourage dog breeders, and I certainly can say that I did not encourage greyhound owners. The witchcraft that still goes on in racing, both in horses and dogs, still amazes me—the muscle who get in there, the chiropractors. There is a lot of mystique.

There is a lot of tradition that has gone on for many years that people still to this day believe will make that horse run faster, that dog run faster. Let me tell members: there are some horses that I looked at and the only race they were going to win was against a greyhound. But, even then, having said that, some of those greyhounds and the way they were being trained, being treated, was an interesting area.

Can I say that in all the years of experience and the hundreds of greyhounds I did come across, I only ever came across one greyhound that was bad tempered. I do not know what had set this dog off. It was brought into my clinic to be put down. I did. I euthanased the dog, and it was not a pleasant experience for anyone in my practice. Can I say that one of the most unpleasant things a vet can do is to have to euthanase an animal, even though we do it with the very best intentions.

Generally the owners of greyhounds do care for those dogs like any dog owner does. In fact, the public perception out there that greyhounds are four-legged killers is really quite wrong in most cases. They are sighthounds. They have been bred like many other sighthounds—the borzoi, the saluki. There is a whole range of sighthounds being bred to chase, to run down prey. That is a thing of the past. Greyhound racing is a legacy of that, when dogs were set upon prey for the purpose of hunting for human sustenance, for nutrition, for humans to be able to eat.

Greyhound racing now is a completely different area of entertainment for people and it is very highly professional, but the vast majority of greyhound owners are devoted to their dogs, would do nothing to harm their dogs, and they want their dogs to perform and so being mentally and physically fit is the ultimate for them. There are a few out there who still go back to the 'witchdoctory' of the past, who think that blooding the dog is going to make it more enthusiastic about chasing down their prey, make that dog run that bit faster and win them a bit of money. There is not a lot of money in greyhound racing. It is one of those areas that I am continually puzzled about, that the industry is able to continue with such low prize money.

There are people who do go out there and indulge in these horrific practices—and that is the only way I can describe them—of live baiting greyhounds, and it is not something that anyone who is a sane and rational person can condone in any way, shape or form. I did hear rumours years ago about live baiting on a track near the airport in my electorate. There is a track that is used for training greyhounds. It is a straight track, not bullring, but a straight track. I made inquiries about that, and I was 100 per cent confident that that was not the case. The need to make sure that we are 100 per cent confident about the issue of live baiting is so important. We need this legislation passed and we need it passed today, and I hope that is the case.

Mr PEDERICK (Hammond) (17:26): I rise to support the Animal Welfare (Live Baiting) Amendment Bill 2015. As our lead speaker and other speakers have said so well, we support this bill. We certainly support animal welfare at all levels. When people saw what was aired on the *Four Corners* program on 16 February this year—a program entitled Making a Killing—it certainly shocked many, and rightly so. It was only 10 days later that we on this side announced and tabled our own bill targeting live baiting in this state.

In regard to how greyhound racing is managed in this state, monitoring and enforcement is undertaken by Greyhound Racing SA (GRSA). In regard to the airing of the program, the focus has been on the care and welfare of greyhounds rather than the detection of animal cruelty associated with greyhound training. As the member for Chaffey explained earlier, there were not any known cases in this state, but there were allegations that some dogs from this state had been trained interstate using live baiting. Greyhound Racing South Australia's existing registration system requires that all trainers and facilities be licensed and subject to random inspection, as you would expect, and penalties for breaches can attract fines of up to $50,000 and lifetime bans from the sport.

I was just having a brief conversation with the member for Bright about this and about people who own and raise dogs, and I certainly have some in my community. It is a sport that people get involved in, and they are very passionate about it and sometimes they cannot understand it when they get reported for a breach of their licence. I remember a long-running conversation that I had with a constituent—and I think I have written to one or two ministers about it over time. He was actually standing up for a previous trainer who had passed away, and he still was not happy with what he thought was an injustice. They are passionate people, but all things need to be operated properly and effectively and, in this state and this nation, the welfare of animals is paramount and people need to be aware of that.

