

**HOUSE OF ASSEMBLY****Thursday, 23 June 2016***Parliamentary Procedure***SPEAKER, ABSENCE**

**The CLERK:** I advise the house of the absence of the Speaker. I call the Deputy Speaker to the chair.

The Deputy Speaker took the chair at 10:30 and read prayers.

*Bills***CRIMINAL ASSETS CONFISCATION (PRESCRIBED DRUG OFFENDERS) AMENDMENT BILL***Conference*

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (10:31):** I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

**STAMP DUTIES (TRANSFERS EXEMPTION) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 24 March 2016.)

**Mr GRIFFITHS (Goyder) (10:32):** It is a pleasure to rise on this piece of legislation introduced by the member for MacKillop. It is only relatively small, but I think it sets a very important precedent for what this parliament should be considering and how it intends to use the advice given as part of parliamentary debate when it comes to the implementation of laws.

I commend the member for MacKillop for bringing this to the house, and I have thoroughly reviewed his introductory speech from 24 March, when he spoke to the intent of the legislation. He gave me the opportunity for a conversation before that on the circumstances surrounding it. I completely agree with the position he has taken, and I am proud of the fact that the Liberal Party, on becoming aware of this, has brought it in via private members' legislation. I commend the member for what he is doing for his constituents.

As I am advised, in 1993, when Mr Frank Blevins as then state treasurer was debating legislation in this chamber, and there was consideration of a question posed by the Hon. Stephen Baker to Mr Blevins about the application as it related to stamp duty on transfers, a level of clarification was provided in this chamber which should have meant this legislation was not necessary. I am a very strong believer in the fact that when questions are asked in the committee stage, often many times across the chamber, the clarification given by the minister should be used as the guide for how the legislation is to be interpreted, potentially how regulations are to be drafted and what its implications are.

At a personal level, I used it extensively during the Planning, Development and Infrastructure Bill when the member for Enfield, the Minister for Planning, and I debated the legislation for 10½ hours at the committee stage because I wanted his words to be used as a guide for consideration in the other place about the implications and the intention of the legislation.

When the member for MacKillop became aware of this and spoke to me about what were, at one stage, three adjoining parcels of land which were sold and later became a fourth parcel of land, the determination was made by the commissioner of taxation and the implementation of a far more impactful dollar value attached to the stamp duty for the transactions. The member for MacKillop

talked to me about the fact that there was very clear guidance given in this chamber. Indeed, it was with a lot of frustration that we found it necessary to put the legislation through.

I would hope that the government's very strong position is that what is debated in this chamber and becomes law, and the comments that are provided as guidance, overrides advice which might be provided by crown law. The member for MacKillop has reaffirmed to me that it was in 2000 that crown law advice was provided to the then commissioner of taxation, from the commissioner's point of view in seeking clarification on the implementation of this, and that there was an opportunity to take a different direction.

The fact that crown law provided that means to me that the legislation did not truly reflect the intention of the parliament or that the review—with any review by a lawyer, a different position can be formed by another lawyer, there is no doubt about that—created a level of uncertainty that in this case has certainly cost good people who are looking to buy property for an opportunity for additional funds. That is where the Liberal Party has a great frustration with it.

The member for MacKillop has put the reasons for it. The necessary change is only really one amendment that includes an additional subsection to section 67(2) by the insertion of words. For the benefit of the *Hansard* I will repeat them again because I think they are important to enforce all the time:

(ab) a conveyance that relates to a parcel of land that is being conveyed as part of a series—

and that is the importance here—

of separate conveyances of adjoining parcels of land by different persons to the same person—

again, it is the same person—

(whether that person takes alone or with the same or different persons);

It then has to be considered in this way when it comes to the implementation of stamp duty on the transactions. We would all like taxes to be lower, and I understand that, but the fact is they have to exist to provide services to the community. However, there is guidance given, and the parliament is the one that has given that guidance, and another person or, in this, case crown law has provided advice on the implementation of it, where it is not fixed so that the intent of the parliament in the debate on the legislation, even in this case from when it was 23 years ago, is not done by the government of the day. As I understand it, the member for MacKillop has brought this to the attention of the Treasurer, I presume.

*Mr Williams interjecting:*

**Mr GRIFFITHS:** Yes, he is nodding his head. He has corresponded with the Treasurer, so we have gone through the process of trying to ensure that there is government level of support for this. That is why I hope that this legislation is not just a matter that sits on our *Notice Paper* and a vote is not taken because it is important that it does, because this is to fix a wrong. Clearly it is to fix a wrong to ensure that we put in place the system that was always intended, and it was a system that was intended by government members when they had been in government in a past time, too.

This is an example of where the parliament can correct that error, put in place the legislation that was intended and give surety to those people who are looking to do transactions of this type, which are not regular and I understand that. This is not a common occurrence, but it does occur and, where there is an additional cost to that by virtue of interpretation different from what the parliamentarians who put the legislation in place in the first place was, that is wrong.

I commend the member for MacKillop for bringing the legislation to this place. I hope that the government is ready to vote on this very soon because this is a matter that needs to be resolved quickly. I certainly hope that it is done before the budget is delivered, so the timing is rather appropriate. Given that we are two weeks away from the budget, there is an opportunity for it to occur and to make sure that, at least from the 2016-17 financial year, we are not continuing to charge people unnecessarily. I commend the legislation to the house.

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

**DISABILITY SERVICES (INCLUSION AND MONITORING) AMENDMENT BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 19 May 2016.)

**Ms DIGANCE (Elder) (10:40):** Firstly, I would like to thank the member for Morphett for his ongoing commitment to the cause of improving the lives of people living with disability in South Australia. With more than 20 per cent of people indicating that they have a disability, it is crucial that we ensure that every South Australian is able to participate in, and contribute to, our society on an equitable basis.

The South Australian government is committed to ensuring that the current implementation of far-reaching national and state disability reforms will bring about cultural change and lead to better outcomes for people living with a disability. While the government notes the good intentions of the member for Morphett with respect to inclusion and equity for people who are living with a disability, the government does oppose this bill.

The member for Morphett has put forward two key proposals in his bill, and I will address each of these in turn. The first proposal is the mandating of disability inclusion action plans for state and local government. As noted by the member for Morphett, the development of disability access and inclusion plans by South Australian government departments and statutory authorities have been mandated and is underway.

Led by the Department for Communities and Social Inclusion, through Disability SA, the disability access and inclusion plan policy outcome areas align with those of the National Disability Strategy 2010-2020 and relate to the South Australian priorities. The plans provide an opportunity for agencies to identify and seek solutions to overcome social, economic and cultural barriers that limit the participation of people living with a disability in society. Agencies are required to provide information about their plans in their annual reports.

Disability action and inclusion plans form the basis of South Australia's reporting on progress against the NDS, which occurs every two years. Although it is not a legislative requirement for local government to develop disability access and inclusion plans, the Australian Local Government Association participated in the development of the NDS and committed to its implementation through the Council of Australian Governments.

Disability SA is working closely with the Local Government Association of South Australia to raise the profile of the NDS and, importantly, encourage and support councils to develop disability access and inclusion plans, using the state government approach. Local government has been represented on the across-government disability access and inclusion plans steering committee since its inception in 2013. Indeed, many councils already have disability action plans or strategies in place.

Given that the government has already mandated the introduction of disability access and inclusion plans across state government agencies, the government does not consider that legislation is necessary at this stage. However, the Minister for Disabilities wishes to put on the record that the government would like to extend an opportunity to the member for Morphett to work together regarding ways in which disability access and inclusion can be improved at the local government level, in collaboration with the Local Government Association of South Australia.

The second proposal in this bill is that incidents of abuse of people with disability in supported accommodation be monitored and reviewed by the State Ombudsman. The state government already has a robust network of mechanisms in place to prevent incidents of abuse of people with disability living in supported accommodation and to investigate, and appropriately respond, when incidents unfortunately do occur.

Under the current legislative framework, issues of concern, including those related to serious abuse or care concerns, can be referred for investigation to the State Ombudsman. Alternatively, the South Australian Health and Community Services Complaints Commissioner, which is an independent statutory office established under the Health and Community Services Complaints Act

2004, is responsible for investigating complaints specifically in relation to community services, including disability services.

Other mechanisms are already established to investigate or respond to incidents of abuse of people with disability, and these include:

- the DCSI Care Concern Investigations, which investigates and acts on allegations of abuse of vulnerable persons who are clients of the disability services and/or service providers funded by Disability SA;
- the DCSI Critical Client Incidents Policy, which ensures all critical client incidents are reported, managed and monitored in a consistent way;
- the Disability SA Feedback and Incident Review Team, which manages feedback and serious incidents received about non-government organisations funded by DCSI to provide services for people with disability;
- the Disability Community Visitor Scheme, which was introduced in 2013 and is an independent statutory scheme that visits and monitors standards in supported accommodation services in order to ensure the wellbeing of vulnerable residents and that their rights are upheld; and
- the DCSI Disability Senior Practitioner, who has a focus on reducing the use of restrictive practices and upholding the rights of South Australians with disability to live free from unauthorised restrictive practices.

There have also been other recent reforms designed to improve the safety of people with disability in supported accommodation. This government has already amended the Disability Services Act 1993 in response to a recommendation of the Strong Voices report. The Disability Services (Rights, Protection and Inclusion) Amendment Act 2013 was passed by parliament and commenced operation on 5 December 2013. It applies to all prescribed disability service providers in South Australia and strengthens protection for people with disability. It includes new requirements for the screening of relevant history for persons in prescribed positions working with people with disability.

In June 2014, the South Australian government released the Disability Justice Plan 2014-2017 to promote the rights and needs of people with disability in contact with the criminal justice system, including victims, witnesses, suspects and defendants. Under the Disability Justice Plan, two new sexual offences were introduced into the Criminal Law Consolidation (Sexual Offences-Cognitive Impairment) Act 2014 which aim to increase protection for people living with intellectual disability or cognitive impairment from sexual exploitation by those in positions of power and authority.

Overall, any additional powers for the State Ombudsman are not considered necessary, given this strong network of statutory and other investigative processes that are already in place. Furthermore, any statutory amendments would pre-empt the work underway as part of the implementation of the National Disability Insurance Scheme (commonly known as the NDIS).

A national quality and safeguarding framework is being developed which will propose new national functions for provider quality and registration, complaint handling (including the investigation of serious incidents) and restrictive practices. As I said earlier, until responsibilities and roles regarding a national quality and safeguarding framework are finalised by national and state disability ministers, through the Disability Reform Council, and other significant initiatives are implemented, it would be precipitous to support any amendments at this stage.

While the government welcomes the intent for improving disability inclusion that the member for Morphett has shown in tabling this bill and his continued concern for those who are most vulnerable in the disability community, further amendments to the Disability Services Act 1993, as proposed in this bill, are not supported at this stage.

**Dr McFETRIDGE (Morphett) (10:49):** I appreciate the speech by the member for Elder, but I am extremely disappointed that the minister has not made that same speech. I am extremely disappointed that the government is not willing to work with the opposition because it is an opposition

bill. That is what this is all about. We have seen it time and time again. If it is not what the government wants or they think they can improve it, let's see the amendments. I have said to the minister and to the other minor parties that if they think they can improve this legislation, please let me know how to do it.

Some of the feedback I have had from the government is that the NDIS is going to take care of a lot of this. Members should remember that this bill is modelled on the New South Wales legislation. In a moment, I will talk about the role of the Ombudsman being a little bit different in New South Wales, and that is an area that does need amendment. A press release put out by the New South Wales minister in May 2014 states:

The main purpose of the bill is to enhance protections and enshrine the rights of people with disability into New South Wales law during implementation and following full transition to the National Disability Insurance Scheme (NDIS).

To use the National Disability Insurance Scheme as some sort of shield and say, 'Well, we don't need to do this because we're not sure how it can work out,' is an absolute cop-out. There is no accountability at the moment, there is no transparency at the moment, and there is no reporting at the moment. In the Strong Voices report, which was delivered to this place in October 2011, recommendation 6 states:

...all State Government agencies, local councils, statutory authorities and State Government contractors must—

'must' is the word in here—

develop and implement an annual Access and Inclusion Plan. Access and Inclusion Plans will be public documents and lodged with the Social Inclusion Board...

However, there is no requirement there for reporting and transparency. They 'must' do it, though, according to that recommendation. Has that been done? In 2015, the Department for Communities and Social Inclusion issued the Disability Access and Inclusion Plan 2014 to 2018. In that, they say that government departments will have these access and inclusion plans, but again none of that is going to be reported on. There is no accountability. Why wait? Why not bring in the amendments? Why not work with the opposition? Why not work with me?

I stood on the stage with the Premier at the Novita Christmas party a few years ago and said, 'If you can't be bipartisan about disabilities, when can you be bipartisan?' I am looking and hoping for a bipartisan approach here, but I am obviously not getting it because it is their way or no way. That is what this government is doing all the way. We are seeing it with child protection now, and we are seeing it with so many other issues. It is their way or no way at all, and that is just not the way we can continue.

Yes, there is a difference between the way the Ombudsman in New South Wales works and how they work in South Australia. I spoke to the Health and Community Service Complaints Commissioner about this, and I was more than happy, if I got the opportunity to introduce an amendment, to make sure that the appropriate authorities in South Australia were up-front as the go-to people. I am happy to talk to the government about this.

This is an absolute cop-out by this government. I am extremely disappointed that the minister has not come to me and said, 'Let's work with this. This is good. This is something we need to do. We do need to be accountable. We do need to be reportable.' The New South Wales local government association thinks this is fantastic. I know that the local government associations here were not very happy with it, but let me tell you that most of the local governments, if they are worth their salt, are already doing this. The government is already doing this to an extent. Let's have some accountability, let's have some reporting, and let's have some measuring of what we are doing.

As Paddy Phillips, the Chief Medical Officer, said to me a number of years ago, when talking about the health system in this state, 'You can't know what you don't measure.' Dr Phillips was quite right: you cannot know what you do not measure. So let's have some KPIs on this, let's have some accountability, let's have some openness, let's have some transparency. Let's have the minister come into this place and table their report every four years on what has been done. Let's be proud

of what we are doing for people with disabilities in South Australia. Let's show people around the world that South Australia can be a leader.

We have led in so many areas over the time of this parliament. We have been a leader so many times, not just of this nation but of the world. Let's do it again. Let's show them that we can care for people with disabilities, and those who care for them, by making sure that they have appropriate accommodation and making sure that they are not being left behind, not being disadvantaged and not being abused. We need to make sure that they are not underprivileged and that they are not being forgotten because none of us can forget.

One of the best portfolios I have is this disabilities portfolio because every time I wake up in the morning I realise how lucky I am. I realise what a wonderful life I have and what a wonderful family I have. I meet people who have massive challenges in their lives. If I can do anything at all to work with this government to make sure that this legislation is put through, I am happy to do it. So please do not just say, 'It's an opposition bill. You're a nice guy, Duncan. We would like to work with you, but there are too many other complicating factors.' That is not true. There are not so many complicating factors that we cannot work together on this.

I know that members on the other side are locked in on their party positions on these issues, and I know that they have to sit behind this disgraced Premier who should not be here. He should have resigned yesterday. We know that he has no accountability. There is no ministerial accountability in this place. I hope the new minister for disabilities does remain accountable. I hope that she wants her department and every department to remain accountable, unlike this Premier who should have gone yesterday. He is a disgrace. I do not believe a word this man says now. He should not be here.

**The DEPUTY SPEAKER:** Order! Can we just get back to discussing the bill before us? You have finished? The question before the house is that the bill be read a second time.

The house divided on the second reading:

Ayes .....	15
Noes .....	21
Majority.....	6

#### AYES

Bell, T.S.  
Knoll, S.K.  
Pisoni, D.G.  
Tarzia, V.A.  
Whetstone, T.J.

Duluk, S.  
McFetridge, D.  
Redmond, I.M.  
Treloar, P.A. (teller)  
Williams, M.R.

Griffiths, S.P.  
Pederick, A.S.  
Sanderson, R.  
van Holst Pellekaan, D.C.  
Wingard, C.

#### NOES

Bignell, L.W.K.  
Close, S.E.  
Gee, J.P.  
Kenyon, T.R. (teller)  
Mullighan, S.C.  
Picton, C.J.  
Vlahos, L.A.

Brock, G.G.  
Cook, N.F.  
Hamilton-Smith, M.L.J.  
Key, S.W.  
Odenwalder, L.K.  
Rau, J.R.  
Weatherill, J.W.

Caica, P.  
Digance, A.F.C.  
Hildyard, K.  
Koutsantonis, A.  
Piccolo, A.  
Snelling, J.J.  
Wortley, D.

Majority of 6 for the noes.

Second reading thus negated.

### **ROAD TRAFFIC (WORK AREA SPEED LIMIT SIGNS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 19 May 2016.)

**Mr TRELOAR (Flinders) (11:02):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### **ROAD TRAFFIC (HELMETS FOR MOTOR BIKE RIDERS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 19 May 2016.)

**Mr TRELOAR (Flinders) (11:03):** I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### **NATIVE VEGETATION (ROAD SAFETY AND ROADSIDE FUEL REDUCTION) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 9 June 2016.)

**The Hon. P. CAICA (Colton) (11:04):** This is a bit like groundhog day or, if you like, recurring nightmare day. I rise to speak against this bill, and that will not come as a surprise to anyone. The Native Vegetation (Road Safety and Roadside Fuel Reduction) Amendment Bill 2016 was introduced into the House of Assembly by the member for Morphett on 10 March 2016. Aside from the fact that the member for Morphett unsuccessfully introduced a similar bill in 2015, and aside from the fact that there are no substantial differences between this bill and the one introduced last year (apart from a small alteration in the terminology), the reason I oppose the bill is that it is very much like the member for Morphett himself—superfluous.

**The DEPUTY SPEAKER:** Order!

**Dr McFetridge:** You can't help it, can you? You just can't help yourself.

**The Hon. P. CAICA:** Well, I mean—

**Dr McFetridge:** UFU, through and through. You just can't help yourself.

**The Hon. P. CAICA:** Deputy Speaker—

**The DEPUTY SPEAKER:** I am on my feet. The house does require members to be heard in silence, but it does require members to be respectful and on task.

*Dr McFetridge interjecting:*

**The DEPUTY SPEAKER:** Order, member for Morphett! I would not like you to miss question time today, would I? So, member for Colton—

**Dr McFetridge:** They didn't want you on the front bench. They wanted me on the front bench, mate. They didn't want you.

**The DEPUTY SPEAKER:** The member for Morphett is warned. The member for Morphett is warned already—that's terrible.

**The Hon. P. CAICA:** A glass jaw, Madam Deputy Speaker. Anyway, I will continue.

**The DEPUTY SPEAKER:** No, back to the debate.

**The Hon. P. CAICA:** Yes. Well, I did—

**Mr Bell:** He can't help himself.

**The DEPUTY SPEAKER:** No, you don't need to contribute either. He is being disciplined, but it cannot be while you are mouthing off.

**The Hon. P. CAICA:** I did sit through the previous contribution by the member for Morphett, who said some outrageous things about our Premier, so I mean—

**The DEPUTY SPEAKER:** No, sit down.

*Dr McFetridge interjecting:*

**The DEPUTY SPEAKER:** Member for Morphett, we do not need this. We want to debate the bill at hand, and I would like to hear the debate on the bill without interruption. You have already been called to order, member for Morphett. The member for Mount Gambier does not want to join you.

**The Hon. P. CAICA:** Thank you, Deputy Speaker, and of course I support the Premier. The question is: does the member for Morphett support his leader—

*Members interjecting:*

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

**The Hon. P. CAICA:** —and does the party support him?

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Order, member for Colton! I am calling you to order as well.

**The Hon. P. CAICA:** Thank you, Deputy Speaker, it is that parachute from Matt Williams that is hovering above the member for Morphett. I guess he will be hoping he wins next weekend for two reasons.

**Dr McFetridge:** He will win. He'll be there, buddy. He'll be there.

**The Hon. P. CAICA:** But you might not be.

**The DEPUTY SPEAKER:** Order!

**The Hon. P. CAICA:** Anyway, getting back to the bill, under the current provisions, clearance of native vegetation for road safety purposes, fire mitigation purposes, and by councils—lo and behold—is already permitted. There are various ways this can already occur. If a landholder or local government simply wishes to undertake clearance of native vegetation on roadsides, they can use the guidelines developed by the Native Vegetation Council (NVC). This allows for clearance for pest control, establishing property access and maintaining clearance envelopes without the need for approval from the NVC.

The NVC has also recently expanded the delegation provided to the Department of Planning, Transport and Infrastructure to allow for greater flexibility in managing roadsides. This will increase DPTI's ability to respond to roadside management issues, and reduce regulatory burden. Of course, there may be occasions when the guidelines do not meet the needs of the local council or the residents. However, you would be aware that in such cases councils can develop their own roadside vegetation management plan which describes how they will undertake the management of their roadside vegetation.

This will come as no surprise to you either, Deputy Speaker. The CFS also feel that this bill is unnecessary because provisions already exist under the Native Vegetation Act and regulations that enable sufficient clearance of native vegetation for bushfire safety. This can be done, either through direct South Australian Country Fire Service approval, or through an area bushfire management plan approved by the State Bushfire Coordination Committee.

If all this fails, and landowners consider that the exemptions listed in the regulations do not allow for an adequate level of clearance in certain circumstances, they are able to lodge an application that is administered by the CFS. I remember that these arrangements were established in 2010 in order to streamline the approval process.

This bill from the member for Morphett further ignores the important fact that the care and management of road corridors in South Australia are vested in the relevant local council. Those road corridors, as have been described on numerous occasions in the past, are a legacy, and we need to make sure that they continue that very important environmental role as well, whilst at the same time ensuring that provisions are in place to make these corridors more compliant in regard to bushfires, and those provisions are already in place.

There are already established processes in place between the CFS and local councils to facilitate the removal of bushfire fuels on adjacent land by agreement or, if need be, by enforcement of section 105 of the Fire and Emergency Services Act. In my view, this reflects a lack of research and failure to consult when developing this bill. Surely, the member for Morphett should have learnt from the past. This is not a bill that is going to be supported, and maybe that is more of a reflection on his lack of political nous that he has brought it back here again. For these reasons, and because this bill is unnecessary, I and this side of the house strongly oppose it.

**Dr McFETRIDGE (Morphett) (11:10):** Thank you, Deputy Speaker, and with respect to you I will maintain the decorum of this place. This bill is very similar to former bills because this is a very important issue. Recently, the government, through its Department of Transport, has put in kilometre after kilometre of Armco through the Adelaide Hills and some of the roads there are like 'Armco Alley' and, if this is improving road safety, well so be it.

I was just having a discussion with one of my colleagues who is an active member of the CFS and I said that since the installation of the Armco in and around the Adelaide Hills, near where I serve with Meadows CFS, the accident rate—touch wood—has reduced. I hope that is because of improved driver behaviour. I hope that is because of improved road safety. Certainly, the condition of the roads themselves is somewhat lacking.

The member for Colton in his speech outlined a number of steps that could be gone through for people to apply to clear roadside vegetation, to improve the safety of the roadside verges, and that is all good if you want to go through layer on layer on layer of bureaucracy. That is the frustration. I actually trust South Australians to do the right thing. I actually trust South Australians to get out of their homes and do the right thing to prepare for bushfire season and to improve the safety of the roads around their place, if they possibly can.

This is not about napalming the roads, it is not about getting the D9 out and clearing the road verges. This is about undertaking reasonable, as defined in the Acts Interpretation Act, clearing of the roadside verges, and that is all I am asking for, to relieve the burden of the layer upon layer upon layer of the bureaucratic nightmare. These honest people who live in South Australia want to be able to get on with their lives. I am not surprised that there are some in the government who still cling to their socialist and Marxist roots where the government knows best and you need to go through the bureaucrats to do everything and you need to have a number and you need to be told when you can breathe, never mind how you can act.

This is what is wrong with this government. I trust South Australians. This is a necessary move because the Coroner in his reports has said that roadside vegetation in the past has been a serious issue in people fleeing fires. Leaving early is what people should do, if there is a threat of a serious fire. They should leave early but they do not, they just do not, and until we can instil that message in people, we want to try to be able to at least allow other people, who want to, to improve access along the roads, reduce the fuel loads on the sides of the road by reasonable clearing, and that is something that should be done.

They say that I have not consulted on this, just because I have not tabled letter after letter in this place. I am a life member of the CFS and I am very proud of that. I have had a lot to do with my local governments, not just in the electorate of Morphett but more broadly. I talk to mayors, I talk to councillors when I am out and about, I talk to the CFS members at the coalface about what is required, and they tell me that, yes, this is a sensible thing to do. It is a reasonable thing to do, and that is all I am asking of this government.

Do not, again, knock it on the head because you do not think that South Australians can be trusted, because that is what you are saying. You are saying, 'They can go through all these layers

and layers of red tape, they can tick all the boxes, sign it off and pay for the permits if they have to. They can do that, but let's make them do it our way, not in a reasonable way.'

Let's trust South Australians. This is sensible legislation, and I can guarantee that this legislation, in a different form, will come back. It will keep coming back because the last thing that I want is the Coroner having to report on deaths in bushfires and road accidents because of something that could have been ameliorated—perhaps not stopped but reduced somehow, and thus mitigated. That is what it is about. It is not about denuding the roadsides of South Australia: it is about sensible, reasonable action by good people in South Australia, which is all South Australians.

The house divided on the second reading:

Ayes ..... 16  
Noes ..... 19  
Majority ..... 3

#### AYES

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

#### NOES

Bignell, L.W.K.	Caica, P.	Close, S.E.
Cook, N.F.	Digance, A.F.C.	Gee, J.P.
Hamilton-Smith, M.L.J.	Hildyard, K.	Kenyon, T.R. (teller)
Key, S.W.	Koutsantonis, A.	Mullighan, S.C.
Odenwalder, L.K.	Piccolo, A.	Picton, C.J.
Rau, J.R.	Vlahos, L.A.	Weatherill, J.W.
Wortley, D.		

#### PAIRS

Gardner, J.A.W.	Atkinson, M.J.	Goldsworthy, R.M.
Bettison, Z.L.	Marshall, S.S.	Snelling, J.J.
Pengilly, M.R.	Hughes, E.J.	Speirs, D.
Rankine, J.M.		

Second reading thus negatived.

### **POLICE (RETURN TO WORK) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 18 November 2015.)

**Mr TRELOAR (Flinders) (11:20):** On behalf of the member for Morialta, I move:

That this order of the day be discharged.

Motion carried; order of the day discharged.

### **EVIDENCE (JOURNALISTS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 11 February 2016.)

**The Hon. T.R. KENYON (Newland) (11:20):** After deep consideration, I rise to oppose this bill. I do so for the following reasons. The bill was introduced as a private member's bill by the Hon. Andrew McLachlan, and it has a long history. It draws upon the Evidence (Protections for Journalists) Amendment Bill 2014 and the Evidence (Journalists) Amendment Bill 2014, respectively introduced by the Hon. John Darley and the Hon. Stephen Wade. Both of these bills were restatements of earlier bills that were introduced as private members' bills by the Hon. John Darley and the Hon. Stephen Wade in 2013 and lapsed with the end of the 2013 parliamentary session.

The 2014 bill moved by the Hon. John Darley was eventually passed by the Legislative Council with certain ill-conceived amendments moved by the Hon. Stephen Wade. This bill was debated after debate in the House of Assembly on 30 October 2014 and the bill, of course, was opposed by the government. Given the fact that the Attorney-General has previously outlined the government's reasoning for opposing the bill, I will keep this speech somewhat brief.

The present bill is, again, broadly based on the model that now exists in the commonwealth, although it is not identical. Again, this bill provides enhanced protections to journalists and seeks to enshrine in legislation the fundamental principle that journalists should not be compelled to reveal their sources and that this will somehow better promote the notion of the public's right to information. However, the bill does not grant absolute protection to journalists and provides that the court may order disclosure, but only if the case fails in the public interest test, and that is where the public interest in revealing information outweighs the potential detriment to the source.

Again, the government has considered the bill but remains of the position that the bill is simply unnecessary. It has major practical flaws, notably as to its expansive definition of 'journalist' and its application to examinations such as those before the Independent Commissioner Against Corruption, which is not only unhelpful for ICAC's important work but frankly ridiculous, and the Australian Crime Commission, which is quite possibly unconstitutional. These issues were pointed out by the government on a previous occasion the bill was before this house, and I see that the opposition has made no attempt to rectify these issues.

Various statutory models exist in Australia and elsewhere that modify the common law approach. Legislation has been enacted in New Zealand, the commonwealth, New South Wales, the Australian Capital Territory, Tasmania and Victoria. Western Australia passed its own very distinct legislation in 2012. There are no journalist shield laws in Queensland, the Northern Territory or South Australia. Common law, notably set out in the High Court in *John Fairfax and Sons Ltd v Cojuangco* (1988) 165 CLR 346, provides that journalists do not enjoy enhanced or special protections in disclosure of information to a court that the journalist might regard as confidential.

The common law, set out by the High Court, provides that it is a fundamental principle of the Australian legal system that the media and journalists do not have a public interest immunity when it comes to disclosure of information in the interests of justice. That is the High Court's view. The High Court's position is compelling, striking the right balance, and the government agrees with both the approach and rationale for it outlined by the High Court. The government sees no need to change the law.

It is important to revisit two features in the bill that give rise to particular concern. First, the bill is not confined to journalists in a professional sense. The definition of journalist is capable of extending more broadly to other purported journalists, such as those operating as contractors and freelancers. This potentially includes anonymous bloggers. The government has no intention of protecting those people who call themselves journalists but in reality are merely using the internet as a tool to anonymously troll the internet.

Secondly, the current bill extends to any proceedings involving a hearing or examination at which a person may be compelled to answer questions or produce documents. This extension is unsound and ill conceived. It would hamper the important work of agencies conducting examinations, such as the Australian Crime Commission. In particular, this would also apply to examinations under the Independent Commissioner Against Corruption Act 2012. This extension is fundamentally unsound, unwarranted and would frustrate and undermine the operation of ICAC.

It is necessary for the underlying purpose and effective operation of ICAC that the bill does not apply to examinations conducted under that act. The Independent Commissioner Against Corruption Act 2012 has its own special regime to determine and resolve questions relating to cooperation with examinations held under the act.

In conclusion, the government agrees with the High Court's position. The logic of the High Court's position is compelling. Journalists should not be above the law or singled out for special position. The bill is flawed both in terms of policy and practice and the bill is unnecessary. The government opposes the bill.

The house divided on the second reading:

Ayes ..... 15  
 Noes ..... 20  
 Majority ..... 5

#### AYES

Bell, T.S.  
 Knoll, S.K.  
 Pisoni, D.G.  
 Tarzia, V.A.  
 Whetstone, T.J.

Duluk, S.  
 McFetridge, D.  
 Redmond, I.M.  
 Treloar, P.A. (teller)  
 Williams, M.R.

Griffiths, S.P.  
 Pederick, A.S.  
 Sanderson, R.  
 van Holst Pellekaan, D.C.  
 Wingard, C.

#### NOES

Bignell, L.W.K.  
 Close, S.E.  
 Gee, J.P.  
 Kenyon, T.R. (teller)  
 Mullighan, S.C.  
 Picton, C.J.  
 Weatherill, J.W.

Brock, G.G.  
 Cook, N.F.  
 Hamilton-Smith, M.L.J.  
 Key, S.W.  
 Odenwalder, L.K.  
 Rau, J.R.  
 Wortley, D.

Caica, P.  
 Digance, A.F.C.  
 Hildyard, K.  
 Koutsantonis, A.  
 Piccolo, A.  
 Vlahos, L.A.

#### PAIRS

Gardner, J.A.W.  
 Rankine, J.M.  
 Pengilly, M.R.  
 Bettison, Z.L.

Atkinson, M.J.  
 Marshall, S.S.  
 Hughes, E.J.

Goldsworthy, R.M.  
 Snelling, J.J.  
 Speirs, D.

Second reading thus negated.

#### Motions

#### FREE TRADE AGREEMENTS

**Mr WHETSTONE (Chaffey) (11:30):** I move:

That this house—

- (a) recognises the benefits of free trade agreements to South Australian businesses and the economy; and
- (b) acknowledges the work of the commonwealth government to establish recent free trade agreements with Korea, Japan and China.

I rise today to speak on this motion, which has been put forward in my role as shadow minister for investment and trade. I think it was probably one of the groundbreaking moments when minister Andrew Robb AO was able to negotiate, sign and implement free trade agreements that will be of huge benefit not only in the immediate export world but for many decades to come. Along the way, there have been a few detractors in relation to free trade agreements, but I would like to put on the

record that if you are not in amongst it, if you are not there as part of having a free trade agreement, being more competitive, playing on a much more level playing field, then you are at a disadvantage right from the get-go.

Obviously, I acknowledge the commonwealth government and the trade and investment minister, Andrew Robb. As Prime Minister Malcolm Turnbull has explained, Andrew Robb is probably one of the greatest trade ministers in the history of this nation. What he was able to achieve was absolutely enormous, with the opportunities it presents to create jobs, to attract investment, to give further access to industries to open up new markets. In fact, many of the tariff reductions have now been realised and South Australian businesses are reaping the benefits.

Just recently, the shadow cabinet came to the electorate of Chaffey, and I was able to take Steven Marshall, the Leader of the Opposition and member for Dunstan, and others around to some of the businesses that are benefiting from those free trade agreements and explain the tariff reductions that they are now enjoying and benefiting from, the competitiveness there is now, putting product—particularly food and beverage—into markets that make us more competitive.

It really does put more onto the bottom line. More importantly, it creates a very high level of confidence when people are investing, whether it is local grassroots investors, farmers here in South Australia, or nationally right across the country. It is also about us being able to promote our great state to the world, to be more competitive, to have that confidence when we enter our markets that we are playing on a much more level playing field. I think that speaks volumes about where it is all going.

In addition to the most recent free trade agreements with Korea, Japan and China, Australia also has agreements in force with New Zealand, Singapore, Thailand, the US, and Chile and an association with our neighbours, the South-East Asian nations of the ASEAN region as well as New Zealand and Malaysia. The companies covered by Australia's 10 FTAs account for 67 per cent of Australia's total trade, which shows the significance of these agreements.

The proposed Trans Pacific Partnership currently being negotiated between 12 countries, including Australia, would become the largest free trade agreement in the world if it were signed, opening up an estimated \$28 trillion in trade. You would have to ask: where can we benefit with that agreement, with those signings of those relationships? Also, what does it mean for the economy in South Australia? What does it mean for our businesses that are either already existing export traders or wannabe exporters? It gives them a fantastic platform to stand on, to set up a business model, to invest in their business and employ people.

To be a part of that, yes, we do have to create a relationship. We do have to meet our trading partners. It is not about putting product in boxes, containers or bottles and hoping that someone is going to buy them. FTAs are about a long-term strategy. In most cases, it is about creating a relationship and about meeting them. It is about bringing them here and showing the wannabe importers of those countries exactly where the product comes from—grown under blue skies with clean, potable water (in some cases it is not potable, but it is still reliable and not polluted). We look at the strategies with biosecurity measures. We look at all of the advantages that we have in South Australia to grow a premium product, a value-added product, and present it to the world.

Historically, we have been price takers in many of our export markets because we have traditionally loaded up containers, ships and trucks, sent them to a market and hoped we got paid. In many cases, there is also a bit of argy-bargy. As an exporter for many years, I was one of those culprits who would put product onto a boat and just pray that it was received at port when it got to its destination, was cleared and then I would in turn be paid for that product. In many cases, products have faced huge obstacles. Unregulated markets present huge problems and payment terms have always been an issue.

By way of background, the definition of a free trade agreement is an international treaty which removes barriers to trade and facilitates stronger trade and commercial ties which contributes towards increasing the economic integration between the participating countries. Free trade agreements can also cover entire regions with multiple participants or link just two economies together. Free trade agreements open up opportunities for our exporters and investors, and I think

that is important to create an environment of confidence so that we do further invest, we do further value-add and we do further put our trust in these free trade agreements being of economic benefit.

It is all very well to have cultural ties with other cities and countries, but at the end of the day we are doing this for an economic gain. It is all very well to shake hands and put your arm around a trading partner, but it is a real issue when that is where it finishes. We have to actually create those relationships. Until our neighbours from Asia, and South-East Asia in particular, can meet exporters face to face and understand exactly what the business models are and where the product comes from, they do not trust us. I think anyone here would understand that, when undertaking any form of trade negotiation, it is about that face-to-face recognition. When you look someone in the eye, in most instances, you can understand, you can like and then you can trade.

Over many years, I have found probably one of the most valuable marketing tools is being able to present a product and also to show where that product comes from and how safe it is because we all know of food standards in many parts of the world that are questionable, whether it is where it has been grown, how it has been grown or the type of labour that is used to pick, process, pack and logistically move it. I think what is really important is that we now have a platform as an exporting state that we can build on.

I want to touch on some of the trade barriers and trade quotas that typically come in the form of tariffs. As an example, beef into Japan recently had its tariff cut from 38.5 per cent down to 19½ per cent. That is over 18 years, but it is a transition. We have to understand that we are now competing with other countries. We have to be on a playing field that we would like to think is level. As a competitive country, we have to be smart about how we do it, but we also need to know that we are selling a premium product to these markets that are craving premium high-end products, particularly South-East Asia, which has a growing middle-class economy that is prepared to pay a premium for what we are selling: a premium product at a premium price.

Free trade agreements foster free trade flows and create stronger ties with our partners. They do not just eliminate tariffs; they also address behind the border barriers. Particularly in the Riverland, we are dealing with recognition of having fruit fly free status, or area of freedom, so that our trading partners recognise that they are getting a product that is fruit fly free. We know that fruit fly is a part of the big picture right around the world, but the unique situation that we have, particularly in the Riverland, is that we are fruit fly free.

Biosecurity is a major issue in that region, my electorate, the Riverland and Mallee, and we guard it as best we can. I think that Biosecurity SA are doing a great job. They continue to put budget bottom lines into upholding that fruit fly free status. It is playing its role now with nectarines into China, which are now given that status. We are now looking to build on that network to include citrus.

The agreements enhance the competitiveness of the state's export sector, and I think South Australia will be one of the main beneficiaries. I should note that negotiations on the free trade agreements with China commenced under the Howard government in 2005. It has been a long time getting ink on paper, getting it signed and getting it into action to make sure that we are reaping the rewards and making sure that those agreements are for the benefit of all and not just for a one-sided show.

Those free trade agreements sadly languished between 2007 and 2013. I think that was due to a lack of federal government focus. Sadly, there was infighting between the federal Labor governments of the Gillard and Rudd years. While they were busy fighting, they were not negotiating for the country's best interest, particularly in export and trade. The 2015 federal budget provided \$24.6 million to assist businesses to make the most of their export opportunities created by that trifecta of free trade agreements. I think that was a great initiative.

In a submission to the Agricultural Competitive Task Force, Business SA said that the federal government had been outstanding in securing trade agreements. I think that Business SA could see the writing on the wall that, if we could get these signed, it would make a difference to business confidence in South Australia, which had been sliding. Business confidence had been very focused on the cost of doing business in South Australia and very focused on the regulations and the red tape when accessing international markets. I think that a lot of those barriers, those walls, have been broken down.

While Australia has some key arrangements with trading partners, we have to improve those business conditions and look at how we are going to support the SMEs, those small to medium enterprises, and how they can take advantage. My recent tour showed me our lack of presence in Japan, New Zealand and the ASEAN countries, where free trade agreements are vital. We are not putting enough effort and investment into those countries to make sure that we can take advantage of those agreements.

It is no good having a want to put products into countries. Take Japan as an example. While I was over there I saw that there is no South Australian presence—nothing, no-one home, no offices. We have an Austrade office that, when they are not too busy looking after their main customers, the eastern seaboard, deals with South Australia. That is no disrespect to Austrade. They have a certain amount of resources and a certain amount of manpower. What it shows is that South Australia does need to have a presence on the ground.

There is much more that I can talk about. Obviously the China free trade agreement has been an issue, but what I would like to say is that the free trade agreement is something that every South Australian business should consider. They should consider their model and be a part of that agreement and make hay while the sun shines.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** I wish to draw members' attention to the gallery and welcome Archer Threapleton and friends and supporters of the Epilepsy Foundation SA to the chamber. Thank you very much for coming in. We hope you enjoy your time with us this morning.

#### *Motions*

#### **EPILEPSY AWARENESS**

**Mr DULUK (Davenport) (11:46):** I move:

That this house—

- (a) recognises Purple Day in support of epilepsy awareness;
- (b) acknowledges the work of community members who raise the issue of epilepsy awareness; and
- (c) calls on the state government to adequately fund epilepsy services, research and diagnosis.

Today, I would like the house to recognise Purple Day—and Deputy Speaker, I love that outfit; very good.

**The DEPUTY SPEAKER:** I was hoping someone might notice.

**Mr Whetstone:** Every day we notice you.

**Mr DULUK:** Yes, every day we do. Each year, on 26 March, people from around the world endeavour to raise awareness of epilepsy by wearing purple. Purple Day was started in 2008 by nine-year-old Cassidy Megan of Nova Scotia, Canada, because, in her words:

I wanted to tell everyone about epilepsy, especially that all seizures are not the same and that people with epilepsy are ordinary people just like everyone else. I also wanted kids with epilepsy to know that they are not alone.

Purple Day has grown each year, with people not only wearing purple but holding events, fundraising and working together to increase awareness of the prevalence and the need for recognition of epilepsy as a condition. In South Australia, Purple Day on March 26 was a well-attended event at Bonython Park, where I was warmly welcomed by Robyn Wakefield, the CEO of the Epilepsy Centre, and many members of the epilepsy community who are here today—and I welcome you all to parliament.

Epilepsy is a well-known and relatively common medical disorder. In fact, I suspect that many in this house know or know of someone with epilepsy. Epilepsy is a common medical and social disorder with unique characteristics. It is a neurological disorder that manifests itself as fits or seizures due to abnormal electrical activity in the brain. The seizures can be almost unrecognisable

but may also present with sudden recurrent episodes of loss of consciousness, sensory disturbances and convulsions.

The World Health Organisation acknowledges epilepsy as one of the most common neurological disorders in the world, affecting more than 70 million people worldwide and about 61,000 people in South Australia alone. Epilepsy does not discriminate. Whilst the highest incidence of diagnosis is in infants and the elderly, it in fact affects all ages and sexes. Although there are many known causes that include genetic, environmental and lifestyle factors, it is a condition that affects each individual very differently. The common factor that every person living with epilepsy shares in South Australia is that they are not a priority of this state government.

Living with epilepsy carries many negative social consequences. Many people are under the misguided notion that those living with epilepsy suffer a mental illness or are to be feared in case they suffer a severe seizure. This is particularly difficult for children living with epilepsy. The impact of epilepsy on children can affect academic achievement and behavioural and emotional adjustment. Teenage years are often plagued with the loss of independence and the inability to gain a driver's licence. It can also affect the ability of a young person to gain and maintain employment and training.

Sadly, due to the psychological and physiological effects of epilepsy, the suicide rate of young people living with epilepsy is much higher than in the general population. Epilepsy is a disabling condition. Federally, the Department of Social Services recognises epilepsy as a disability when it cannot be controlled with medication. Every part of your life and that of your family is impacted when you are living with epilepsy.

I became more aware of the issue of epilepsy in my community and in greater South Australia through my constituents Vickie and Glenn, and their son Archer. I would like to share their story with you this morning. In the words of Vickie:

It is one of the hardest things to put into words, but the best way I can explain to someone else what it is like to live with epilepsy is this...it's 2am, you are in a deep sleep and you are ripped out by the shrill sound of the seizure alarm going off. It's a sound that means our son is unconscious and having a seizure, so we not only have to get up, but be alert and function well enough to be able to get to him immediately and get him into the recovery position. It's the same sound that represents a possible ride in the ambulance if the seizure is what we call 'a big one' and requires the rescue medication.