The prosecution, enforcement and monitoring of laws under the Animal Welfare Act 1985 is the responsibility of the RSPCA and South Australian police, and obviously that includes alleged incidents of cruelty to animals. On 23 March this year, the government announced a package of measures to target live baiting in South Australia based on the recommendations of the working group of GRSA, RSPCA South Australia, SAPOL and Department of Environment, Water and Natural Resources animal welfare officers.

The legislative response, which is obviously what we are debating now, seeks to amend the Animal Welfare Act 1985 to create new offences for live baiting, releasing an animal from captivity for the purpose of it being hunted or killed, selling or supplying an animal for the purpose of live baiting and keeping an animal for the purpose of live baiting.

These offences form part of proposed new section 14—Prohibited activities, which will replace the current section 14, which only refers to organised animal fights. The maximum penalties in this section are being increased from $20,000 or imprisonment for two years to a penalty of $50,000 or imprisonment for four years. The new maximum penalties are consistent with other sections of the act, for instance, section 13—Ill treatment of animals.

The other critical part of the whole response in regard to greyhounds' welfare is beefing up GRSA's inspectorate, refocusing it to include detection of potential animal bait cruelty and improving protocols with the RSPCA and South Australian police. A range of actions arising from this are as follows: greater detail to be recorded in the GRSA licensing system, for instance, the location and usage of bull rings and all private racing facilities and adopting the use of 'nearmap'; increasing GRSA's animal welfare and compliance staff from one to four and improving training, including in covert detection methods; increasing the inspection rate of premises (previously on average once every two years); and better protocols between GRSA stewards and RSPCA SA and South Australian police.

As the member for Kaurna indicated earlier, Greyhound Racing SA is examining the use of aerial drones and surveillance at private racing facilities, trial tracks and registered tracks. I note that bull ring licensing, while not to be subject to government licensing, will receive specific scrutiny through improved Greyhound Racing SA inspectorate processes. All these new offences are contained within the amendments to the act in this bill.

I would just like to say that, from what I have seen over time regarding live baiting, Greyhound Racing SA responded quite promptly. I think they knew that the survival of their sport—their total survival—was something they needed to deal with because, as we know in this place, perception often wins the day. A perception that live baiting was carried out in a regular manner across South Australia would probably have meant the end of the greyhound industry.

We have obviously had discussions in this place before about other matters including the welfare of animals. I was on the Select Committee on Dogs and Cats as Companion Animals. We had feedback and witness evidence in regard to puppy farms and the like, and that is certainly something that could have the potential to happen with greyhounds.

I think this is sensible legislation. I think something like this is for anyone who loves animals. I come off the land and have a love of animals because, when you rely on those animals to make your living, you look after them. If you do not look after them, you pay the price in several ways. From this side of the house, I commend the bill, and I commend greyhound racing for being proactive from what I have seen along the way. I think they realise if they were not proactive, there would have been real consequences for this sport in South Australia. I commend the bill.

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (17:35): I thank all members for their contributions to this debate and for their support in amending the Animal Welfare Act 1985 to ensure that the law is very clear. Any person who uses an animal as live bait to train a greyhound or any person who assists in such activity is in breach of the act and the penalties for such a breach will be severe.

I am sure that all members were as horrified as I was when the *Four Corners* program exposing this barbaric practice in the Eastern States was aired. It is totally unacceptable to Greyhound Racing South Australia and the South Australian public both here and in the other place. Today we have endorsed a legislative regime which will assist Greyhound Racing SA to ensure that if live baiting occurs in our state it stops and those responsible will be held to account by both the industry and the courts.

I acknowledge the efforts of Greyhound Racing SA, the RSPCA, ministers Bignell and Hunter, and the government officers who made this possible and also the support of the opposition members. I look forward to His Excellency the Governor proclaiming this bill.

Bill read a second time.

Third Reading

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for the Public Sector) (17:37): I move:

That this bill be read a third time.

Bill read a third time and passed.