It is the sound that could mean we will get to our son and find him not breathing. This can happen more than once a night. It is a sound that I hate. Our family has been on this epilepsy journey now for almost 7 years, and throughout that entire time, we have never gained any type of seizure control. Our son has what is known as refractory or uncontrolled epilepsy. We have tried and failed around 8 different drugs, all of which have had awful side effects, some worse than the seizures themselves. We battle daily with the stigma surrounding this condition, and the complete lack of awareness and understanding of the general public, and the part that [affects] our son the most, the lack of awareness and support from our education system.

Our son struggles to get through a full day of school, he is having multiple seizures daily, this [affects] everything from memory, coordination, ability to concentrate, to be able to interact and play with his peers, some seizures leave him unable to talk...daily in the classroom, [and he is let down] by a system that fails to recognise the condition itself. As a parent, I struggle with the knowledge and the very real possibility that is sudden unexplained death in epilepsy...I struggle with my son growing up with this condition without the adequate support he will need to navigate adolescence and the journey into the workforce without awareness and support.

I struggle with the prospect of my son possibly not being able to drive, not being able to live alone, and not being with someone at all times that can render medical attention and rescue medication when he needs it. As a parent of a child with uncontrolled epilepsy, I am afraid of what the future holds, and I am tired of the constant battles and having to fight for my son.

My constituent and her family are known to the Epilepsy Centre in South Australia, but the Epilepsy Centre can only do so much to help with limited resources available to it. The Epilepsy Association of SA & NT, or the Epilepsy Centre, is the major provider of neurological community support for people in South Australia. Since 1976, the Epilepsy Centre has had the mission to improve the welfare of those affected by epilepsy of those in South Australia and the Northern Territory.

The major source of funding for the Epilepsy Centre is a call centre in Prospect which telemarkets lotteries and donation campaigns. They also telemarket on behalf of other charities for a fee. The Epilepsy Centre actively seeks other financial support in order to provide services for those living with epilepsy. With the money raised from these efforts, the Epilepsy Centre is only able to employ one registered and one social worker part-time for three days a week.

For 61,000 South Australians, the Epilepsy Centre is available to provide a service of one registered nurse and one social worker part-time for three days a week. That is two part-time staff members per week, as I said, for 61,000 South Australians. I commend the Epilepsy Centre for the work they do with such limited resources. I do condemn the state government for its failure to provide the Epilepsy Centre with any government funding—not one single dollar. The Epilepsy Centre, the major provider of community support for individuals and their families suffering from epilepsy, does not receive one dollar in direct state government funding.

I have explained to the house how large the impact of epilepsy is on the individual and their family. It is sad how far behind South Australia is compared with other states and jurisdictions. In other parts of Australia, not only are the services much better and better funded, of course, but their governments recognise that primary care for people living with epilepsy is an investment in public health funding. They provide more treatment options, more support and more services.

Once again, South Australia's families are being left behind because of this Labor government's ineptitude. In contrast, Victorian families benefit from a range of services thanks to state government funding. The Victorian epilepsy foundation receives about \$1 million per year to fund a large range of services to individuals and their families. The Epilepsy Centre of South Australia seeks to provide exactly the same services but, without government funding, it is simply unable to do so. South Australians living with epilepsy deserve better.

As I mentioned earlier, epilepsy is recognised as a disability by the federal Department of Social Services when it cannot be controlled with medication, but the state Labor government is the only state government in Australia that does not recognise epilepsy as a disability. Recognising epilepsy as a disability would give those living with epilepsy access to additional support services through the NDIS, access that would provide much relief to families of school-age children who live with epilepsy.

As the heart-wrenching story that I told a few minutes ago demonstrates, South Australian families suffer with sleepless nights, fear of the unknown and an inability to work full time to care for themselves and their children. The lost days of school due to seizures puts children at a big disadvantage. NDIS funding could help them keep up at school. Not only would families be assisted if epilepsy were named a disability in keeping with every other state, but also it would enable the Epilepsy Centre to raise awareness and fundraise at different levels.

Funding dollars are hard to find these days, as we all know. The Epilepsy Centre lost a generous corporate sponsor in recent years but, thankfully, another has come on board. I put it out to corporates in South Australia: if you are looking for a worthy cause to support and get behind, the Epilepsy Centre is most certainly one of those. The Epilepsy Centre operates an excellent service through its limited fundraising and sponsorship work, but recognising epilepsy as a disability would enable the organisation to help so many more individuals and families.

I urge the SA government to provide direct funding to the Epilepsy Centre and I urge the SA government to recognise epilepsy as a disability to enable access to the NDIS and to help the Epilepsy Centre to better attract corporate sponsorship. The benefits of improving the resources available to the Epilepsy Centre would be enormous, not just for individuals and their families who live with epilepsy but also for the state's health budget.

We are all too aware of the strain on South Australia's health system with hospital admissions above capacity, crowded emergency departments and the forced ramping of ambulance services at our suburban hospitals. But rates of hospital admissions could be reduced through greater attention to, and focus on, preventative care. There is a strong relationship between the quality of coordinated primary care in epilepsy management and the reduction of emergency visits. However, improvement can only be achieved through better health literacy and self-management amongst individuals living with epilepsy, increased regularity of GP check-ups and producing patient action plans.

Funding these types of programs would actually help reduce health expenditure in the long term in South Australia by, of course, minimising the cost of hospital admissions. I do acknowledge that not all hospitalisations for seizures are preventable, with 30 to 40 per cent of recurring seizures resistant to current treatment options. These seizures pose serious health consequences and can

result in permanent brain damage or mortality. Under no circumstances can these situations be treated outside of hospitals' expert care.

As South Australia plans for a larger ageing population and changing lifestyle factors, which have increased demand for healthcare services, primary care for conditions such as epilepsy have never been so important. It is vitally important that the South Australian government takes a new approach, a caring approach, to preventative health measures in relation to epilepsy in this state. It will save time, it will save money, and it will save a lot of heartache. To meet the current demand, The Epilepsy Centre needs three full-time registered nurses and two full-time social workers.

These workers would help reduce hospital admissions, give families and individuals much needed support and help improve community understanding. I hope in time the state government can meet these needs. Once again, I call upon the SA government to recognise Purple Day, a world day for those living with epilepsy, recognise that epilepsy is indeed a disability and provide much-needed funding for the Epilepsy Centre.

**Ms DIGANCE (Elder) (11:59):** I am deeply honoured to be able to support Mr Duluk's motion that the house recognises Purple Day in support of epilepsy awareness, acknowledges the work of community members who raise the issue of epilepsy awareness, and calls on the state government to adequately fund epilepsy services, research and diagnosis.

I would like to acknowledge all the visitors in the gallery this morning. Thank you for your attendance. In particular, welcome to Vickie, Glenn and Archer. It is certainly heartrending to hear your story, and I am sure all of us lend our support, deservedly, to you. It is a very challenging time that you find yourselves in. By way of background, I do have some understanding of what you may be going through.

My background is that of a registered nurse prior to becoming a parliamentarian, and one of my three daughters, when she was younger, experienced fits of various kinds. It is a very frightening experience. I know what it is like to wake up and hear that noise, or to have them next to you and suddenly they are either rigid or flaccid because it often presents in so many different ways. Certainly, we extend our condolences to you for the situation that you are going through.

Purple Day is a grassroots movement dedicated to increasing awareness about epilepsy worldwide, and on 26 March people from around the globe are asked to spread the word about epilepsy by wearing purple. Deputy Speaker, I commend you for wearing purple today in recognition of this motion. Awareness campaigns such as Purple Day are a way for epilepsy associations to raise funding for research and support services for people with epilepsy and their families. These initiatives also help to reduce the ignorance and stigma that is and can be associated with epilepsy.

Between 3 and 4 per cent of Australians will have an epilepsy diagnosis during their lifetime. The number of people significantly affected by epilepsy in Australia is estimated to be approximately three million, with up to 50,000 people in South Australia. Epilepsy Australia and its state-based member organisations are the official Australian partners of Purple Day, joining up with other epilepsy organisations from across the globe, including Canada, USA, UK and South Africa, which all promote Purple Day.

In terms of funding for epilepsy services in South Australia, SA Health provides outpatient and inpatient services, including tertiary level medical diagnostic and treatment services for patients in South Australia with neurological disorders, including epilepsy. The recent establishment of a dedicated epilepsy clinic at the Lyell McEwin Hospital has greatly increased access and improved epilepsy services in the north of our state. A new electroencephalography machine, otherwise known as an EEG machine, with extended recording and video capacity, and the employment of electrophysiologists to provide EEGs of high technical quality, has contributed to improved diagnosis and treatment of epilepsy in the north. The hospital also provides education for admitted and non-admitted patients.

In addition, a new inpatient video EEG machine was recently provided to the Women's and Children's Hospital. This expanded service commenced in February 2014 and also included the employment of an additional clinical nurse consultant and a neurophysiology trainee. Further, where there are comorbidities or the epilepsy is severe, disability specific services, such as Novita and Disability SA, work in partnership with the local health networks to form a team of support.

Such investment and support directly benefit people with epilepsy through sustained neurological and neurophysiology services commensurate with other states and standards. Our minister has met with the Epilepsy Centre on a number of occasions to discuss services and recognises the significant contribution that the centre makes to the lives of those people with epilepsy through its advocacy and support programs, counselling, epilepsy management programs and care plan management, to name a few.

The Epilepsy Foundation of South Australia, a privately-funded organisation, promotes research and education in the social and medical aspects of epilepsy. While epilepsy is primarily considered a health condition in South Australia, it is recognised as a disability by the Department for Communities and Social Inclusion when epilepsy substantially reduces the functional capacity of a person to undertake everyday activities and it is permanent or likely to be permanent, uncontrolled and will not likely resolve with medical treatment and antiepileptic medications.

The South Australian government will continue to deliver specialist disability services to eligible people with epilepsy. With those few words and on a personal note, I would like to again thank you all for coming in today, and particularly Archer, thank you for being here.

**Mr WINGARD (Mitchell) (12:05):** I rise today, too, to commend the member for Davenport for bringing this motion:

That this house—

- (a) recognises Purple Day in support of epilepsy awareness;
- (b) acknowledges the work of community members who raise the issue of epilepsy awareness; and
- (c) calls on the state government to adequately fund epilepsy services, research and diagnosis.

Yet again, this is another area where South Australia sadly sits at the bottom of the table in support of people with epilepsy, as South Australia and the Northern Territory are the only states that do not receive government funding to support children and families with epilepsy. Epilepsy is not recognised as an eligible disability in these states and 61,000 people live with epilepsy in South Australia and the NT. We know of the great work that the Epilepsy Centre does to continue to support those people.

As the member for Davenport pointed out, and I think it should be noted in the house again, the suicide rate amongst youth living with epilepsy is 25 per cent higher than in the general population due to difficulties in securing employment, keeping friendships and holding a driver's licence. It is a life of uncertainty which no-one should endure. Epilepsy can affect anyone of any age. The member for Davenport, in my opinion, has done a great thing to bring this to the attention of the house.

In my community, I have been working with some people who have done some wonderful work in helping to raise the awareness of epilepsy in the community. I know there are a number of groups out there that do some outstanding work in this field, but I would like to acknowledge Kerry Smith and her family. Earlier this year, I went to the launch of a group that they establish called Epilepsy Awareness Relationship Support (EARS).

Kerry has done a wonderful job. Her mother has epilepsy and she has lived with epilepsy for a long, long time. Kerry is a mother of two and her mother was diagnosed when she was 15 and has suffered from grand mal seizures for most of her life. Kerry has been very frustrated in trying to access resources to help her and other people like her deal with someone in their family who has epilepsy. She was so frustrated with the lack of awareness and information that was not available to people and families who had someone with epilepsy in their family that she went out and set up this support group, and I do really commend her for doing that.

I did go to her launch, which was held at the ADRA Café Community Centre in Melrose Park, and Kari who works there did a wonderful job in coming along and supporting Kerry and her family by putting this awareness group together. In fact, Kari made mention that her mother had suffered from epilepsy as well, so she had a very strong affinity with what Kerry was trying to achieve.

Kerry's partner, Bronte, has worked very hard also, along with Kerry's children, to put together a Facebook page to help keep people aware of what is going on with epilepsy and also to offer that support because of how tough it is for families and people who are supporting someone who has epilepsy. They are having regular meetings at the ADRA Café. It was great to be offering

that sort of support and it was wonderful to go along and lend my support to what they were trying to achieve.

Ultimately, what they were looking to do was to gain more understanding of epilepsy. They wanted to meet with others who have had epilepsy impact their lives. They wanted to hear about other experiences and what people have learned. They felt very much that sharing thoughts, ideas and experiences would help grow the group and grow the understanding of how to deal with and help people with epilepsy living in a family situation. They were very strong on listening, and having guest speakers along as well, and hearing about other subjects relating to epilepsy. They just wanted to create a relaxed environment where they could sit down, have a cuppa, share, converse and tell their stories, which was wonderful.

They also wanted to work towards helping with fundraising for events, much like Purple Day on 26 March. They were heavily involved with getting purple packs together, getting them out into schools and trying to make the schools aware of epilepsy and keeping it at the very forefront of people's minds.

With that, again, I would like to commend Kerry Smith and her family for the wonderful work they do. The member for Davenport has outlined more detail on the background of the funding, or the lack of funding, for epilepsy here in South Australia, and I think it is really important that we make note of that. We heard the story that the member for Davenport told about a family and their child. Kerry explained to me a little bit about the sleeping mats that they often have, and I know a lot of the money raised by the Epilepsy Centre goes towards providing families with these seizure monitors. They cost about \$900, and it is quite incredible what they do.

I think they source them from Finland, but I have been told that someone in South Australia is looking at trying to develop these. It would be great to have a South Australian connection to bringing down the cost and potentially making an even better seizure monitor. They put these mats under the beds, of young children in particular, and they can detect movements and seizures in their sleep. It is of great benefit.

To be living alongside the monitor, as a parent I cannot imagine how gutwrenching it would be throughout the night to hear those monitors go off and to know that your child was having a seizure. Growing up, I had a couple of friends who had epilepsy and I know the tough times and the struggles they went through, and I commend them for the way they fought this. Again, that was my childhood, it was a long time ago, and they were going through it with fewer resources and less support than now.

I support this motion that the member for Davenport has brought to the house and I want to acknowledge, as it says in paragraph (b) of the motion that we acknowledge the work of community members who raise the issue of awareness. I point out the great work that Kerry has done in that. Purple Day in March is a great initiative to keep people aware of epilepsy in our community, but calling on the government to adequately fund epilepsy services, research and diagnosis is a really key point to this motion.

I stress the point that this is an area where South Australia sits once more at the bottom of the table, and it is not a table on which we should sit at the bottom. People living with epilepsy do it hard, and when and where we can support them and get resources for them and help them live a better life, I think is only a good thing. I also note the great work that the Epilepsy Centre does in raising funds to help provide not only these mats but other tools and aids that can help people living with epilepsy. It must be commended. Once again, I commend the member for Davenport for bringing this motion to the house and I fully support it.

**Mr DULUK (Davenport) (12:12):** I thank the member for Elder for her contribution and I thank the government for their support on this motion. Indeed, I thank the member for Mitchell for his contribution. I know it is an area that he has a lot of interest in as well. I thank Archer, who is probably in my mind the champion of Davenport, for what he goes through. To Archer's family and everyone here in the gallery who is associated with epilepsy and Epilepsy South Australia, thank you for what you do. Thank you for the support you give to your families, friends and loved ones.

As I said, there are 61,000 people with epilepsy. For the vast majority of people, it is extremely manageable but for those for whom it is not, it is a real problem. Thank you for the support

you give. In closing this motion, I would like to draw the house's attention to paragraph (c) where we like to call on the state government to adequately fund epilepsy services, research and diagnosis. With the state budget due on 7 July, it would be wonderful to see something within that state budget for epilepsy funding and services. With this motion, I am sure that will happen.

Motion carried.

### FREE TRADE AGREEMENTS

Debate resumed.

**Mr KNOLL (Schubert) (12:14):** I rise to support this motion from the member for Chaffey. I understand he is somebody whose electorate benefits hugely from free trade, as does mine. What I will come to give you an understanding of is how important free trade and inbound foreign direct investment is to South Australia and to the Barossa Valley in terms of the income, employment and ongoing GDP that it helps to push through our economy.

Andrew Robb is a man who came late to parliamentary life, and he is retiring at this election, having served for somewhere between 12 and 15 years. He is a man who has achieved so much over this last period in office. He was able to close three free trade agreements with China, South Korea and Japan. I will not pretend to go over them, as the member for Chaffey has already gone through that, but how important those free trade agreements are to South Australia especially cannot be overstated.

Here in South Australia, we missed the mining boom to a great degree. Whilst Queensland and Western Australia got the majority of that tick, what we got here in South Australia was the corresponding high dollar, the corresponding higher interest rates that came with that, and the corresponding wage inflation. It really has had a deleterious impact upon our economy. What these free trade agreements mean for this post-mining boom era is that South Australia should be well-placed to capture this current economic environment, this current international trading environment, because our strengths will be fuelled by the demand that exists now in some of the developing and developed world.

In particular here, I am talking about China, which is a country that has industrialised and moved somewhere between \$250 million to \$400 million into a middle class that is able not only to live and survive but to thrive and consume. It is that last point that I think is most important to South Australians, as those in that middle class have the money now to be able to afford the products, goods and services that South Australia can provide.

In my time this morning, I would also like to present a bit of a cautionary tale because there are those out there who would seek to undermine what has largely been a bipartisan approach to free trade in Australia and certainly in South Australia. I acknowledge the government's welcoming of the free trade agreements when they were concluded, but there are those in our community who would seek to undermine that consensus.

Indeed, there are federal candidates—and I would like to point out the ones in regional areas, namely, James Stacey in Barker and, very particularly, Rebecca Sharkey in Mayo—who are going around pushing support against this consensus around free trade. They are going around trying to scare South Australians into wanting to close off from trading with the rest of the world. Can I say to those in regional areas: be especially careful about the choices that you make on 2 July because any undermining of the consensus on free trade and the idea that it is anything but good for our economies is dangerous, and nowhere more so than in the Barossa Valley. In fact, without free trade and without foreign direct investment, the Barossa would not be a fraction of what it is today.

I look around at the foreign domestic investment in companies such as Pernod Ricard and the way they have taken over and run with Orlando and the Jacob's Creek brands. I look at a beautiful winery like Torbreck, which has some United States ownership. I look at some of the assets of others who have had Chinese investment and how that money has come into our economy. It has helped to develop and grow the tourism offer and the wine producing capacity that we have in the Barossa Valley, and that in turn has had great economic benefits for South Australia.

When it comes to tourism, I will read here from a release, dare I, from the member for Mawson who put out, on 1 June, some international figures that say that international visitors to the Barossa have contributed to a 38 per cent increase in tourism spending, lifting expenditure to a record \$954 million. That is \$1 billion worth of money that has come into South Australia—\$1 billion.

In the 12 months to March 2016, that is 12,000 international visitors who travel to the Barossa, staying for an incredible 193,000 nights. Each visitor does not come for a day or two days; we are talking here about people staying for a couple of weeks, which is a huge amount of investment directly into the Barossa Valley. That figure, that \$1 billion, is at risk from those who would seek to undermine the consensus on free trade.

The Barossa Valley, apart from being a beautiful tourist destination which I encourage everyone to come to as often as they can, is also a great wine producing district in South Australia. Directly, last year, we sold \$150 million worth of Barossa-branded wine overseas. That \$150 million worth of Barossa-branded wine goes together with the \$200 million, \$300 million, \$400 million or \$500 million worth of wine that was branded from other districts that the Barossa produced and then subsequently exported to the rest of the world.

That is put at risk by anybody who would seek to vote for those who undermine our consensus on free trade. We cannot afford to close ourselves off to the world. We are a population of 24 million people, but we produce enough food for somewhere between 60 to 70 million people. If we decide that we want to stop people from importing goods into Australia and South Australia, then we have to reasonably expect that we are not allowed to export our goods and services over there.

The entire international education sector, which is worth about \$1 billion, can be kissed goodbye, as well as the tens of thousands of international students who create vibrancy in our city. The \$1 billion worth of people who come here every year and spend their money in our economy—and we will talk about where these people come from, but China is the major place—we can kiss them goodbye as well. We can kiss goodbye the \$1 billion plus worth of wine we export per year from South Australia.

So, for those who live in those areas that have wine districts—and I am talking about Barker because it includes not only the Barossa but Coonawarra, the Riverland and parts of Langhorne Creek as well—for those in Mayo, with the Adelaide Hills, with McLaren Vale and other parts of Langhorne Creek, for those who would like to see those wine regions suffer, then vote for somebody who does not believe in free trade, and watch your communities wither on the vine when people stop visiting and the international export orders for wine stop flowing through and see what that does for those local economies.

What frustrates me most is those who would play on the irrational fear, in my view, of those who worry about free trade. It has undoubtedly been a good thing for South Australia, right back to the Playford era, because certainly all those factories that Playford brought to South Australia were brought here with international foreign direct investment. We cannot, as a Liberal Party, as a Labor Party, as minor parties, undermine our consensus upon that fact, because whilst we all sit here and agree with it—and what I am saying I understand will not be news to everybody sitting in this room and potentially most people listening—it only takes one populist to scare enough of the population into getting others to follow that cause before we see an undermining of that consensus.

I would hate to see a South Australia that heads down that path because we will be poorer, more insulated, less prosperous and less satisfied, and we will also start to fall behind when it comes to technology and advances. Certainly I know from the food industry that most of the technical advantages that help us to produce the food we do and produce it more efficiently come from overseas, and we employ that technology here to help make our businesses thrive.

I put out there in supporting this motion that we all need to get together and continue to underpin and support the concept of free trade, acknowledge the great work of Andrew Robb in these three free trade agreements, look forward to the successful conclusion of the TPP, and also in the future look forward to a free trade agreement with the European Union, whether Britain is to be part of that or not. Having said that, they are basically part of our commonwealth market anyway. In this place, we cannot take that principle for granted because there are those who would seek to

undermine it. I believe the more their voices are heard the more dangerous this becomes for South Australia.

**Mr PEDERICK (Hammond) (12:24):** I rise to support this motion brought by the member for Chaffey:

That this house—

- (a) recognises the benefits of free trade agreements to South Australian businesses and the economy; and
- (b) acknowledges the work of the commonwealth government to establish recent free trade agreements with Korea, Japan and China.

I acknowledge the contribution by the member for Schubert, an excellent contribution, outlining what could happen if people went the wrong way with their vote in the federal election on 2 July. The member for Schubert was exactly right because, if the people of this country want to shut the doors of this great country, they will stop our trade relations which are absolutely vital for our farmers. Whether it is our farmers who are growing wine or growing fruit and vegetables, whether it is our fishermen or whether it is our grain farmers, if people want to vote for these people—and they are representatives of the Nick Xenophon team—they will close the doors to our country and we will become a totally insular society.

I want to speak particularly about the grain industry in regard to this motion. We grow millions of tonnes of grain in this state and across the country worth billions of dollars in trade every year. Not every state has a drought—and we hate droughts, and we have not had a spring for two years in the grain growing areas in South Australia, Let's hope with La Niña that we do have a good spring this year. Certainly, hopefully the topping-up rain that is coming to us today hits most of the regional areas, if not all.

We absolutely rely on exporting our grain products because if all we were going to do was keep our grain to feed ourselves, the 24 million people (and I believe we would feed at least 70 million people and probably more, as the member for Schubert stated, with all our agricultural produce), this state, this country, would just collapse. It would just absolutely collapse with this insular argument that we will not have free trade, that we will just shop around amongst ourselves.

When I look at the dairy industry, for instance, it is an industry that is already suffering because eight billion litres of milk have come out of Europe all of sudden with the dropping of quotas, and that is another way that agriculture is regulated in the Northern Hemisphere. The dairy industry has crashed, so what are we going to do? Are we growing milk just for ourselves? If that is what certain political candidates and parties in this country want, it will be an absolute disaster for the dairy industry far greater than they are seeing at the minute. It will just wipe them out.

I want to reflect on the excellent work the federal trade minister, Andrew Robb, has done in setting up these free trade agreements. He has been the trade minister who has done the hard yards. He has done so much work. I happened to be in China nearly two years ago when we were meeting with different people who were connected with setting up these free trade agreements. They were so impressed with his work and the fact that he was doing so much work with our embassy in Beijing to make sure that we got up these free trade agreements. I congratulate him on his excellent work that opens the doors so that our trade and produce can enter these countries and so that we can keep that trade where we are buying their products as well.

In speaking about the dairy industry, I want to talk about the Beston Global Food Company. They are mainly in the dairy industry here in South Australia, but they also have a joint venture now buying into Ferguson Australia, another fine South Australian company. Both companies are exporters, and I congratulate Ferguson on having the initiative to get on board with Beston. What Beston is doing is world class in terms of what it is seeking to do with export work—that is, getting into the catering sector in China—that is worth tens of billions of dollars over there.

I also want to congratulate Beston for the excellent work they have done on brand security using technology. You can go to the supermarket in China, take a picture of the brand security emblem and check whether that product was actually produced in this state. This is world-leading

technology, and it is so good to get around the imitations and make sure that you get the proper product and the proper recognition of the product.

Beston has come into my electorate and picked up the dairy plants at Murray Bridge and Jervois. Those plants had gone into receivership, after United Dairy Power had them, and Murray Goulburn bought the Jervois mozzarella plant. Essentially, they told me that they bought the brand, and the machinery, from my understanding, was trashed because obviously that cuts out competitors operating that equipment.

I acknowledge that Beston has been in receipt of \$2.5 million of grant money from the state government, and no finer company could be in receipt of that money because they will put it to very good use. They are an excellent South Australian company, and it is just one example. We could not do without forward thinkers, people who absolutely rely on export. In my electorate alone, they are already employing around 60 people, and I know they want to double that as production moves ahead and things really get going in terms of export opportunities. Having a player of this kind in the electorate has certainly given the dairy industry hope again in this state.

Seafood is also going into China and Japan. Tuna has gone into Japan for many years, and we are looking at getting more seafood into China. The free trade agreement will also open up that trade. There are also extra opportunities that will arise in China, Korea, and Japan with these free trade agreements. As I indicated earlier, whether you are a wine grower, a fruitgrower, a vegetable grower, a grain grower, or you are operating in the dairy industry, whatever you are growing in this country you are reliant on exports.

The member for Chaffey talked about our fruit fly free status. It is absolutely essential that we make sure we keep that, that we get it right and that we make sure our biosecurity protocols are always in place to keep that status. Our free trade partners, and all our international partners, look at us and want to see that fruit fly free status stay to make sure they are getting good product into their countries. They are extremely strict, and that is a good thing to make sure they get that quality product into the market.

We do grow very fine food in South Australia. Look at the contribution agriculture makes in this state—around \$20 billion a year. We have seen a downturn in the mining industry, and I hope it is not too long before that turns around and makes a far bigger contribution than it is at the minute. I know operations are still ongoing, but I am sure all the players in the mining industry would love to see a nice kick-along. For so long, agriculture has not been acknowledged in this state.

**Mr Whetstone:** It's renewable.

**Mr PEDERICK:** It is absolutely renewable, as the member for Chaffey interjects, and it goes on and on, and it will not go on and on if we do not have the opportunity to export our product into our free markets. So, I urge people to have a good think about who really does look after the country people in Australia—the Liberals. We really do. I urge you to have a positive look at how you vote going into the federal election so that we can support the initiatives of Andrew Robb and these free trade agreements into Japan, China and Korea.

Debate adjourned on motion of Ms Digance.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** Before I call the next item of business, I would like to acknowledge the presence in the gallery today of a group from Pennington Primary School. We welcome them. They are the guests of our Premier, the member for Cheltenham, who is not with them, but they are escorted by our wonderful education officer, Ms Penny Cavanagh. We thank them for coming to parliament today. You are coming back for question time, so we look forward to seeing you again this afternoon.

#### *Motions*

#### **ADELAIDE OVAL**

**Mr PICTON (Kaurna) (12:36):** I take delight in moving the motion:

That this house notes—

- (a) that 29 March 2016 marks the second anniversary of the completion of the redeveloped Adelaide Oval in the first Australian Football League game at the new ground;
- (b) that the redevelopment of Adelaide Oval has been a resounding success, with highlights including AFL football, Liverpool playing Adelaide United, India versus Pakistan in the World Cup, the first ever day/night test match and concerts, including the Rolling Stones;
- (c) that the redevelopment has won a number of significant international and national awards; and
- (d) the significant contribution the new ground has made to the South Australian economy, with strong visitor numbers, new hotel developments and revitalisation of the Riverbank Precinct.

This is a project that will be remembered as a landmark achievement for this city and for this government and as game-changer for our Riverbank Precinct. This motion marks the second anniversary of the completion in 2014 of the redeveloped Adelaide Oval and congratulates all those who played a role in seeing this ambitious project succeed for the benefit of South Australia.

Since the first AFL game on the redeveloped Oval in March 2014, crowds have flocked to the new stadium to see football in the city. Every weekend, thousands stream across the new footbridge from the city and the Railway Station to be greeted with the stunning architecture and construction of the new Adelaide Oval, a ground that combines the history of the old scoreboard and hill with all the modern facilities that people expect of a modern stadium.

Importantly, it is easily accessible from the centre of the city, and this has been crucial in attracting tourists to visit Adelaide and see events, whether it is a sporting match or a rock concert, at the Oval. Prior to this redevelopment, cricket and football had been separated for four decades, deterring many interstate fans from travelling to Adelaide for sporting events. The Adelaide Oval redevelopment brought South Australian cricket and football back together in one venue. Adelaide Oval becomes not only the home of cricket but also, for the first time in 40 years, the home of South Australian football.

Since opening, over four million patrons have visited Adelaide Oval for a huge variety of events. Some of the highlights since the redevelopment of Adelaide Oval include AFL games that have been consistently well attended at the new Adelaide Oval, the record attendance being 54,468 people who attended the Showdown in July last year following the tragic death of Crows coach Phil Walsh. It is estimated that AFL crowds are up by about 60 per cent since the move from AAMI stadium at West Lakes.

We have also seen the friendly match between Liverpool and Adelaide United in July 2015, which saw a crowd of 53,000 people in attendance even on what was a very cold winter's night, and the singing of *You'll Never Walk Alone* was very inspiring for all who were there. We also saw the India versus Pakistan World Cup game as part of that series, which was equally successful, and it was one of the most watched sporting games internationally of all time, bringing huge exposure for our city, particularly the shots of the beautiful sunset that night that were beamed across the world. The World Cup alone pumped about \$80 million into the state's economy and attracted tens of thousands of tourists.

We also had the inaugural day/night test cricket match last year, which was a significant milestone not only for cricket but also for our state, when 120,000 people went through the gates of the Oval over the three days. We look forward to beating that record with the second day/night test match later this year. We have also seen huge success with the Big Bash League, which has produced some of the biggest attendances in the league from around the country right here in Adelaide. Last year, a record 52,633 people flocked to the stadium to see our home side, the Adelaide Strikers, compete against Sydney for a place in the finals.

Also, the redeveloped Adelaide Oval has been a stunning success, not only for sporting events but also for some incredible concerts, including the Rolling Stones concert, which I know a few people here were at, including the members for Ashford and Colton, and which some 54,000 people attended. The AC/DC concert drew about 53,000 people—

**The Hon. S.W. Key:** And the member for Hammond.

**Mr PICTON:** The member for Hammond is a big AC/DC fan.

**Mr Treloar:** Aren't we all?

**Mr PICTON:** Aren't we all? That is true, member for Flinders.

**The DEPUTY SPEAKER:** No, as it turns out, we're not.

**Mr PICTON:** Sorry, Deputy Speaker. Deputy Speaker, you might have been much more interested in the Groupe F performance at the Adelaide Festival of Arts launch—

**The Hon. L.A. Vlahos:** That was awesome. That was amazing.

**Mr PICTON:** —earlier this year, which the Minister for Disabilities says was amazing, and some 50,000 people were there for that as well. So, it is clear that Adelaide is reaping the benefits of the new Adelaide Oval. Some analysis released recently showed that the new Oval has delivered an economic benefit in wages and business incomes of approximately \$158 million and that it has created about 700 jobs in our city.

The analysis also showed that over 300,000 interstate and overseas visitors have come for events at Adelaide Oval and that about half of these visitors would not have come to Adelaide without the events happening at the revitalised stadium. The move from West Lakes to the city has increased tourist numbers and, as a result, Adelaide's demand for hotel accommodation has increased by 23 per cent and the revenue has increased by 30 per cent. It has also led to a boom in the development of new high-quality hotel accommodation in the city, with at least three new hotels now open and others in the planning or construction phase.

The visitor economy to our state is worth \$5.4 billion and the tourism industry employs 32,000 people. Our goal is for it to reach \$8 billion by 2020 and to create an extra 9,000 jobs, and this Oval is helping us get on the way there. The increase in tourist numbers has created new employment opportunities, and Adelaide Oval itself is now the single largest site employer for food and beverage staff in South Australia, with approximately 1,200 casual and part-time staff employed at the stadium.

It has been recognised as a state-of-the-art venue, not only in South Australia but nationally as well. It has received a number of international design and construction awards, including the national award for public architecture, from the Australian Institute of Architects; the best tourism and leisure development, at the Property Council of Australia's Innovation and Excellence Awards; and the Institution of Structural Engineers award for excellence in structural design, amongst many other awards.

There are a number of important people to thank in helping this vision become a reality—firstly, everybody who was involved in the construction and design of the project. Thank you to the main contractors Lendlease, Arup, Aurecon, AECOM and Wallbridge & Gilbert; the architects, Cox Architects, Hames Sharley, and Walter Brooke; the many subcontractors, most of whom work in Adelaide; and the many talented South Australian workers who constructed the stadium. Significant thanks also need to go to the parties who successfully agreed to the management plan for the new stadium, putting aside decades of conflict between football and cricket in this state. Thank you to people including Andrew Demetriou, Leigh Whicker, Ian McLachlan, and many others.

This, of course, was an achievement by this government, so I pay tribute to former premier Mike Rann, former treasurer Kevin Foley, former infrastructure minister Patrick Conlon, as well as the current Premier, Treasurer, and infrastructure minister for their steadfast work to see this project come to fruition. Sadly, much like the new hospital, this will be seen as something that we have achieved as a government against the strident opposition of the Liberal Party in this state.

People of South Australia know that the Liberal Party fought tooth and nail against this development. Opposition was particularly strident from the local member, the member for Adelaide. She published in her newsletter:

Why the SACA should vote against the further expansion of Adelaide Oval... With Australia missing out on the FIFA World Cup and with further State Budget cuts to essential services, taxpayers are right to ask why they must fund another upgrade of Adelaide Oval. With no roof and no money to pay for carparks, the upgrade will turn the parklands into a bog and turn North Adelaide into gridlock. SACA mustn't let Adelaide Oval become Labor's next money pit.

Sadly, the opposition was very strident in its opposition to the redevelopment, and luckily it was not successful. I think history will prove that that attitude was a massive mistake. South Australian sporting fans must be relieved that the Liberals did not get their way in stopping this development from happening.

In contrast to the claims of the opposition, the Adelaide Oval redevelopment has not only attracted tourists to Adelaide but it has created employment opportunities, made Adelaide a more vibrant city, improved the use of the Parklands and, most importantly, it has brought massive economic benefit to the city and the state. I ask the house to join me in congratulating the success of this project.

**Mr WHETSTONE (Chaffey) (12:45):** I too rise to speak on this motion put forward to mark the second anniversary of the completion of the redeveloped Adelaide Oval. There is no doubt that the Adelaide Oval redevelopment has been positive for South Australia, attracting millions of people to both sporting and entertainment events.

I would also like to speak about some of the history of the Adelaide Oval. I am part of that history, having at home one of the pickets from the Adelaide Oval fence. Many enthusiasts, particularly cricket enthusiasts, were given the opportunity to purchase a picket, and that is something I did. I also have many memories of the Adelaide Oval as a young fellow going along to the cricket with my father way back then.

One of my most fond memories is watching the Australia versus England test. After that test, I watched the Australian captain being chased out of the change rooms by the English captain. It was Ian Chappell with Ian Botham hot on his tail. Ian Chappell had been sledging Ian Botham all day, and Botham just snapped. It is something that I will never forget, watching the Australian cricket captain disappear into the car park with the English captain hot on his heels.

There is much history. The Oval was built in 1871, and it has long been considered one of the most picturesque test grounds in Australia and in the world. Here are some interesting snippets: the Oval's first test match was played from 12 to 16 December in 1884. Australia beat England by eight wickets. The first football game lit by electric light was played at the Oval in 1885 by lamps made by Siemens. The game had an attendance of 8,000 people, but sadly there were many lighting failures. The ball's white paint faded throughout the game, making it very hard to see, so the game was stopped. The historic scoreboard we have all seen and grown to love was put into service on 3 November 1911.

I also want to correct the member for Kaurua. He talked about record attendances. The biggest attendance at the Adelaide Oval was back in 1965. In 1965, attendances reached 62,543. What a great day for the Oval. However, people in today's redeveloped Adelaide Oval sit a little more comfortably. Most of them are seated, but some stand on the famous hill. It just shows you what can be achieved. Today, we like to live in comfort.

In 1931-32, Donald Bradman scored the highest test score at the ground: 299 against South Africa. Clarrie Grimmett also collected 14 wickets, the record for a bowler at the ground. Of course, many sports fans would remember the Bodyline affair, a nasty tactic devised by the English team to thwart Bradman's legendary batting skills. It reached a low point in 1932, with several players struck. Mounted police had to keep record crowds in order in that 1932 test.

In 1947-48, Australia scored 674 against India. It is still the highest team total at the ground for test cricket. David Bowie played his first concert in the Southern Hemisphere at the Adelaide Oval in 1978. It was also his first large outdoor concert. In 2003, two matches of the Rugby World Cup were played at the Oval. During the first, Australia beat Namibia 142 to zip, so that was a bit of a thrashing. The second was a little closer: Ireland beat Argentina by one single point. The year 2009 marked the commitment to redeveloping the Adelaide Oval, and 2014 saw the completion of the redevelopment of the Oval. As you can see, the history of Adelaide Oval is deeply entrenched in its story.

I guess one aspect of the Adelaide Oval redevelopment that it was important to see remain was the old heritage-listed scoreboard on the hill, at the northern end by the Moreton Bay figs, two of the favourite pieces of the Oval which make it quite unique right around the world. The upgrade

enabled seating capacity of the Oval to increase from 34,000 to 50,000 plus—I think 53,000 is somewhere around the mark—with several other important upgrades taking place that allow the Oval to be used for major football, cricket, rugby and soccer games as well as the large entertainment concerts that have gone on at the Oval.

The Oval also houses the Bradman Collection, an exhibition containing cricket memorabilia from 1927 to 1977 and covering the entire life of the legendary cricketer Donald Bradman who made Adelaide his home. Likewise, the sporting hall of fame has been a fantastic addition. In April the ground launched its RoofClimb, allowing harnessed participants to venture along the walkway atop the western-southern grandstands to take in aerial views of the ground and the Greater Adelaide area, another great feature and initiative of the Stadium Management Authority.

The first AFL game played at the new oval had 50,397 people attend. Interestingly, 5,700 hotdogs were consumed, 3,000 pies were sold, 2,000 sandwiches, 26,000 soft drinks (a lot of rotten teeth in that), 10,000 bottles of water, a thousand churros, four and half thousand corporate meals served, and 1.7 tonnes of potatoes used—and I would say that most of those potatoes would have come from Chaffey. There were 200 kilos of coffee beans, and copious amounts of alcohol, but I will just leave the alcohol for another day.

Overall, there have been more than 14 million visitors through the gate since the revamp was completed in 2014, and of the 4 million visitors since March 2014 slightly more than half were for Australian Rules Football matches while 1.1 million came to watch cricket. Again, it was great to see that the state Liberals instigated the community sports fund from the redevelopment of the oval, \$200,000 per year going back into grassroots sports. There has been a number of officials and people who have whinged about it, but we cannot just promote two codes of sport and leave everyone else to hang out to dry.

Unfortunately it has not all been smooth sailing. The redevelopment had a cost blowout: first it was \$450 million and not a penny more, then all of a sudden costs blew out, including the \$85 million payment to the South Australian Cricket Association, 30 million in external and Parkland works, \$40 million for the footbridge, and \$5 million for the upgrade costs of the western grandstand. These costs were outlined in the Auditor-General's project report for the period to December 2013.

In a snub to South Australian businesses, the current Weatherill Labor government used an interstate contractor to undertake work on the Adelaide footbridge: a Brisbane-based company was awarded the \$2 million paving contract for the footbridge. The \$40 million footbridge cost double what was originally promised. Obviously there are contentious issues around the Oval. It is a great stadium, it is presenting as a landmark in Adelaide, but we have recently learned that every time someone buys a ticket for that Oval they have to pay a transport development levy. Also, the car parking is still not finished, and when you go to the stadium on a wet, windy day and you are in the western stand you are going to get wet, and that is a sad indictment. So weatherproofing is still there to be fixed.

I also wanted to touch on some of the iconic sculptures around the Adelaide Oval. Basil Sellers AM, a highly respected art and sports patron, has donated those bronze sculptures: Malcolm Blight, Barrie Robran, Russell Ebert, Ken Farmer, Darren Lehmann, Jason Gillespie, George Giffen and Clem Hill. They are world-class sculptures and really do add to the Adelaide Oval. There are those memories.

The SACA's Avenue of Honour has the Lyn Fullston Lawns—she is a great Mallee girl from the electorate of Chaffey—and the Favell-Dansie indoor sports centre compliment this fantastic sports stadium. The Adelaide Oval is bathed in history. It has had great events over its history from way back. It is an iconic stadium and it is a world-renowned stadium for both cricket and football. It is a great asset to Adelaide, but there are pieces missing that will compliment Adelaide Oval and, hopefully, we will see some more redevelopment on the Riverbank Precinct.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** Before I call the next speaker, I would like to acknowledge that we have some guests in the public gallery this morning—a fine group of students from Prescott

Southern. I must say I have Prescott Northern in my electorate, so I know all about you. You are guests of the member for Reynell and we welcome you here today. Are you staying for question time? We will see you later on as well.

*Motions*

**ADELAIDE OVAL**

Debate resumed.

**The Hon. P. CAICA (Colton) (12:55):** I will not hold up the house for very long, maybe only five minutes. I congratulate the member for Kaurana on bringing this motion to the house. It has just been amazing to see the transformation of Adelaide Oval. I do acknowledge the member for Chaffey, who talked and gave us a bit of a history lesson about what has occurred there.

I do recall that my son Simon—beautiful boy that he still is—was overseas and he came back and said, 'Dad, what on earth are you and your government doing to Adelaide Oval? You're going to ruin this great place of historical significance.' And he said—and it is not the first time he has ever said this to me, 'You've got rocks in your head, dad.' That is politer than he normally is. But he changed his mind, and it only took one visit to Adelaide Oval when he went with some of his mates for the first test match after the redevelopment, and he said, straight up, 'I was wrong. This is the best stadium in the world.'

I think that is the general view held by most South Australians and, indeed, those who visit Adelaide and attend Adelaide Oval because it is the most amazing stadium. It is perfectly constructed. Every seat has a good view. You feel you are part of the action when you are there, no matter where you are sitting and it is just something that is adding to the many things that make South Australia the great state it is.