HEALTH CARE (ADMINISTRATION) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL

Final Stages

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

No. 1. Clause 20—Delete the clause

No. 2. Clause 21, page 9, lines 29 to 31—Delete clause 21 and substitute:

21—Amendment of section 209—Credits to the Victims of Crime Fund

(1) Section 209(1)—after 'Subject to' insert 'subsection (1a) and'

(2) Section 209—after subsection (1) insert:

(1a) The Attorney-General must ensure that in each financial year an amount equal to 50% of the proceeds of confiscated assets of prescribed drug offenders for the preceding financial year is, instead of being paid into the Victims of Crime Fund under subsection (1), applied as additional government funding for drug rehabilitation programs (and such money may be applied without further appropriation than this subsection).

No. 3. Clause 22—Delete the clause

No. 4. New clauses, page 11, after line 4—After clause 23 insert:

24—Amendment of section 226—Appeals

Section 226—after subsection (3) insert:

(3a) On an appeal under this section the court may discharge or vary the order if satisfied that it is in the interests of justice to do so (and may do so regardless of whether this Act authorised or required the order to be made).

25—Insertion of sections 229A and 229B

After section 229 insert:

229A—Confiscation guidelines relating to prescribed drug offenders

Property may not be the subject of an application under this Act on the basis that the property is owned by or subject to the effective control of—

(a) a prescribed drug offender; or

(b) a person who has been charged with, or is suspected on reasonable grounds of having committed, an offence that will, if he or she is convicted of the offence, result in him or her becoming a prescribed drug offender,

unless the DPP has published in the Gazette guidelines setting out policies applied by the DPP in relation to the making of such applications.

229B—Annual report relating to prescribed drug offenders

(1) The Attorney-General must, on or before 30 September in each year, lay before both Houses of Parliament a report on the operation of the amendments enacted by the *Criminal Assets Confiscation (Prescribed Drug Offenders) Amendment Act 2015* during the financial year ending on the preceding 30 June.

(2) A report under this section must include the following information for the financial year to which the report relates:

(a) the number of restraining orders and forfeiture orders made in relation to property owned by, or subject to the effective control of—

(i) prescribed drug offenders; and

(ii) persons who have been charged with, or are suspected on reasonable grounds of having committed, an offence that will, if the person is convicted of the offence, result in him or her becoming a prescribed drug offender;

(b) details of property forfeited under this Act that was, immediately before such forfeiture, owned by, or subject to the effective control of, a prescribed drug offender.

(3) A report required under this section may be incorporated into any other report required to be laid before both Houses of Parliament by the Attorney-General.

26—Review of Act

(1) The Attorney-General must, within 3 years after the commencement of this Act, undertake a review of the amendments to the *Criminal Assets Confiscation Act 2005* enacted by this Act.

(2) The Attorney-General must cause a report on the outcome of the review to be tabled in both Houses of Parliament within 12 sitting days after its completion.

STATUTES AMENDMENT (YOUTH COURT) BILL

Final Stages

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

No. 1. Clause 4, page 4, lines 4 to 7 (inclusive) [clause 4, inserted section 10(2)]—

Delete subsection (2) and substitute:

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

No. 2. Clause 4, page 4, line 24 [clause 4, inserted section 10(8)]—Delete 'or the Chief Magistrate'

No. 3. Clause 4, page 4, line 26 [clause 4, inserted section 10(9)]—

Delete '(if he or she is not the Chief Magistrate)'

No. 4. Clause 4, page 4, line 30 [clause 4, inserted section 10(10)]—

Delete '(if he or she is not the Chief Magistrate)'

No. 5. Clause 4, page 4, lines 34 to 41 (inclusive) [clause 4, inserted section 10(11)]—

Delete subsection (11) and substitute:

(11) The appointment of a person as the Judge of the Court does not prevent the person while holding such office from simultaneously holding the office, and performing the duties and exercising the powers, of a Judge of the District Court.

At 17:40 the house adjourned until Tuesday 22 September 2015 at 11:00.