I also want to quickly focus on the other benefits that have arisen as a result of Adelaide Oval. We see that the strategy of this government has been to develop Adelaide as a vibrant city that people want to not only visit but be entertained. They are entertained at the football, but the flow-on effects to our economy through those people attending the football, whether they be from interstate or locals, is the amount of money they spend afterwards at restaurants or on other forms of entertainment.

It just made a lot of sense. While some of my constituents are still unhappy about the fact that they have to come to Adelaide Oval and not West Lakes, because that was more convenient for them, I think they are now in the dwindling minority because everyone has seen the benefits that have arisen not just from viewing the sports and other events that are being held there, but also what impact it is having on our economy with all the events that are there.

It has been a fabulous decision. I will also say that I heard someone ask earlier, 'What was the member for Waite's view?' I remember travelling down, when he was on the Public Works Committee, and I was up-front with him. I said, 'Martin, this is a magnificent stadium,' and he said, 'It is.' I said, 'Look, I don't want to blow wind up you, but the simple fact is that this stadium has as much to do with your position at that particular time.'

I said, 'I disagreed with the idea that you wanted a second oval because I don't think we had the population to carry that off and, besides, that location was a much better site for the hospital that we are building anyway.' I am sure he will not mind me saying this. He said, 'I'm glad you said that, Paul. I'm glad you said that I was part of this Oval.' And he was, because it made us think, as a party, about what we could do at Adelaide Oval. I seek leave to continue my remarks.

Leave granted; debate adjourned.

*Sitting suspended from 12:59 to 14:00.*

*Parliamentary Procedure*

**VISITORS**

**The DEPUTY SPEAKER:** Before we commence proceedings, I would like to acknowledge in the gallery today the presence of a group from Pennington Primary School, guests of our Premier,

the member for Cheltenham. We welcome them to parliament. Also, Prescott College Southern are here as guests of the member for Reynell; welcome to you. I also have a group from the Adelaide Secondary School of English, who are guests of the Speaker, the Hon. Michael Atkinson. Welcome. Finally, we have a group from Pulteney Grammar, who are guests of the member for Adelaide. Welcome to all of you. We do thank you for coming to parliament and hope you enjoy your time with us here today.

### PAPERS

The following papers were laid on the table:

By the Minister for the Arts (Hon. J.J. Snelling)—

Windmill Theatre—Report 2014-15

By the Minister for Agriculture, Food and Fisheries (Hon. L.W.K. Bignell)—

Fishing Industry Fund—SA Rock Lobster Annual Report 2014-15

Grain Growers Rail Fund—Eyre Peninsula Annual Report 2014-15

Grain Industry Research and Development Fund—Annual Report 2014-15  
Industry Fund—

Apiary Annual Report 2014-15

Cattle Annual Report 2014-15

Citrus Growers Annual Report 2014-15

Deer Annual Report 2014-15

Grain Annual Report 2014-15

Pig Annual Report 2014-15

Sheep Annual Report 2014-15

Wine Industry Fund—

Adelaide Hills Annual Report 2014-15

Barossa Annual Report 2014-15

Clare Valley Annual Report 2014-15

Grape Growers Annual Report 2014-15

Langhorne Creek Annual Report 2014-15

McLaren Vale Annual Report 2014-15

Riverland Annual Report 2014-15

### *Ministerial Statement*

#### **SOUTH EAST FORESTRY PARTNERSHIPS PROGRAM**

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:02):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. L.W.K. BIGNELL:** The South East Forestry Partnerships Program was a \$27 million initiative of the South Australian government to support the forest and wood products industry in the South-East by encouraging further investment in new and existing businesses. Three phases of the South East Forestry Partnerships Program have been progressed and the government has announced support for projects worth more than \$79 million. However, with the decision by two recipients from round 2 of the program not to proceed with planned projects, \$2.95 million of funding is not currently allocated to active projects.

Given there have now been three attempts by the South East Forestry Partnerships Program to acquit all funds, the government has examined what other options could support jobs and the broader economy in the South-East, as well as the development of the forest and wood products industry. One outstanding project which would support jobs and growth in the South-East is the upgrade of Mount Gambier Airport.

This issue has been continually raised with various ministers and the Premier by regional leaders and community members, including during the November 2015 Limestone Coast community cabinet. It is a project proposed by the District Council of Grant, which owns and operates the airport. I know and acknowledge that the member for Mount Gambier has also been a strong advocate for an upgrade of the airport. The government will now allocate the residual the South East Forestry Partnerships Program funds of \$2.95 million towards the staged upgrade of the airport.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! I can't hear the minister.

**The Hon. L.W.K. BIGNELL:** The upgrade will cater for larger aircraft and pave the way for additional services with more passengers and freight. The airport is currently serviced by one commercial airline with flights to and from Adelaide and Melbourne, as well as charter flights. It will help boost visitor numbers to the region, which will provide a shot in the arm for the region, and create more jobs. The upgraded airport will also help the region's growing tourism industry, which has enormous potential. In the 12 months to March 2016, an estimated 46,000 international visitors travelled to the South-East, staying 205,000 nights, according to the latest international visitor survey results.

During the same period, the Limestone Coast recorded an estimated 523,000 visits and 1.625 million nights from a record 5.95 million total domestic visitors to South Australia for the 12 months to March 2016. Expenditure by domestic and international tourists has grown by 16 per cent in the region during the past 10 years, directly employing an estimated 1,800 people in the tourism industry in the Limestone Coast.

The airport is also the region's firebombing and Royal Flying Doctor Service base, and the upgrade includes an improved firebomb apron with lighting and an additional water fill point. The potential to improve the capacity to fight fires in Australia's most important commercial forests will be an enormous benefit to the South-East and this valuable industry.

The South East Forestry Partnerships Program was always intended to support projects which would make a real difference for the South-East, and I believe this contribution to the upgrade of the Mount Gambier Airport will do just that. I would like to congratulate Mayor Richard Sage, from the District Council of Grant, on his leadership and I trust the \$2.95 million will be a valuable start to this exciting project.

*Question Time*

#### **CHEMOTHERAPY TREATMENT ERROR**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:05):** My question is to the Premier. At the Premier's meeting with the chemotherapy bungle victim Andrew Knox yesterday, did the Premier apologise?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:06):** I had, I think, a very cordial meeting with Mr Knox. I did start chatting to him about personal matters, but it became very clear to me very early he wanted to get down to business and talk about his issues, which were the calling of a judicial inquiry, so we did quickly turn to those matters. I must say, during the course of the meeting, I tried to make a personal connection with him and we discussed many of the issues that were of concern to him, and I thought that it was a cordial meeting.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! I can't hear the Premier's answer.

**The Hon. J.W. WEATHERILL:** No, I didn't use those words. No, I didn't during the course of the meeting, but—

**Mr Marshall:** So you apologised?

**The Hon. J.W. WEATHERILL:** I didn't use those words during the course of the meeting.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

### **WHYALLA SMALL BUSINESS LOANS**

**Mr PICTON (Kaurna) (14:07):** My question is to the Treasurer. Treasurer, can you update the house on the Whyalla small business loans program?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:07):** I thank the member for his question and indeed his continued interest in the subject. On 24 May, I informed the house that I had approved the first two applications for the Whyalla small business loans scheme to DSE Civil and Delmac Power Equipment.

I can now confirm to the house that, to date, 17 formal requests for loans from the scheme have been received by the government. A further five companies have indicated the intent to request a loan and our advisers, Hood Sweeney, are working with these companies to assist them gather the supporting financial information to submit a formal request. The total value of all loans thus far is \$3.9 million. Funded by a \$10 million fund from the Regional Development Fund, interest-free loans of up to \$750,000 are now available to these businesses, with each application considered on its merits.

As the house is aware, indeed I think all South Australians are aware, Arrium is not only a major employer in the region but also a significant contractor of supplies and services from a range of small and medium-size South Australian businesses that make up that ecosystem in Whyalla. As I have previously outlined to the house, this government has taken a number of decisive steps to address the concerns of the local Whyalla community, guided by their representative, their advocate and their fierce supporter, the member for Giles, and of course ably assisted by another fierce advocate for the regions, the member for Frome, the Minister for Regional Development, who is assisted by our Small Business Commissioner, John Chapman.

We have been working hard to support the people and the businesses of South Australia's second largest regional centre and to ensure that Arrium can emerge as soon as possible from administration. It is heartening to see two alternative proposals, one from federal Labor and one from the Coalition, in response to our \$50 million support investment into the long-term viability of steelmaking in this country. I look forward to further updating the house with more information about our ongoing efforts to secure jobs and investment and the future of the Whyalla steelworks.

The workers at Arrium, their families and the people of the Upper Spencer Gulf could not have had two better local advocates than the member for Frome and the member for Giles. They have done an exceptional job in fighting for their communities. It is the very best of South Australian democracy in action, seeing that those communities have the strongest voices not only here in Adelaide but they have it, of course, in Canberra as well.

### **CHEMOTHERAPY TREATMENT ERROR**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:10):** My question is to the Premier. Can the Premier advise the house whether he had read the material provided by the chemotherapy bungle victim Andrew Knox prior to his meeting with Mr Knox yesterday?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:10):** Yes, I had a briefing about those matters and—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** Yes, I—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —considered some of the material. I don't have as detailed a knowledge about it as the minister.

*Members interjecting:*

**The DEPUTY SPEAKER:** I am on my feet. I must remind the members that we do need to make sure that answers are heard in silence, and it would be easier for me to hear them if there were no interjections on the left. Thank you, Premier.

**The Hon. J.W. WEATHERILL:** I had considered those elements of the material that directly bore on the question that I was being asked to consider at the meeting, which is the question of whether there should be a judicial inquiry. Much of our discussions at the meeting really swung around that question. A lot of the material, frankly, that Mr Knox did provide to me actually dealt with other matters that are now the subject of—

**Mr Gardner:** Is this why he said you lacked empathy?

**The DEPUTY SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —dealt with other matters, but the meeting itself confined itself to the question of the judicial inquiry. At the end of the meeting, I invited him to supplement the material that he had given me on this question—

**An honourable member:** Write another letter.

**The DEPUTY SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** —and he has since done that. He has since provided that additional information.

**The DEPUTY SPEAKER:** It is actually very hard to see whose lips are moving from here, but I will have to start taking a great deal more notice of it. Member for Elder.

#### **PROCUREMENT REFORM STRATEGY**

**Ms DIGANCE (Elder) (14:11):** My question is to the Minister for Small Business. How will the state government's procurement reform strategy benefit small businesses in South Australia?

**The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence Industries, Minister for Veterans' Affairs) (14:12):** One of the key objectives of the Industry Participation Advocate is to remove unnecessary barriers and costs associated with government tenders. Last week, the government's procurement reform strategy was launched, and I am happy to provide the house with more detail on how it will apply. The strategy focuses heavily on the removal of process and compliance barriers for small business in procurement. It establishes:

- a higher, simple procurement threshold, up from \$220,000 to \$550,000, to streamline procurement practices for both small business and government agencies;
- a document simplification exercise that will be launched to streamline simple procurements;
- a Better Customer Charter to reduce the amount of information required in tenders; and
- sets standards of ethical practices for the state government to adopt.

There are also proposed benchmarks for timely decision-making in procurement which will be monitored by the State Procurement Board. This builds on earlier reforms, including the removal of all fees for prequalifying, which will save businesses around \$62,000 collectively per annum, and setting limitations of liability for low-risk contracts up to \$1 million, which are now capped at five times the contract value.

These reforms add to the robust results we have already seen from the Office of the Industry Advocate. Since its establishment in 2013, there has been significant improvement in the value of goods and services contracts awarded to local suppliers, and it's important for every member in the house to note that we now stand at 90 per cent—an increase of more than 40 per cent since 2012-13, and a nation-leading result.

In the past 12 months, South Australian subcontractors have been awarded projects worth an estimated \$637 million out of a potential project pool of \$698 million from major construction projects valued at over \$50 million. I give all this information to the house, particularly to those opposite, so that, when they make comment, they can do so based on informed advice—

**Mr GARDNER:** Point of order.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! I uphold the point of order.

**The Hon. M.L.J. HAMILTON-SMITH:** —and facts.

**The DEPUTY SPEAKER:** Minister!

**The Hon. M.L.J. HAMILTON-SMITH:** These benefits will be extended through the Industry Participation Advocate and external commercial specialists being required to sit on procurement governance committees of major purchasing agencies, enhanced commercial acumen in state government through targeted staff training, and oversight of agencies using spend analytics to identify opportunities to improve and to report to the budget review committee of the cabinet.

Finally, publishing forward procurement plans for contracts from \$220,000 will make opportunities more transparent. These reforms are an example of this government backing local businesses, particularly small businesses and South Australian workers.

#### **CHEMOTHERAPY TREATMENT ERROR**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:15):** My question is to the Premier. Can the Premier provide this house with any plausible explanation as to why a man who was in remission after a government chemotherapy bungle was sent away to write the Premier a summary letter when he was already in the room meeting with this man face to face?

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! I cannot hear if there is noise on my left.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:15):** Because Mr Knox has chosen to communicate on occasions—

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** Order!

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** The leader is called to order.

*Members interjecting:*

**The DEPUTY SPEAKER:** I am on my feet. The leader is called to order.

**The Hon. J.W. WEATHERILL:** It is, I think, polite at the end of a meeting, especially a meeting that—

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** Order! Premier.

**The Hon. J.W. WEATHERILL:** I think it is polite at the end of a meeting when you have had an opportunity to speak to somebody, especially somebody who is under an enormous amount of pressure, to ask them whether they would like to supplement anything that—

*Members interjecting:*

**The DEPUTY SPEAKER:** The member for Unley is called to order and the leader is warned for the first time.

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** The leader will be warned.

*Mr Pederick interjecting:*

**The DEPUTY SPEAKER:** The member for Hammond is called to order.

**The Hon. J.W. WEATHERILL:** I offered to meet Mr Knox the last time we had these proceedings, and sadly he was unable to meet me on that occasion. I offered to meet with him as soon as we possibly could, and we got together the other day. I was rather detained with other matters in this house, and I certainly met—

*Members interjecting:*

**The DEPUTY SPEAKER:** I remind members that it is my onerous duty to maintain the order of the house and that members need to be able to ask and answer their questions without interruption or obstruction of the business of the house. We will get much more done today if we could just manage to keep the noise down on my left and on my right. Premier.

**The Hon. J.W. WEATHERILL:** We had a cordial meeting, and I think we were able to clarify some of the issues that were discussed in this house some time ago about the question of legal fees and the way in which an offer was made or not made. I think I noticed in the letter that that doesn't remain apparently an issue of dispute that Mr Knox wishes to raise, but I hope I was able to satisfy him about that issue. There seemed to be just a misunderstanding that was subsequently clarified by my request for SAICORP to give a clear offer and make it clear that there was an offer of legal costs. I hope that was clarified. Notwithstanding all of that—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Members on my left, order!

**The Hon. J.W. WEATHERILL:** Deputy Speaker, those who know the answer to the question, perhaps they—

**The DEPUTY SPEAKER:** Well, if they are going to speak over the top of you they won't hear you, so just continue.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.W. WEATHERILL:** The format of the meeting was to understand why Mr Knox presses for a judicial inquiry. I told him that our position, our preliminary position, was that there was no need for it because there are a series of processes in place, including the—

*Mr Gardner interjecting:*

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

**The Hon. J.W. WEATHERILL:** —Villis Marshall review that had been undertaken.

*Ms Chapman interjecting:*

**The DEPUTY SPEAKER:** The deputy leader is called to order.

**The Hon. J.W. WEATHERILL:** The reference to AHPRA, and then of course the disciplinary processes that are going on and, indeed, the fact that there is a select committee that's on foot in the upper house.

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** So, all of those processes are working their way through, where I invited him to explain to me what other matters that he felt were being unaddressed, and we are carefully working through those matters. Now, we remain open. As I told him at the meeting, we remain open for there to be a judicial inquiry, but we are presently disposed not to believe that that's necessary.

**The DEPUTY SPEAKER:** The member for Morphet, the member for—

*Ms Chapman interjecting:*

**The DEPUTY SPEAKER:** The deputy leader is warned for the first time, the member for Morphett is warned for the first time, and the member for Morialta is warned for the first time.

*Parliamentary Procedure*

**VISITORS**

**The DEPUTY SPEAKER:** I would like to draw your attention to a visitor in the gallery today, our former esteemed colleague, the Hon. Ralph Clarke. Is Ivan Venning, the former member for Schubert, there? There he is. We are welcoming them back to the bearpit. I am sure they are want him to be here, but they will just have to watch today. We have the member for Napier with the call.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! I cannot hear the member for Napier's question.

*Question Time*

**REGIONAL INDUSTRIES**

**Mr GEE (Napier) (14:21):** My question is to the Treasurer. How are the state and federal governments supporting regional industries?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:21):** It's hard to see the former member for Ross Smith restrained in the chamber, unable to interject. This state government is proud—

*Members interjecting:*

**The DEPUTY SPEAKER:** Okay, Treasurer.

**The Hon. A. KOUTSANTONIS:** Thank you ma'am. We are proud of the work we are doing in backing our regional industries. Through the advocacy of the member for Giles, we are standing up for the steel industry and the people of Whyalla. We recently put forward a \$50 million funding proposal to support the long-term future of the Whyalla steelworks. We have sought a further \$100 million from the federal government, and Bill Shorten, from the federal Labor Party. Through the advocacy—

*Mr Duluk interjecting:*

**The DEPUTY SPEAKER:** The member for Davenport!

**The Hon. A. KOUTSANTONIS:** —of the member for Frome—

*Mr Knoll interjecting:*

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

**The Hon. A. KOUTSANTONIS:** —we stood up for the people of Port Pirie when the Nyrstar smelter—

*Mr Knoll interjecting:*

**The DEPUTY SPEAKER:** Treasurer.

**The Hon. A. KOUTSANTONIS:** When the Nyrstar smelter was facing closure in Port Pirie, facing devastation, it was this government that underwrote its redevelopment of the smelter, guaranteeing the town's long-term future. The government is also helping the people of Port Augusta and Leigh Creek manage the transition away from coalmining, and power generation, through supporting new industries, like tourism and renewable energy. Earlier this week, Port Augusta mayor, Sam Johnson, who identifies himself as a member of the Liberal Party, expressed some serious concerns about how his party is neglecting the regions.

**Mr VAN HOLST PELLEKAAN:** Point of order.

**The DEPUTY SPEAKER:** I have a point of order, Treasurer.

**Mr VAN HOLST PELLEKAAN:** Does this answer the question of how the state government is supporting regional South Australia?

**The DEPUTY SPEAKER:** I can't hear him because of the noise on my left.

*Members interjecting:*

**The DEPUTY SPEAKER:** No, I can't hear him.

**The Hon. A. KOUTSANTONIS:** While speaking to them on the number one ratings program in South Australia, the Bevan and Abraham show, Mayor Johnson said the following—

*Members interjecting:*

**The DEPUTY SPEAKER:** I can't hear!

**The Hon. A. KOUTSANTONIS:** —and I quote:

My mayoral colleague from Port Pirie and former mayor of Port Pirie will back my comments...that [Port] Pirie was on a knife edge and it was the state Labor government that actually came in and underwrote the deal and saved them.

That's right: it was the state Labor government, with the member for Frome, that underwrote the long-term future of that city, but the Mayor of Port Augusta had more to say, and I quote:

I went through the Alinta closure last year and we're still going through that transition at the moment. And the question that was put to be by my council staff just recently and they said can you name what the current federal government has done for Port Augusta—

*Members interjecting:*

**The DEPUTY SPEAKER:** Treasurer.

**Mr van Holst Pellekaan:** Madam Deputy Speaker, now that you have heard what the Treasurer is saying, standing order 98: he is not answering the question about what is the state government doing for regional South Australia.

**The DEPUTY SPEAKER:** He is coming back to it. Treasurer.

*Members interjecting:*

**The DEPUTY SPEAKER:** Well, he will. He will.

**The Hon. A. KOUTSANTONIS:** What has the current federal government done for Port Augusta since the Alinta closure? They don't like it. They don't like it because they are absent landlords.

*Members interjecting:*

**The DEPUTY SPEAKER:** It was impossible to hear what he said, whether you believe it or not, and unless I can hear nothing on my left I can't concentrate on what is happening on my right.

*An honourable member interjecting:*

**The DEPUTY SPEAKER:** I beg your pardon?

**Mr Marshall:** We all heard.

**The DEPUTY SPEAKER:** Well, I can't hear with you screaming.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Order!

**The Hon. A. KOUTSANTONIS:** The question was: how are the state and federal governments supporting regional industries?

**The Hon. M.L.J. Hamilton-Smith:** They're starting to get their points of order right.

**The Hon. A. KOUTSANTONIS:** Yes, exactly. The mayor poses this question to himself and the staff: what have they done? 'And I looked like a rabbit in the headlights and it was pretty

embarrassing at that point of time,' end quote—a member of the Liberal Party and the Mayor of Port Augusta. Mayor Johnson may appear young, but his words speak beyond his years.

**Mr GARDNER:** The Treasurer is contravening standing order 98.

**The DEPUTY SPEAKER:** The real problem is that I haven't been able to hear any of the answer in any sort of cohesion, so if you could just keep the noise down I can rule for you. I can't hear.

**Ms CHAPMAN:** Point of order, Madam Speaker, and I make this point of order in respect of the relevance argument. The minister has outlined and continues to quote in respect of the alleged statements of a person as to the actions of the federal government. The question very specifically was: what is this government doing for regional South Australia? It was not what the federal government is doing.

**The DEPUTY SPEAKER:** The question was about how are the state and federal governments supporting regional industries and I am listening, or doing my very best to listen, to the answer.

**The Hon. A. KOUTSANTONIS:** The Mayor of Port Augusta is doing his job representing his local community. He has called out the lack of support by members opposite and he has called out the lack of support—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Order! Sit down. I will ask the Treasurer to finish off. He has finished off now. Leader.

#### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:27):** Thank you very much, Deputy Speaker. My question is to the Premier. Will the Premier give an assurance that the findings and recommendations of all government commissioned reviews, including internal disciplinary reviews, into the chemotherapy dosing scandal will be made public in a timely fashion and provided to each of the victims? The Premier advised Mr Knox yesterday that we will never know the findings of the AHPRA review or any internal disciplinary actions.

**The DEPUTY SPEAKER:** Before I call the Premier, the member for Hartley is called to order and the member for Davenport is warned for the first time.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:27):** Just that last bit of the answer, I would have left this to the minister to answer, but that last bit of the answer seemed to suggest that I had suggested that we wouldn't know publicly the findings. I don't think we do know that yet and I certainly don't recall saying that at the meeting. I think it was the assertion of Mr Knox that AHPRA would be private. I do not know the truth or otherwise of that, and we will take some advice on that.

In relation to disciplinary matters, once again we will take advice on that because it may or may not be appropriate for the outcome of disciplinary matters to be known publicly. I presume that public interest in this would mean that they would be made public, but once again that it something we will take advice about.

**Mr Marshall:** In a timely fashion?

**The Hon. J.W. WEATHERILL:** I think the point to remember about this is that the disciplinary processes are laid down in an act of parliament, or at least in regulations or instruments that are supported through an act of parliament, and they are governed by their own processes. They are not ones that we presently are capable of interfering with, but we will take advice on that. I understand the public interest.

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** If you want another question, leader, I will give you the call in a second.

**The Hon. J.W. WEATHERILL:** I understand the public interest in understanding what the fate of these disciplinary matters will be—

*Members interjecting:*

**The DEPUTY SPEAKER:** The member for Hartley is warned for the first time.

**The Hon. J.W. WEATHERILL:** —but there is also a very significant public interest in them being undertaken appropriately so that they don't misfire. The other element of this is that I know that there has been a high profile termination of an SA Health employee which is tangentially connected to these matters. That was made public and so, whether it is appropriate to make public the disciplinary actions in this case, we will take advice about.

### SHANDONG SPORTS

**Ms HILDYARD (Reynell) (14:29):** My question is to the Minister for Recreation and Sport. Minister, how is the state government working with the Shandong Province on recreation and sport?

**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 Reynell for the question and acknowledge the great work that she does as parliamentary secretary to the Premier in the area of women's sport—a very, very good job indeed. Thank you, member for Reynell, for that. There is a delegation from Shandong, our sister state, in South Australia at the moment. They arrived this morning. I had a meeting with them.

It is being led by the Hon. Wang Sullian, who is the Vice Governor of Shandong. Among her many responsibilities, sport is one of the portfolios that she is in charge of. The Premier and I in April sat with her at a game of basketball: the 36ers versus Shandong. It was a good win by the 36ers that night, but it followed on from a loss by the Adelaide United team to Shandong here at Hindmarsh back during the Chinese New Year. So, as I explained to the Vice Governor this morning, that was probably the perfect result for our relationship between Shandong and South Australia: it was a win-win result.

They are here to sign some MOUs, and we in fact signed two this morning; one is with the Office for Recreation and Sport and the consul of the Shandong Sports Bureau. The areas of collaboration identified in that MOU are governance, participation, elite sport, youth sport, economic development and higher education. With the Vice Governor, I spoke about the importance of having those relationships between our two states, those that have been going on for 30 years. It just shows that we can do so much across so many different areas.

A second memorandum of understanding was also signed this morning between Mr Keith Bradshaw, the CEO of the South Australian Cricket Association, and Mr Ziu Zhentao, the Director of Shandong Minor Balls Sports Management Centre, the Shandong Cricket Association, to support the growth of cricket in Shandong Province. In September this year, a delegation of 100 people will come from Shandong and return to Adelaide. During that time, two friendly sport matches will be held. A basketball rematch between Shandong High Speed and the Adelaide 36ers will be played on Thursday 7 September and a cricket match between the Shandong Girls' Youth Cricket Team and a South Australian cricket team will be played on Friday 8 September.

At the moment, the delegation is looking at some of our sporting facilities around Adelaide, including the South Australian Sports Institute at Kidman Park. I know that the feedback I have already heard from their visit out there this morning was that they were very impressed with the professionalism that our team, headed by Wes Battams, puts into developing those wonderful athletes that we have in the SASI programs.

I want to take this opportunity to wish all of those athletes, who have made the Australian Olympic team all the very best for Rio in a few weeks time. They will also have a look at the Mile End Athletics Stadium, the SA Aquatic and Leisure Centre. They will take a look down at Adelaide Shores and also our major basketball stadium, Titanium Arena. Tonight, I will be hosting the delegation at our wonderful Adelaide Oval.

I have explained to them that there might be two teams out there but that they are only allowed to barrack for one team tonight, and that's the Adelaide Crows against North Melbourne, the

Kangaroos. It is going to be terrific to show off Australia's best sporting stadium to these people who have come over here from Shandong and one of two fantastic South Australian AFL teams. I was training them this morning to yell out 'Go Crows.' We will definitely have the Chinese backing the Crows today.

**The DEPUTY SPEAKER:** The minister's time has expired. Leader.

#### CHEMOTHERAPY TREATMENT ERROR

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:34):** My question is to the Premier. Will the Premier now agree to a judicial inquiry into the chemotherapy dosing bungle as requested by Mr Knox and the other victims?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:34):** No, we're not presently disposed to do that for these reasons.

*Mr Pederick interjecting:*

**The DEPUTY SPEAKER:** The member for Hammond is warned.

**The Hon. J.W. WEATHERILL:** There have been a number of inquiries that have been conducted. Willis Marshall conducted an inquiry.

*Mr Gardner interjecting:*

**The DEPUTY SPEAKER:** The member for Morialta is on his second warning.

**The Hon. J.W. WEATHERILL:** There has been an inquiry in which eight people have been referred to AHPRA. A number of people are being—

*Members interjecting:*

**The DEPUTY SPEAKER:** Premier, sit down. Unless there is silence, I can't continue. Premier.

**The Hon. J.W. WEATHERILL:** The Willis Marshall inquiry, the eight people who have been referred to AHPRA, the other people who have been referred to disciplinary processes—

**Mr Marshall:** The victims aren't satisfied. Mr Knox isn't satisfied.

**The DEPUTY SPEAKER:** Leader!

**The Hon. J.W. WEATHERILL:** And of course, the select committee is undertaking its processes as we speak. There are also a number of other matters that we are attending to arising out of the SAICORP issues.

**Mr Marshall:** They want a judicial inquiry.

**The DEPUTY SPEAKER:** Leader!

**The Hon. J.W. WEATHERILL:** We think there is an issue about the way in which SAICORP dealt with the claimants in this case, in the specific circumstances of this case, and we are considering a review there. There are a number of other matters that Mr Swan—

*Members interjecting:*

**The DEPUTY SPEAKER:** Premier, sit down. Premier.

**The Hon. J.W. WEATHERILL:** Thank you, Deputy Speaker. There are a number of other matters that Mr Swan has identified arising out of what Mr Knox has said that he is also looking into to understand. What we are seeking to do is to understand what else remains that would be a proper subject of a judicial inquiry, and that's why, of course, we had the meeting. That's why I invited Mr Knox to supplement the remarks.

I did say that we remained open. We are going to keep this under review. We will respond to this letter in due course, after we've given it careful consideration. We haven't ruled out the need for a judicial inquiry, but we are not presently disposed to grant one because we don't believe that there is any material that is left to inquire into.

**Ms Chapman:** What about the cover-up? That would be a good start.

**The DEPUTY SPEAKER:** The deputy leader is warned for the second time.

**The Hon. J.W. WEATHERILL:** I'm happy to address that question. The deputy leader interjects, 'What about the cover-up?' That's precisely the matter that was the subject of an inquiry by Mr Villis Marshall and he identified it and—

*Members interjecting:*

**The DEPUTY SPEAKER:** Premier, sit down. Premier.

**The Hon. J.W. WEATHERILL:** Thank you, Deputy Speaker. As a consequence, there are people who have been referred—

*Mr van Holst Pellekaan interjecting:*

**The DEPUTY SPEAKER:** Well, if you're quiet, we'll hear the answer, member for Stuart. You can be called to order.

**The Hon. J.W. WEATHERILL:** —referred to a professional body and others who are facing disciplinary action. In terms of this amorphous notion of culture and the need to inquire into that, I think SA Health have demonstrated their attitude to cultural matters. They have sacked somebody, terminated them, on the basis that they had failed to disclose matters. The culture is being supervised by the leadership of SA Health. If there remain any issues beyond that, we are trying to understand them and, if there is a basis for looking into them further, we will do that.

**Mr van Holst Pellekaan:** You were going to change the culture in child protection too.

**The DEPUTY SPEAKER:** The member for Stuart is warned for the first time.

**The Hon. J.W. WEATHERILL:** We haven't ruled out conducting a further inquiry or review, if that is necessary, into any matters which have not presently been looked at. Every single matter that Mr Knox has raised with us—and I know he is angry, and I know he is hurting, and I know he is lashing out. We are trying to set that aside and look carefully at what he is raising with us and respond to those things.

*Members interjecting:*

**The DEPUTY SPEAKER:** Premier, have you finished the question?

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** Given that the leader interjects, the general point was that there needs to be an inquiry into SA Health because of cultural issues—

**Mr Marshall:** No, you said that the CEO was sacked over the chemotherapy dosing bungle.

**The Hon. J.W. WEATHERILL:** No, I didn't say that. I said—

*Mr Marshall interjecting:*

**The Hon. J.W. WEATHERILL:** No, I didn't say that. I've discussed this with the minister before coming in here. We took the strongest possible action in respect of that different matter, and that demonstrates that there is no tolerance. There is no tolerance for cover-ups in this agency, so it doesn't reach to the top of this agency.

**Mr Marshall:** So, nobody has been terminated regarding the chemotherapy dosing bungle.

**The DEPUTY SPEAKER:** You can have another question in a moment, leader.

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** Leader!

**The Hon. J.W. WEATHERILL:** There are a number of employees that are subject to disciplinary proceedings, and we are working through the statutory processes that provide for that.

**The DEPUTY SPEAKER:** Member for Colton.

**RIVER MURRAY FERRIES**

**The Hon. P. CAICA (Colton) (14:39):** Thank you very much, Deputy—

*Members interjecting:*

**The DEPUTY SPEAKER:** Sit down.

*Members interjecting:*

**The DEPUTY SPEAKER:** Member for Colton.

**The Hon. P. CAICA:** Thank you again, Deputy Speaker. My question is to the Minister for Transport and Infrastructure. Can the minister update the house on the replacement of River Murray ferries?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:40):** I thank the member for Colton for his question and his ongoing interest in ferries.

**Ms Chapman:** Have you ever been on one?

**The Hon. S.C. MULLIGHAN:** Yes, I have been on a ferry. I used to enjoy the ferry ride down at Goolwa before it was replaced with a bridge, but I understand that is a whole other issue. The South Australian government is committed to maintaining and improving our ferry service, which provides a seven-day-a-week service at 12 River Murray ferry crossings free of charge to the community. That's why I am pleased to say that this government is investing \$12.8 million in renewing the River Murray ferry fleet.

As part of this commitment, we initiated a new ferries replacement program, currently underway to replace all of the aged timber-hulled ferries still in service. It is our goal to decommission all of the remaining timber-hulled ferries and replace them with new state-of-the-art locally built steel ferries by the end of 2018. I understand some of the timber-hulled ferries have been in service for over 70 years and are certainly at the end of their operational life. As some local members would know, there are currently three ferry services with weight restrictions in place.

Meetings have been held regularly with the Mid Murray Council and the ferry working group regarding the ferry fleet to discuss issues as part of a broader engagement strategy. I would like to thank in particular the member for Hammond for his involvement in these discussions and also for his continued advocacy on behalf of the vital communities who rely on the River Murray and the ability to traverse it when needed.

As many members are aware, the first of the remaining four operational wooden-hulled ferries was replaced at the Lyrup crossing in November last year, which also of course saw the removal of the load limit. The remaining three wooden-hulled ferries are located at Cadell, Mannum upstream and also at Taillem Bend. Our ferry network supports some 30 personnel, who are required on any given day to operate the entire ferry fleet along the river, hence the importance to not only the movement of traffic throughout our regional areas but also employment across our regions.

I am pleased to announce to the house that I have approved the awarding of the contract to build the remaining two steel-hulled ferries to an award-winning family-owned local Mid Murray company which has the proven ability to build steel-hulled ferries on time and on budget, while at the same time supporting employment within their local community. I am pleased to announce that Bowhill Engineering, the successful tenderer for the fabrication of the first two steel hulls, has been awarded the contract to build and deliver the next two steel hulls and associated components.

This project will provide job stability for their skilled workforce of up to approximately 25 people and it is expected to support growth for up to three additional staff members in the near future. The delivery of the third and fourth ferry hulls is expected to take place in 2017 and 2018. A publicly advertised request for tender was called on 16 March and closed on 28 April. Several tenders were received and subjected to a rigorous evaluation process. All proposals were undertaken in accordance with the evaluation plan.

Bowhill Engineering's proposal included the lowest price and was also considered to offer DPTI the best technical solution. This is a great outcome and one that I am sure the member for

Hammond, the member for Chaffey and other members with a connection to River Murray communities would support. Of course, the news is probably not so welcome to the member for Unley, who of course went into the media complaining that a company not based in the Riverland was being denied the opportunity to bid for this work—

*Members interjecting:*

**The DEPUTY SPEAKER:** Okay, I am with you. His time has expired in any case. Leader.

#### **CHILD PROTECTION**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:44):** My question is to the Premier. When will the government—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! I want to hear the leader's question, please.

**Mr MARSHALL:** You would do well to listen to this one; it is a very important question, Deputy Speaker.

**The DEPUTY SPEAKER:** I will take that warning to heart.

**Mr MARSHALL:** When will the government appoint a dedicated, focused minister for child protection and ensure that there is only one minister in charge of this important portfolio?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:44):** Of course, at the moment we are in a phase where we are implementing the reforms that will be received when we receive the final report of Commissioner Nyland. It is appropriate that the current arrangements stay in place for that period. Once the reforms have been implemented, we will give some further consideration to the disposition of the child protection portfolio and I do imagine that it will revert to a single minister once the reform process has been concluded.

#### **STRONG VOICES REPORT**

**Ms WORTLEY (Torrens) (14:45):** My question is to the Minister for Disabilities. How has the government progressed recommendations made in the 2011 Strong Voices report?

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:45):** I would like to thank the member for Torrens for her question and her continued advocacy on behalf of constituents living with a disability in Torrens. In 2011, the member for Wright, a former minister for disabilities, released the Strong Voices report with the then commissioner for social inclusion and chair of the Social Inclusion Board, Monsignor David Cappo. The purpose of the report was to provide a long-term reform blueprint to enhance the life and rights of people living with a disability in our state.

I am indeed pleased to advise the house that the government has made significant progress on the recommendations made in the Strong Voices report. A key recommendation was the development of a new disability act to address a number of important issues. The Disability Services (Rights, Protection and Inclusion) Amendment Act 2013 came into operation on 5 December 2013. This new act provided improved legislative safeguards for the rights of people living with a disability and ensured greater choice and control over their lives, something that they tell me about when I visit them regularly.

Furthermore, the amendments to the Disability Services Act 1993 enabled the establishment of the disability Community Visitor Scheme, a recommendation contained in the report. As members would be aware, the Community Visitor Scheme monitors the implementation of quality disability accommodation services and the wellbeing of vulnerable clients in our state. The Strong Voices report also called for the development of a Disability Justice Plan for South Australia to safeguard the rights of all people living with a disability in their interactions with the criminal justice system.

In June 2014, the Attorney-General launched the Disability Justice Plan 2014-2017 following considerable consultation with the disability community. Considerable progress has been made in implementing the actions in the plan and particularly in the law reform portfolio. The Criminal Law Consolidation (Sexual Offences—Cognitive Impairment) Act came into operation on 30 March 2015

to better protect people with cognitive impairments. Furthermore, laws were passed in July last year to better assist vulnerable parties, including suspects, witnesses and defendants within the criminal justice system.

These are just a few of the important areas of reform this government has undertaken since the release of the Strong Voices report. This government's funding and the commitment to the NDIS system and scheme will also progress several other important recommendations. This includes the area of addressing unmet needs—we were the first state in Australia to publish this data on a monthly basis—and the provision of individualised funding and commitment to long-term funding to meet the needs of people with disabilities and their families or carers.

The government across the country and society as a whole have made significant inroads in recognising and progressing the lifetime ideals and goals of people living with a disability and supporting them. The progress the government has made on the 2011 Strong Voices report provides a time line and snapshot of positive change in our communities and our attitudes. I look forward to updating the house as we make considerable progress moving forward leading up to the implementation of the NDIS in July 2018.

### CHILD PROTECTION

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:49):** My question is to the Premier. Will the Premier accept that there are major systemic problems with the child protection system here in South Australia and not just a series of one-off criminal acts?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:49):** Yes, I would accept that.

### VOLUNTEERS DAY

**Ms COOK (Fisher) (14:49):** My question is to the Minister for Volunteers. How is a state government recognising and celebrating the work of our state's volunteers?

**The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (14:49):** Can I thank the member for Fisher for this question. We had a bit of a chat earlier, and we were talking about her extensive volunteering history, which I understand started as a child for St John Ambulance. I thank her for her work. As Minister for Volunteers, I am immensely proud of the contribution of approximately 900,000 South Australians who generously donate their time and skills to volunteering.

South Australian volunteers contribute an estimated 1.7 million hours of unpaid work each year with the value of that unpaid work labour estimated at almost \$5 billion. Beyond these statistics, volunteers contribute so much to the wellbeing of South Australians and South Australian communities. These contributions are made through exceptional efforts of our volunteers who help, listen and offer support and companionship, who build skills and confidence in themselves and others, and whose talents, skills and personal values and qualities really do shine through and make a difference.

On 12 June, in honour of South Australian Volunteers Day, I hosted the 2016 thankyou event for volunteers at the Festival Theatre. The event is now in its 14<sup>th</sup> year and is our largest celebration of volunteers and volunteering in our state. More than 1,800 individuals attended the event, which included performances from the Adelaide Cabaret Festival program and the presentation of the three highest volunteer awards.

Can I take the opportunity to thank His Excellency our Governor, Hieu Van Le, who takes the time every year to come and give these awards. I really appreciate it. Many of the volunteers are absolutely delighted to have the opportunity to be recognised and have the Governor there. The highest volunteer awards of the state are the Joy Noble Medal, the Premier's Award for Corporate Social Responsibility, and 'The Andamooka' Community Project Award.

The South Australian government values the enormous contribution volunteers make to their local communities each and every year, and I am pleased to say we will be continuing our strong support to the volunteering sector across South Australia. Over the past year, the state government invested \$850,000 to assist thousands of volunteers and more than 150 community organisations

across the state. This included funding for community-building programs, equipment, administrative resources and training.

In addition, the Volunteering Strategy for South Australia, released in February 2014, continues to guide the future of volunteering in our state over the next two years. This partner-driven strategy between South Australian government, local government, the not-for-profit sector and Business SA explores emerging issues and challenges for the volunteering sector and provides a set of strategic directions to address them.

While South Australians continue to volunteer in record numbers, it's important for the future of volunteering that we encourage young people to get involved. Attracting volunteers from a young age is a key to establishing a lifelong volunteering habit, and I am committed to this challenge. The Youth Volunteer Scholarship Awards recognise the efforts of young volunteers. This grant program provides up to \$3,000 towards study costs for young volunteers. It's open to those of up to the age of 25 years and open for applications until 22 July. During the next five weeks, I encourage my colleagues to get people to enter.

### CHILD PROTECTION

**Ms SANDERSON (Adelaide) (14:53):** My question is to the Premier. What was the financial cost of shifting child protection into the education department, and what is the predicted cost for separating the departments again?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:53):** I will take that question on notice and bring back an answer.

### MOTOR VEHICLE REGISTRATIONS

**The Hon. T.R. KENYON (Newland) (14:53):** My question is to the Minister for the Public Sector. How is the government removing red tape and saving time for customers when they renew their vehicle registrations?

**The DEPUTY SPEAKER:** Attorney.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:54):** Yes, thank you very much.

*Members interjecting:*

**The DEPUTY SPEAKER:** Attorney.

**The Hon. J.R. RAU:** Thank you, Deputy Speaker, and I thank the honourable member for his question. This is a very important innovation by the government, and I would just like to share it with members because I know they are all interested. In support of the Premier's Digital—

*Mr Marshall interjecting:*

**The Hon. J.R. RAU:** I was going to leave that towards—

**The DEPUTY SPEAKER:** No, don't respond. All members are aware of the standing orders and how they apply. We need to hear the Attorney's answer in silence and, in deference to your colleague the member for Newland, it would be good to hear the answer.

**The Hon. J.R. RAU:** In support of the Premier's—

**Mr Marshall:** This is questions without notice and he's reading it off a piece of paper. How does that work?

**The Hon. J.R. RAU:** This is a prop. I don't really need it.

*Members interjecting:*

**The DEPUTY SPEAKER:** Member for Newland!

*Members interjecting:*

**The DEPUTY SPEAKER:** Member for Colton! Attorney.

**The Hon. J.R. RAU:** Thank you, Deputy Speaker. I gather some of them were impressed by me the other day when I switched all the instruments off and just used the Force to answer some questions in committee, so I will attempt to do that now.

*Members interjecting:*

**The Hon. J.R. RAU:** It's not Chewie-bacca, it's Chewbacca. We have an initiative called Digital by Default, where what we are attempting to do is give members of the public the opportunity to interact with government and government service provision using the digital world. Of course, what we are meaning here is the world of computing machines and the internet so that you can actually use your machine to pay—

*Members interjecting:*

**The DEPUTY SPEAKER:** Attorney.

*Mr Knoll interjecting:*

**The Hon. J.R. RAU:** My time is running out, but—

**The DEPUTY SPEAKER:** The member for Schubert can have his first warning.

**Ms Chapman:** He hasn't even mentioned the interweb.

**The DEPUTY SPEAKER:** He will in a minute. Thanks for letting him know. That's the end of us, isn't it? The interweb.

**The Hon. J.R. RAU:** There is a great opportunity here for people, and I hope everyone is taking advantage of this, to actually do things like motor registration online, as they say. This means the convenience of not having to actually physically go to a Services SA centre to be able to do these sorts of transactions is now here.

**The DEPUTY SPEAKER:** Unfortunately, your time has expired. If it were within my scope, I would give you an extension of time because I was listening to that. The member for Adelaide.

**Mr Marshall:** Just give her the piece of paper!

**The DEPUTY SPEAKER:** It's not the same unless he says it. The member for Adelaide—and I want to hear her in silence.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

#### FAMILIES SA

**Ms SANDERSON (Adelaide) (14:58):** My question is to the Minister for Education and Child Development.

**The DEPUTY SPEAKER:** Sit down. Because this is what happens when we start to descend into farce, isn't it? Could we all listen to the member for Adelaide and her question.

*Mr Bell interjecting:*

**The DEPUTY SPEAKER:** No, the member for Mount Gambier is called to order.

*Mr Pisoni interjecting:*

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

**Ms SANDERSON:** Can the minister confirm whether Families SA has recruited the extra 30 staff agreed to with the PSA to be employed by tomorrow to avoid the threatened industrial action?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:59):** I will have to return to the house. I have been

away and then in parliament, so I am unaware of the exact status of all of the applications and whether we have been able to fill all the positions.

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** That's a tragedy because, if your question was for that minister, I was going to give you the call next. Unfortunately, she's—

*Members interjecting:*

**The DEPUTY SPEAKER:** No, I was.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr Marshall:** Are you drawing the house's attention to a minister leaving the chamber?

**The DEPUTY SPEAKER:** I was about to give the member for Adelaide the call again, which I thought was something she might have appreciated, the call again, so I give the member for Adelaide a second question.

### FAMILIES SA

**Ms SANDERSON (Adelaide) (15:00):** My question is to the Minister for Child Protection and Reform. Can the minister inform the house if Families SA conducted a thorough investigation of the individual living with Amber and Corey, and charged with the murder of the children and their mother, as per the Coroner's recommendation 14.6 in the baby Ebony inquest? The Coroner's recommendation 14.6 states:

I recommend that it be recognised that an essential element of any investigation into a notification to Families SA in respect of a child is a thorough investigation into the background of the parents of the child or of any person in loco parentis to [the] child.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (15:01):** I thank the honourable member for her question. I am, as presently advised, not aware of where that investigation is up to. I do believe that the department is looking into these matters. I understand that as a matter of course, when there are serious problems in the department, it is something that they look into, as they should, and I believe that is the standard procedure. Exactly where they have gotten up to in relation to this matter, I don't know, and this is why I have been urging the member for Adelaide, in particular, not to be out there raising questions or pointing fingers in relation to the—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! The member for Morphett has a point of order or what?

**Dr McFetridge:** I have a question, ma'am, a very important question.

**The DEPUTY SPEAKER:** No, I haven't finished, sorry. I had asked the Attorney to sit down because I couldn't hear him. Have you concluded your remarks, Attorney?

**The Hon. J.R. RAU:** No, I was going to say that all of us who have an interest in this matter—and I assume everybody does—would obviously in the fullness of time like to know the answer to a great many questions—a great many questions. The one that is raised by the member for Adelaide is a question that has occurred to me, and I'm sure it has occurred to other people, to know the exact context in which the accused person may or may not have been engaged with this group of people.

I would like to repeat though, for the parliament, that we have a current police investigation in relation to this matter. I believe there is an internal investigation, as a matter of course, whenever these sorts of things occur. So, I think the best thing I can do is to allow those people—

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** —who are in—

*Mr Marshall interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** I think I have covered it pretty well.

**Mr Marshall:** Is there an internal investigation?

**The Hon. J.R. RAU:** I realise that's an interjection, but I—

**The DEPUTY SPEAKER:** No, you are not going to respond to it, are you?

**The Hon. J.R. RAU:** Okay.

**The DEPUTY SPEAKER:** The member for Ashford has the call.

*Members interjecting:*

**The DEPUTY SPEAKER:** No supplementaries; you know the rules. The member for Ashford.

*Members interjecting:*

**The DEPUTY SPEAKER:** Hang on a second, member for Ashford. Do you have a problem that you want to address somehow?

**Mr GARDNER:** Ma'am, you identified that we know the rules, that there are to be no supplementaries. The rules, in fact, entirely allow you to allow a supplementary, if you wish.

**The DEPUTY SPEAKER:** In any case, the member for Ashford has the call.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

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

**The DEPUTY SPEAKER:** Order! The member for Newland is called to order, or if you do it again you will be.

#### **PREMIER'S STATE/LOCAL GOVERNMENT FORUM**

**The Hon. S.W. KEY (Ashford) (15:04):** My question is directed to the Minister for Local Government. I want the minister to report on the progress of discussions at the Premier's State/Local Government Forum. I would just like to say to the minister that this is an initiative that came through our state council when we were in opposition and I was the shadow local government minister, so I am very interested to—

*Members interjecting:*

**The DEPUTY SPEAKER:** I can't hear her.

**The Hon. S.W. KEY:** —particularly get an update.

**Mr GARDNER:** Standing order 97 does not allow for argument or anecdote in asking a question.

**The DEPUTY SPEAKER:** I will listen. She has finished the question.

*Members interjecting:*

**The DEPUTY SPEAKER:** The member for MacKillop is not in his place.

**The Hon. G.G. BROCK (Frome—Minister for Regional Development, Minister for Local Government) (15:06):** This forum met recently on 13 May—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. G.G. BROCK:** —and while the agenda traverses a number of areas, I am pleased that there has been an agreed focus on how local government, and I am sure the shadow minister will agree, and the state can better work together to help transform our economy and create jobs.

As might be expected, a key aspect of discussions at the forum and at regular meetings I had with the LGA president and also the chief executive have been the continual improvement of the local government legislative framework. Specifically under that banner, I welcomed the enthusiastic response of the local government sector to working with the government to develop much-needed reforms to the processes that government proposes for council boundary changes. The forum has agreed a proposed new framework that will:

- simplify and broaden new boundary change proposals which can be initiated;
- provide a clear assessment process for administrative matters;
- develop a process for the initial assessment of proposals; and
- establish a body to oversight an independent analysis of significant boundary change or amalgamation proposals.

Draft legislation for council boundary reforms is being developed with a view to draft a bill for consultation being publicly available through the middle of this year ahead of an introduction of a bill during the spring sittings of parliament. Important discussions have also progressed through the forum regarding mechanisms that can be used effectively—

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** I call the Treasurer to order.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. G.G. BROCK:** Important discussions have also progressed through the forum regarding mechanisms that can be used effectively to ensure that councils can partner with the government to invest more in significant new community infrastructure and job creation projects. Work is ongoing among officials from both sectors in an effort to refine the criteria of an agreed model of collaboration. Other items noted by the forum agenda included:

- the continuation of constructive work being done by the LGA and DPTI on the issue of better collaboration on road investment, including the exploration of joint procurement opportunities;
- negotiations about appropriate pricing of public lighting services and how that infrastructure can be used more optimally to deliver other services to the community;
- the nuclear consultation process;
- the continued success of regional development funding;
- progress made in relation to the South Australian economic plan;
- preparation of the schedule of priorities under the state/local government agreement; and
- the member for Goyder's council rate capping private member's bill. I have been pleased with the discussions and outcomes of the forum and believe they will help to drive significant benefits for communities in metropolitan and in particular regional areas.

*Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** I would like to acknowledge in the gallery the presence today of the former member for Norwood, now Dunstan, Vinnie Ciccarello, and welcome her back to parliament.

*Grievance Debate***CHEMOTHERAPY TREATMENT ERROR**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:10):** Today, we have heard from the Premier his determination of what happened with Mr Knox in their meeting yesterday. He would have you believe that, although he had not said 'I'm sorry' in just those words, he made it clear to us today that he had connected with Mr Knox, that they obviously had a good conversation and that he had not read the material that had been provided to him by Mr Knox but that he had a briefing on it. They were able to discuss the issue in question, in particular whether there should be a judicial inquiry, that he had presented the government's preliminary review on that matter and that all of it was left in some state of harmony. What a far cry from the truth that was.

This is just another example of what we see as Dr Jay and Mr Hyde. He comes in here and he presents to us as though he cares about these people. Just remember a few weeks ago when he came in to say, 'My government has put \$1 million on the table. We are going to be model litigants. We are going to protect the interests of these people who have suffered. It's been a scandalous affair. We will clean it up. There will be no penny-pinching on legal costs. We will make sure these people are provided for.' What a disgraceful turnabout that turned out to be.

The legal fees had not been paid. Clearly, the government agency has not acted as model litigants. They started with a stingy \$10,000 each and that was it. They had refused to pay legal costs. Even in question time the next day, before it came to light, when they found out they had not, they quickly rang up the lawyers to say that they would pay the legal fees for the family of the person who passed away.

That is what actually happens: he goes on radio, he comes into this parliament, he tells the people of South Australia in a quietly spoken dignified way about how he cares about the people of South Australia. When exposed, they cover it up, but when he is challenged, they refuse to be placed under scrutiny or have any inquiry. Let's have a look at what Mr Knox said on radio this morning about what he said happened at this meeting. He said:

Quite frankly, I was shocked. It was a meeting that probably would have been better off if it hadn't taken place.... he took an adversarial position—

referring to the Premier—

like a lawyer lecturing his opponent. There was not an iota of empathy, sympathy or apology. There seemed to be two personas—one that he portrayed in parliament and the one I saw last night was rather unbecoming...I'm still not over it, I'm shattered by his approach...I had to take...charge of the discussion because nothing was forthcoming.

On the question of judicial inquiry, he said:

What I wanted was the royal commission or at the very least a judicial inquiry and I expected that he would empathetically at least listen to our argument. That wasn't the case. It was a case of putting me in my place...this attitude and what we see continuing going on, the denial and deceit at an institutional, administrative level. The public cannot consider themselves to be safe in the public hospital system. So it's on their head and it's on the conscious of the Premier and the next time one of these things happen.

On another radio station this morning, he outlined his concern. He said:

I've been up most of the night trying to respond to the letter that he wants me to write to justify my position. He showed no empathy, no contrition, no apology, none of that which he spruiked in the Parliament; it was completely absent. I was sitting next to a rock and all he wanted to do was to tell me I was wrong. As I say, I'm just astounded; the public have every reason to be fearful for their safety in this system...It would have been better that the meeting never occurred for the victims...I cannot believe the way he sat there and the way he looked at me yesterday, that was disgraceful...But to be sent away like a schoolboy and saying, well write me an essay on why I should consider what you, what you say is...yeh, it is rubbish.

This man actually left that meeting with that impression: that he had been sent away like a naughty schoolboy to write up a summary. The man had already explained and provided several letters of detail about his concern about what happened. And what has happened? Let us just remind ourselves about what happened. We have had multiple victims misadministered in relation to this chemotherapy error. It is discovered. It is covered up. The CEO has jumped off to Sydney.

In the meantime, he has told us that he had not been told the whole truth about the full extent. We have the government playing hardball on compensation. We have the Premier who sweeps in to

offer \$1 million on the table and then we find out that when he says, 'I will sit down with the victims, I will sit down with Belinda Valentine, I will sit down with these people,' they are treated with such disgust.

Time expired.

### **DAYS FOR GIRLS**

**Ms COOK (Fisher) (15:15):** I spoke two weeks ago in this place about the fabulous work of Essentials 4 Women SA in supporting women and girls in the need to maintain dignity and wellbeing. Today, I would like to inform the house about a global move to support the dignity and wellbeing of women and girls now gaining momentum in my own backyard. Due to inadequate menstrual hygiene solutions and management, girls worldwide suffer indignity, infection and exploitation while trying to stay in school. Women also face the same barriers to stay at work. In fact, girls can lose up to two months of school every year.

This normal biological function should not stand in the way of a girl's right to an education or a woman's right to provide for her family. In developed nations such as Australia, the barriers to dignity for women and girls menstruating are generally a consequence of personal economics and circumstances and Essentials 4 Women is able to supplement other community providers by distributing donations of disposable sanitary supplies. But in undeveloped nations, the problems are much more complex and, indeed, complicated by poor access to health, education and infrastructure support. Imagine the difficulties faced in remote communities that have no sewerage and no rubbish disposal systems.

Women and girls in these countries have, for many years, resorted to the use of many primitive solutions. This is quite confronting to hear. They resort to using things such as leaves, bark, mattress stuffing, newspapers, corn husks, rocks—in fact, anything they can find—in order to be able to carry on with their life. It leads not just to social isolation and skin problems but also to devastating internal infections which can cause terrible consequences, including infertility and, in extreme cases, death. Days for Girls have overcome this for many communities.

Days for Girls provide a simple, direct, effective solution by constructing and distributing quality sustainable feminine hygiene kits, conducting sanitation and health education and creating employment opportunities. Each kit contains washable components which, cared for correctly, last two to three years. Days for Girls South Australia partners with non-profit groups and organisations such as Rotary, Zonta, Soroptimists, Lionesses, World Families Australia, Girl Guides, high schools, quilting and church craft groups, to produce and distribute kits.

Thanks to a global grassroots network of thousands of volunteers and supporters on six continents, this group has been able to reach women in over 100 countries. Days for Girls International was commenced in Washington State, US, in 2008 by Celeste Mergens. South Australian Days for Girls commenced in February 2012 and now has an Adelaide chapter and teams registered in Kapunda, Renmark and the Murray-Mallee, with pending registration for Mount Gambier. Hundreds of women—and also a few men, actually—are involved all over South Australia working to fill orders under the direction of volunteers, Susanne Harris, the State Coordinator and Adelaide Chapter Leader, and Cheryl Caldwell, the Assistant State Coordinator.

Days for Girls Adelaide SA Chapter holds regular sewing/packing events which attract up to 70 volunteers, enthusiastically making and packing kit components. Several groups meet monthly. Reynella community centre holds one event per school term and the Aberfoyle Seeds Uniting Church craft group hosts a group that sews weekly. I believe the member for Mitchell has attended the one at Reynella community centre and I have attended several at Aberfoyle Seeds Uniting. I believe they have 200 volunteers on their books, many of whom I have met. I found their working bees to be very therapeutic, although I did find that I got a little RSI with all the folding (because I do not have a licence to drive the sewing machine any more) but I found their generosity and kindness extraordinary.

Since commencement, there have been 5,070 kits sent to 20 countries including Nepal, Vanuatu, Fiji, Cambodia, New Guinea, Timor-Leste, Indonesia, Tanzania and Ethiopia. In addition, 1,000, including 100 postnatal kits, have been sent to the Democratic Republic of Congo along with

Zonta birthing kits this month. In many areas where there are inadequate facilities and poor affordability, we see the terrible consequences for women, but it is great to make some kind of an inroad globally.

Thank you to all those in our community who are supporting this important work. It is interesting to note that Susanne Harris devoted her life as a midwife helping women and girls in our community, and now she is making a global impact. I would encourage you all to visit [daysforgirls.org](http://daysforgirls.org) because a very small amount of money can provide a lot of help.

#### **PREMIER WEATHERILL**

**Mr KNOLL (Schubert) (15:20):** What we have seen in here over the last few days, especially since the announcement on Tuesday by the government to split Families SA and Education into two separate departments is a Premier who is obviously under pressure. The reason he is under pressure—and the reason we can see that he is under pressure—is because of the language that he starts using. We saw a couple of examples in the house today that I do not think will resonate with the South Australian people.

The Premier chose not to accept the fact that he never apologised yesterday to chemo bungle victim Andrew Knox, preferring to use the phrase, 'I did not use those words.' In response to a judicial inquiry, he talked about the fact that, 'We are not presently disposed towards that.' What we see is a man who refuses to be straight and up-front with the South Australian people and attempts to use legalistic language in order to cover the fact that he has no answers and has failed the children of South Australia over the last 14 years.

Yesterday in this house, we had disgraceful behaviour from the member for Playford, who tried to suggest that we on this side of the house were doing anything other than sticking up for the vulnerable children of South Australia. Indeed, what was trying to be suggested opposite was that somehow this fresh start that was announced on Tuesday was pulled out of thin air, or had not been previously understood.

**Mr Gardner:** They invented it.

**Mr KNOLL:** That it was invented by them in a figment of their imagination or, indeed, after Justice Nyland gave her interim recommendation. It gives me no joy for me to point this out, but the Liberal Party has solid policies and well thought ideas. Indeed, on Tuesday, the government accepted one of the central ideas. The Liberal Party's 2036 is a document that I am extremely proud to go out and sell to the South Australian public. Section 4.1 of '2036' says:

Our children are our future and their protection is our priority. We believe that Families SA should be transformed to focus on the needs of children, and lead a network of Non Government Organisations (NGOs), foster carers and community organisations to protect and nurture children at risk. They will have a substantially elevated status within government and it will be removed from the large and bureaucratic Education Department.

It has only taken the government since 2011 to actually get on board with something that we have been saying all along. Again, it gives us no pleasure to see our reform now implemented, but the government cannot say that there were not alternative voices out there, pushing for a different vision.

This morning, what I saw from the Premier, and what we all heard from the Premier, was a series of words and logic that failed to make the final connection. I want to give the house these few sentences. Our Westminster system of government demands that ministers are accountable for the actions of their department when implementing government policy. That is because with power must come accountability. Those who make the decisions ultimately have to take responsibility in our Westminster system of government. This morning on the radio, the Premier said:

Well we're responsible for taking steps that put in place the policies, the resources and the leadership to allow these agencies to actually succeed—

He is accepting the fact that he is responsible. He goes on to say, in relation to merging the two departments:

This is a failing that I have to accept and I was wrong about that. I believed that this larger agency was actually the best placed to be able to address the question and I was wrong about that.

In relation to the department wanting leadership, Matthew Abraham says to him, 'They are probably desperate for some leadership,' and he says, 'Well yes, I think that's right.' Abraham then says, 'And who has appointed the current leadership? Because that's what Margaret Nyland says isn't she?' The Premier replies, 'I have to accept responsibility for the failings in the system. There's no escaping it.' On that last point, the Premier is certainly right: there is no escaping that.

When Abraham says, 'The system's in crisis, you're failing children,' he says, 'That's right.' He then goes on to say, 'Right at the moment the system is being described as being in crisis.' This is a man who at the end of the interview went on to say that, under his own estimation, the no-confidence motion was lost yesterday because he decided that he had won it. Well, I am sorry, Premier, but it is not up to you. It is up to the people of South Australia to make their judgements—and this Premier has been found wanting.

What we saw this morning was a Premier who was willing to take responsibility in words. What we failed to see was a Premier who was willing to take responsibility by action. There is only one action that is going to satisfy the people of South Australia—and that is for the Premier to be accountable for the decisions he has made and resign from office.

#### **ROE, MR R.R.**

**Ms BEDFORD (Florey) (15:25):** I want to acknowledge the sad passing of Raymond Ronald Roe JP CMC, a Labor man who gave a great deal to his community and served the Labor Movement with distinction. Rae was born in Adelaide at The Queen Victoria Hospital on 12 June 1936. His early schooling days were at Norwood, Port Adelaide, Flinders Street and Colonel Light Gardens primary schools. He finished his schooling at the Adelaide Boys' High School.

In December 1950, during his school holidays he worked as a telegram delivery boy for the PMG—the second time we have mentioned that great place this week. He enjoyed the job so much that in March 1951 he was appointed junior postal officer to the GPO in Adelaide in the halcyon days of what is now Australia Post. After many positions within the PMG, he transferred in 1959 to Mount Gambier and married his first wife, Margaret. They had four children, Barry, Trevor, Andrew and Anita.

In 1966, he returned to the metropolitan area, living in Elizabeth Downs in 1966 and Elizabeth East in 1977. In 1975, he was a convert from the PMG Telecom and commenced as the assistant secretary of the Australian Postal & Telecommunications Union. He continued in this position until 1985, when he was elected SA branch secretary/treasurer and he held this position until his retirement in 1998.

Ray had a lifelong great interest in sport and began by playing football for the Postal Institute football team representing South Australia against Victoria. He also played for Port Adelaide and Woodville in the SANFL, playing in the first side Woodville played in the SANFL, a game that was played under lights at Norwood Oval against a team he was later to support, his beloved Central Districts.

When he began living in Mount Gambier, he played for Gambier West until he retired from playing in 1965 and took up field umpiring in the South-East of South Australia. In his first year of umpiring, he umpired the grand final of the Naracoorte league at Kingston South-East. As he played for Woodville in his formative years, he supported them until his two eldest sons started playing football for Central Districts, when obviously he changed his allegiances to that team.

Ray's political activism began in 1966 when he joined the Australian Labor Party and was elected the first treasurer of the newly formed Munno Para branch. His involvement in the ALP saw him become a member of the state executive, annual conference delegate and national ALP conference delegate. In 1970, he decided that he should stand for local government and he was elected by one vote to the position of councillor for ward 4 at the Elizabeth City Council. He was re-elected as councillor for three terms until he resigned to contest a vacant alderman position. After 10 years in local government, he was appointed Deputy Mayor of Elizabeth, a position he held until retiring from local government.

In December 1970, he was appointed a Justice of the Peace by the South Australian government and in January 1977 he was appointed one of the first civil marriage celebrants in South

Australia. As a JP and civil marriage celebrant, he gave freely of his time for the benefit of others. As previously mentioned, Ray commenced his work at the Australian Postal & Telecommunications Union in 1975 and took an active interest in political and union activities. He was elected to the national executive and national conference of his union, and he was later honoured by being elected national vice president of the union.