Answers to Questions

EMERGENCY SERVICES LEVY

In reply to **Mr MARSHALL (Dunstan—Leader of the Opposition)** (17 September 2014). (First Session)

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

The Department of Treasury and Finance advises pensioners and concession card holders who receive the family tax benefit may be eligible for an ESL remission on their principal place of residence provided they also satisfy the criteria outlined in Regulation 6 of the Emergency Services Funding (Remissions–Land) Regulations 2014 including meeting one of the entitlement categories outlined in 6(5). However, it is not the case that receiving a family tax benefit automatically qualifies the recipient of the family tax benefit for an ESL remission.

MINING ROYALTIES

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (12 November 2014). (First Session)

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

The increase in royalty revenue is due in principle to three factors, the change in the timing of royalty payments for major mineral producers from biannually to monthly has resulted in a one off benefit of $31 million in royalty revenue. Secondly there has been a significant increase in petroleum production from the Cooper and Eromanga Basins.

The third factor contributing to the increase in royalty collected has occurred as a result of the 2010-11 state budget announcement to update the Whyalla Steel Works Act 1958. The amendments have now been implemented and align royalty payable by Onesteel with the royalty provisions of the Mining Act 1971.

EMERGENCY SERVICES LEVY

In reply to **Mr WILLIAMS (MacKillop)** (19 November 2014). (First Session)

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

I am advised by the Commissioner of State Taxation that RevenueSA did not meet with Prophecy on 6 May 2014.

OIL AND GAS SECTOR

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (19 November 2014). (First Session)

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

I am advised that all advice provided to unsuccessful bidders was fully consistent with legislation. The letters to unsuccessful bidders for PEL 570 stated their bid was not the successful bid, and if successful bid parties were to withdraw their bids before formal offer of licences were made, then the next ranked conforming bidder would be asked to confirm their work program bid.

OIL AND GAS SECTOR

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (20 November 2014). (First Session)

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

I am advised that Mr Guglielmo is recognised as highly experienced in exploration and production activities in the Cooper and Eromanga basins, and had been engaged by Ambassador Exploration prior to their application formally being lodged.

Mr Guglielmo's appointment as a director of Ambassador Exploration Pty Ltd was registered with the Australian Securities and Investment Commission (ASIC) on 4 November 2011.

OIL AND GAS SECTOR

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (20 November 2014). (First Session)

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

The PEL 570 Joint Venture has been given variations of licence requirements in accord with legislation, as have been given to many other PEL holders. This has enabled PEL holders to cope with flooding and the availability of seismic crews to foster efficient investment via multiple PEL work programs. This enables efficient campaigns for seismic surveys (optimising mobilisation costs). Such logical, justified variations in work programs and licence

suspensions sustain the state's good reputation for pragmatic regulation that fosters efficient investment while maintaining effective protection of social, natural and economic environments.

Both PELs 516 and 113 were afforded suspensions and variations of licence requirements during the Cooper Basin floods. Since then, one well has been drilled in PEL 113 (October 2013) whilst nine wells have been drilled within PEL 516 in the period May 2011 to March 2014. No new seismic data has been acquired in either of these licences during the corresponding period.

Estimates Replies

MINING SERVICES CENTRE OF EXCELLENCE

In reply to **Mr VAN HOLST PELLEKAAN (Stuart)** (17 July 2014). (Estimates Committee B)

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

1. I am advised, the forward allocation breakdown for 2014-15 is $3 million, 2015-16 is $2 million, 2016-17 is $2 milion and 2017-18 is $1 million, with the addition of the 2013-14 $2 million allocation, bringing the total budgeted initiative to $10 million over five years.

2. I am advised this increase is due to the following:

- Increased activity levels due largely to additional revenue from the full year implementation of the Petroleum Retention Licence scheme which increases revenue by approximately $2.3 million, partially offset by reduced activity levels under the Mining Act including the partial surrender of a material retention lease.
- Increased revenue of $0.5 million due to the annual indexation at CPI on all regulated fees under acts administered by the department.

Therefore, the increase in the forecast revenue from regulated fees and charges is explained by volume level increases of $1.3 million and price level increases of $0.5 million from annual CPI adjustment of regulated fees.