He also represented the union as a delegate to the Australian Council of Trade Unions, and during this period he acted as the assistant returning officer. As a full-time union official, Ray had the reputation of being firm but fair. He was respected by both management and members alike. In 1998, he retired from all union positions. It was from just before this time that I remember meeting Ray. During his tenure as a full-time union official, Ray assisted in the formation of one of the largest unions in Australia, the Communications, Electrical and Plumbing Union. On retirement, he held the position of vice president.

Ray went through the hurly-burly of life making many friends and few enemies. His funeral was well attended and both the Hon. Gerry Kandelaars and I were among the mourners. Ray is remembered by our former parliamentary colleague, former state MP and attorney-general, Peter Duncan, as playing a great role in the golden years of Elizabeth when that city was at its most vibrant as a hub of manufacturing.

When Peter was a local member, he worked with Ray in the state-local government partnership that worked hand in glove to make Elizabeth great. Peter was sad to hear of Ray's death and remembers Ray as a bright and enthusiastic personality. He always took the position of the underdog and was a key member of the union movement in South Australia. Ray was a man of the people. Sadly, though, circumstances conspired to deny Ray the opportunity of serving his community here in state parliament where he would have made a significant contribution.

Ray is also fondly remembered by another of our former colleagues, Ralph Clarke, as they worked together on the UTLC executive and in the state's trade union movement on a whole range of issues, particularly in the 1980s in the Hawke-Keating years. Ray's wife Helen was a great and well-respected member of Ralph's union, the then federated clerks union.

Both Peter and Ray, and I know my colleague the member for Ashford, want to add to ours their condolences to Ray's family: children Barry, Trevor, Andrew and Anita, 10 grandchildren and three great-grandchildren. Anita and her husband, Brendan, carry on Ray's tradition of service, particularly through sport through their contribution to the hugely popular Modbury Vista Soccer Club—one of my local soccer clubs. One of their sons, Zack, is known to me and is a tremendous young man ready to continue Ray's legacy. From his second marriage, to Helen, Ray has three stepsons and two grandchildren. Helen was an inspiration to Ray and they shared many interests. Vale, Ray Roe—a loving family man and a great servant of his community.

#### **MOUNT BARKER REGIONAL SPORTS HUB**

**Mr GOLDSWORTHY (Kavel) (15:30):** I am pleased to speak in the house this afternoon about a very welcome announcement in the state electorate of Kavel, which I have the pleasure of representing in this place, but also in the federal electorate of Mayo. The announcement was made on 3 June by none other than the Prime Minister, the Hon. Malcolm Turnbull MP, and the member for Mayo, Jamie Briggs MP.

The announcement was for \$3.75 million from a re-elected Turnbull Coalition government for an investment in a new Mount Barker regional sports hub. This new facility will ensure that the Mount Barker regional sports hub is a critical regional sporting facility contributing to the local economy and local job creation. The funding commitment will go towards the construction of the Cornerstone function centre and clubrooms, which is obviously an integral part of the sports hub facility.

It was quite a big event on 3 June. We had representatives from many sporting bodies. We had the Hon. John Olsen, the president of the SANFL, attend. We had the CEO of Football Federation South Australia there along with a number of representatives from other sporting bodies, so it was quite a significant event in the electorate of Mayo and, obviously, the state electorate of Kavel.

As well as a two-level, 350-seat regional function centre, recreational areas and clubrooms will be stage 1 of the project, and that will incorporate one full-sized AFL-standard oval, one synthetic soccer pitch and eight five-a-side pitches, soccer clubrooms and a grandstand, six netball courts, floodlighting, playing areas, car parking and vehicle access. Obviously, this new high-class sporting facility will accommodate cricket, AFL, tennis, netball and soccer, and will meet the requirements of the AFL for preseason games, cricket facilities to cater for first-class matches and soccer facilities to accommodate high-level teams.

This was a very welcome announcement made by the Prime Minister and the member for Mayo, Jamie Briggs, and it really enforces the important point that only a re-elected Turnbull government will look to proceed with this new facility. I will just quote from the member for Mayo:

'This is a fantastic project for our community and one that I am thrilled to be able to deliver for the families of Mount Barker...

The Hills community is in need of more sporting and function facilities, and this project will serve Mayo locals well into the future,' Mr Briggs said.

That is a quote from some of the press release that was put out on 3 June, but I want to remind the house of a press release that the then minister for transport, the Hon. Patrick Conlon, and the then acting minister for urban development and planning, the Hon. Jack Snelling, put out in December 2010. That was at the time when the government rezoned all that land in and around Mount Barker for residential development. Part of the press release states:

It's important that as people move into this regional centre that they can access the services they need for all stages of their lives.

Open space and recreational facilities have been very important considerations in discussions with the land owners negotiating new provisions with the Mt Barker Council.

Even though that press release is 5½ years old, it is still very relevant today. The local community in and around the Adelaide Hills needs this government to continue to commit valuable funding, much needed funding, to that community. As a consequence of the \$3.75 million announcement by the federal government, we are calling on the state government to match that \$3.7 million funding.

Time expired.

### **MEN'S HEALTH WEEK**

**The Hon. A. PICCOLO (Light) (15:35):** Today, I would like to say a few words about an event that was held in my electorate last week, but also more generally about men's health. Last week was Men's Health Week nationally, and the major event in my community in Gawler was an open day by our local Men's Shed. I would like to congratulate Willo's Men's Shed, which is located on Little Paxton Street at Willaston, for a very successful open day. It was their first external open day, if you like, and there were a lot of people in attendance, both men and women, and young people.

Open days, or any major event, are made possible through the generosity of a number of people. I would just like to acknowledge some local businesses and other people who made this event possible in addition to the men at the Men's Shed who worked very hard to spruce up the shed for the occasion and who also put on display all the various products they produce at the shed and an indication of the services they provide to the community and support in other community organisations.

I would like to acknowledge a couple of the smaller traders in our town: She's Apples, which is a local, independent fruit and vegetable store; the Gawler Mitre 10; the Gawler Salvation Army; the Gawler Lodge of Fidelity; and the Gawler Medical Clinic, who provided nurses to do men's health checks on the day. I would also like to acknowledge the Lutheran Church; Blokes @ Hewett; the Gawler Veteran, Vintage and Classic Vehicle Club; and the Gawler Tractor and Engine Association.

I would also like to acknowledge the contributions made on the day through the displays: the Edinburgh unit of the State Emergency Service and also the Gawler station MFS. In addition, valuable funding was also supported by the Australian Men's Association and the Rotary Club of Gawler Light. I would also like to acknowledge the support provided by the Gawler Farmers' Market

and the Gawler Lions Station Sunday market, who enabled the event to be promoted at their markets free of charge.

In addition, I would like to also acknowledge the contribution that a number of other organisations make to men's health. In particular, I would like to acknowledge the work done by the Freemasons Foundation Centre for Men's Health at the University of Adelaide, headed by Professor Wittert. Professor Wittert would be known to a lot of people as a commentator on men's health, particularly on radio. That centre is doing a number of studies about men's health and how to improve men's health, not only in this state but across Australia. I would also like to acknowledge in New South Wales the Western Sydney University Men's Health Information and Resource Centre, which has a longstanding commitment to improving the availability of information about men's health to men right across Australia.

I would also like to mention that the reason Men's Health Week is very important is that it is about encouraging communities across Australia to reach out to men, boys and their families to promote health and wellbeing through engaging them in activities, events and promotions. The local events, like Willo's Men's Shed open day, provide an opportunity for men to get together and discuss health issues. As I mentioned, one of the basic men's health issues is obviously their physical health, but just as important is their emotional and spiritual wellbeing. I would like to again thank the Gawler Medical Clinic for providing nursing staff on the day to provide men's checks. I understand that a few of the men now have follow-up appointments with doctors as a result of the basic checks undertaken.

The theme for the 2016 Men's Health Week was Health Elements. It is about encouraging communities to start those conversations about the elements of life that build health and life's purpose. One thing I learnt from a talk last night provided by the former premier, the Hon. Lynn Arnold, is that human beings seek to find meaning and purpose in life. For a lot of men, when things go wrong they lose that sense of meaning and purpose. For example, men who become redundant or whose relationships break down, or whose partner dies often lose their direction and sense of purpose and meaning. Places like the Men's Shed help men to work through those issues.

It is sad that the federal government has decided to cut funding to a range of men's programs, and I would just like to also acknowledge the valuable work done by organisations like MATES in Construction.

Time expired.

### *Bills*

#### **PUBLIC INTOXICATION (REVIEW RECOMMENDATIONS) AMENDMENT BILL**

##### *Introduction and First Reading*

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:42):** Obtained leave and introduced a bill for an act to amend the Public Intoxication Act 1984.

##### *Second Reading*

**The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:42):** I move:

That this bill be now read a second time.

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

Leave granted.

The Public Intoxication (Review Recommendations) Amendment Bill 2016 seeks to amend the Public Intoxication Act 1984 to implement recommendations from the Review of South Australia's Public Intoxication Act 1984.

The Public Intoxication Act 1984 provides for the apprehension and care of a person in a public place who is under the influence of a drug or alcohol and is unable to take proper care of himself or herself. It has operated without material amendment since its introduction in 1984.

Data from South Australia Police shows that approximately 3,000 people are apprehended under the Act each year. Fifty percent of those apprehended identify as Aboriginal and 50 percent are discharged from police custody to home, or to the care of a friend or relative.

The Government committed to reviewing the Public Intoxication Act 1984 in response to the Deputy Coroner's findings delivered on 4 November 2011, from the inquest into the deaths of Kunmanara Kugena, Kunmanara Windlass, Kunmanara Peters, Kunmanara Kugena, Kunmanara Gibson and Kunmanara Minning, and in response to the findings from the Deputy Coroner's inquest into the death of Kunmanara Brown, delivered on 6 October 2011.

The review of the Act was conducted by public health law expert, Dr Chris Reynolds. The Review aimed to identify opportunities to improve the Act and its application, consistent with the Government's policy that public intoxication is not a criminal offence.

The Government released its response to the Reynolds Review in 2015, which included a commitment to make the legislative changes included in this Bill. The Bill amends the Public Intoxication Act 1984 to:

- Expressly state the objects and principles of the Act;
- Provide an expanded definition of a drug for the purposes of the Act;
- Adopt a definition of 'public place' similar to that in the *Summary Offences Act 1953*;
- Extend the maximum period of detention by police to 12 hours but retain the 18 hour maximum period of detention for declared sobering-up centres;
- Protect people involved in the administration of the Act from civil liability, providing their actions are in good faith.

At present the Act is silent on its purpose, apart from its long title as 'An Act to provide for the apprehension and care of persons found in a public place under the influence of a drug or alcohol; and to provide for other incidental matters.'

The Review recommended that the Act should expressly state the objects and principles that articulate its scope and intentions. The Bill introduces Objects and guiding principles explaining that harm minimisation and protecting public health is the primary goal of the Act. They include that the primary concern is to be given to the health and well-being of a person apprehended under this Act and that a person detained under this Act should, where practicable, be detained in a place other than a police station.

The Review recommended that the reference to 'alcohol or a drug' as the cause of the intoxication should be replaced by a more general approach. It is enough that the person is simply intoxicated and by that fact incapable of taking proper care of himself or herself. Persons intoxicated in a public place who are unable to care for themselves should be protected from harm regardless of the intoxicating substance.

The Bill amends the definition of 'drug' to include alcohol or any other substance that is capable, either alone or in combination with other substances, of influencing mental functioning.

As a consequence, the Bill also removes the power to declare by regulation any substance to be a drug for the purposes of this Act. Expanding the definition of a drug within the Act makes such regulations unnecessary.

The Review recommended that the Act should apply to land or premises that are not necessarily public places, provided the owner or occupier of the land or premises does not object. The Bill inserts a definition of a public place that aligns with the *Summary Offences Act 1953*. A public place includes:

- a place to which free access is permitted to the public,
- a place to which the public are admitted on payment of money
- a road, street, footway, court, alley or thoroughfare which the public are allowed to use.

Currently, police officers are required by the Act to discharge a detained person when they have recovered and can take proper care of themselves, but before the expiration of 10 hours. SA Health addiction medicine clinicians consider that a person should be sufficiently recovered after 12 hours to take proper care of themselves. The Bill extends the maximum period of detention by police to 12 hours and retains the 18 hour maximum period of detention for declared sobering-up centres.

The Review recommended that the Act should protect those involved with its administration from civil liability, provided their actions are in good faith and done for the purpose of complying with the Act. The Bill introduces immunity for civil liability for authorised officers for an act or omission in the exercise or purported exercise of official powers or functions.

The Bill also introduces statute law revision amendments. The Act has operated without material amendment since its introduction in 1984. These amendments modernise the Act but have no material impact on its operation.

By implementing recommendations from the review of the *Public Intoxication Act 1984* carried out by public health law expert, Dr Chris Reynolds, this Bill aims to modernise the Act to protect the health and well-being of people found intoxicated in a public place.

I commend the Bill to the House.

#### Explanation of Clauses

#### Part 1—Preliminary

##### 1—Short title

##### 2—Commencement

##### 3—Amendment provisions

These clauses are formal.

#### Part 2—Amendment of *Public Intoxication Act 1984*

##### 4—Amendment of long title

This proposed amendment is consequential on the proposed insertion in section 4 of the definition of drug.

##### 5—Substitution of section 3

New section 2 sets out the objects and guiding principles of the principal Act.

##### 2—Objects and guiding principles

The object is—

- (a) to promote the minimisation of harm that may befall a person in a public place as a result of a person's intoxication; and
- (b) for that purpose, to confer appropriately limited powers—
  - (i) to remove an intoxicated person from a public place in which the person is vulnerable or may become a threat; and
  - (ii) to take the person to a place of safety until the person is recovered.

In the performance of their functions under the Act, the Minister, police officers, authorised officers and other persons or bodies involved in the administration of this Act are to be guided by the following principles:

- (a) primary concern is to be given to the health and well-being of a person apprehended under this Act;
- (b) a person detained under this Act should, where practicable, be detained in a place other than a police station.

##### 6—Amendment of section 4—Interpretation

It is proposed to substitute the definition of *drug* to include alcohol or any other substance that is capable (either alone or in combination with other substances) of influencing mental functioning. This new definition will mean that it will no longer be necessary to declare, by regulation, substances to be drugs for the purposes of the Act. It is also proposed to insert a definition of *public place*.

##### 7—Amendment of section 5—Administrative provisions

##### 8—Amendment of heading to Part 2

These proposed amendments are consequential on the insertion of the new definition of drug in section 4.

##### 9—Amendment of section 7—Apprehension of intoxicated persons

A number of the amendments proposed to this section are consequential on the insertion of the new definition of drug, while others modernise the language of the section. The amendment to subsection (4) increases the time in respect of which an intoxicated person may be detained in a police station from 10 hours to 12 hours.

##### 10—Amendment of section 8—Application for declaration

The amendments proposed to section 8 are either consequential on the insertion of the new definition of drug or bring the language of the section up-to-date. For example, instead of referring to a court of summary jurisdiction, the substituted subsections refer to the Magistrates Court.

##### 11—Substitution of section 14

It is proposed to repeal section 14 which is otiose and insert a new section that provides, in the usual terms, for certain immunity relating to official powers and functions.

13—Immunity relating to official powers or functions

New section 13 provides that, subject to this Act, no civil liability attaches to an authorised officer for an act or omission in the exercise or purported exercise of official powers or functions. An action that would, but for subsection (1), lie against a person lies instead against the Crown. This section does not prejudice rights of action of the Crown in respect of an act or omission of a person not in good faith.

Schedule 1—Statute law revision amendments

The Schedule makes provision for amendments to the principle Act that are of a statute law revision nature, by bringing the language up to current drafting standards. The amendments make no substantive change to the Act.

Debate adjourned on motion of Ms Chapman.

**JUSTICES OF THE PEACE (MISCELLANEOUS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 8 June 2016.)

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:43):** I rise to speak on the Justices of the Peace (Miscellaneous) Amendment Bill 2016. This is a bill introduced by the Attorney on 8 June. On face of it, it makes some minor amendments to the Justice of the Peace Act 2005.

Both the Attorney and I were here at the time when the former attorney-general revolutionised the justices provisions in South Australia. Essentially, everyone was cut off the list. We had a new set of rules. Certain training obligations needed to be undertaken for those who wanted to be special justices, and we had a cleansing of the list, I think is the kindest way to describe it. We had all sorts of new rules about not being able to write 'JP(Retired)' on your letterhead, and things of that nature.

In any event, for the last 10 years or so the legislation has largely come into operation, the new applicants registered and the special justices were trained. We now have over 7,000 Justices of the Peace in South Australia doing their work—witnessing signatures and declarations and the like—and probably closer to 60-odd special justices, with just fewer than 20 who are regularly sitting on a more regular basis, and they undertake duties. They receive a sitting fee for a session. It is not a very generous one, I might say; nevertheless, it is some small remuneration or acknowledgment for the expense incurred for them to undertake this work, rather than as any kind of recognition of the employment, as clearly that would be inadequate. In any event, they do a good job and we thank them for the services they provide.

However, this bill essentially is to remove the requirement for cabinet, via the Governor's signature, to approve various things in respect of the appointment, suspension or removal of justices or special justices of the peace. In short, we agree for justices of the peace who are under rules to have periods of suspension. If they are not available—they go on a long holiday, a caravanning trip around Australia or whatever—there are certain processes that need to be attended to. Largely, for justices of the peace, we consider that the transfer of the body that is to appoint, suspend or deal with JPs is reasonably transferred to the Attorney-General.

What we are concerned about is the appointment and/or dismissal of special justices who have quite a different role in this jurisdiction. Justices of the peace are represented by a group known as the Royal Association of Justices of South Australia, and they have a subcommittee representing the special justices. They are the body the government identified to us that had been consulted, and they were happy with the amendments. I had a discussion with a number of members of the Royal Association of Justices and, as a result of that, I formed a very different view about what their concerns may be.

Firstly, whilst one had not seen the bill, I had been given a precis of what the bill was about, that it was a red tape reduction initiative and that it all appeared to be in order. However, as one went further and interviewed other members, it was patently clear that either they had not been informed or they had been led to the impression that this was just a red tape reduction initiative and that the

removal of the cabinet from the role in their appointment or dismissal to the Attorney-General, in general, did not worry them. What really became alarming were the proposed amendments in respect of delegation that was to allow the Attorney-General to refer that on to any other prescribed person. In the briefings that were provided, the Commissioner for—

*The Hon. J.R. Rau interjecting:*

**Ms CHAPMAN:** He has a longer title than that. I think Commissioner for Consumer Affairs, Liquor and Gambling is his full title. I thank him for coming to the briefing because he is the person, at an administrative level for the government, who presumably deals with the background work and the preparations for recommendations, the processing of the applications and all that goes with the security of the list, so to speak. It seemed, on his advice, that he would expect, being the senior person in that position, to be the recipient of any delegation. That seemed logical, but that is not what the proposed bill said. It was to 'any prescribed person'.

Unsurprisingly, this started to unnerve the special justices I spoke to. Whilst they were disappointed that they had not in their view had full and frank disclosure about what this was all about, they were quite happy to consider the matter further. I indicated that today, in the absence of the government agreeing to withdraw the special justices' areas of responsibility being transferred from cabinet to the Attorney, and the removal of the delegation power, we would seek that the bill be adjourned at least in the committee stage and that some opportunity be given to the consideration of that exclusion. I had word back subsequent to the briefing that the government would consider this between the houses.

I cannot think of how many exactly, but it is multiple times that the Attorney has said how often we should be sorting out these issues in this chamber. In the absence of hearing anything from them in the affirmative, I propose to move amendments essentially to ensure that the relevant authority for the purposes of JPs will be the Attorney and that the relevant authority for special justices will be the Governor. In other words, the appointment/dismissal in respect of special justices will remain a cabinet decision. Secondly, we would remove the delegation in the absence of the government coming back with any specific delegation.

When I raised, with at least one of the special justices, whether that would be reasonable or whether they would be agreeable to that being delegated to the commissioner, whilst this is no reflection on the particular commissioner, they did not see it as entirely appropriate. Bear in mind that we have a number of special justices who sit in hearings. They cannot send people to gaol, but they do issue fines and they do hear and determine matters. They pick up the enforcement of a lot of the reviews in respect of the Fines Payment Unit, which is now an administrative unit rather than a judicial unit. They do the support work for that.

They are doing real judicial work. I think it is fair to say that they have even offered in previous submissions to the government to have their threshold increased in respect of the value of claims held before them. Quite frankly, given the recent amendments to bring small claims down from a \$30,000 limit to a \$12,000 limit, there is probably a good case for special justices to have their jurisdiction increased. In the absence of receiving anything from the government to move accordingly themselves, I will introduce some amendments.

I will not speak at length to them, as I think I have made it pretty clear what our position is. The government has had an opportunity to consider it. Frankly, I think it is a matter that should be dealt with in this house. There should be no reason to deal with it in this manner on the basis that, if and when the government decides that it wants to come back with an idea and it has properly consulted with the relevant parties, they might want to identify an acceptable prescribed person in the other place.

**The Hon. A. PICCOLO (Light) (15:53):** I would like to make a small contribution to this debate in support of this bill. I note that the objective of this bill is 'to provide for a more efficient mechanism for the appointment, suspension and removal of a justice or special justices of the peace from office'. I support that endeavour. Our justices of the peace play a very important role in the community. Making their life easier by cutting some of the red tape obviously would assist them, and it would also assist with the appointment.

Often, appointments can take quite a while. This is not a criticism of the current process, nor is it a criticism of the Governor, but they do take a while. The rigorous processes you need to vet applicants to make sure that people are of appropriate character, etc., are appointed, I can understand fully, but it has not been unusual in the past to take from six to nine months to appoint somebody. It is actually easier to appoint a chief justice of the Supreme Court than a justice of the peace sometimes. Anything that can reduce red tape and make the lives of applicants easier is welcome.

We have to remember that justices of the peace serve in a voluntary capacity. They are volunteers, like many other volunteers in our community. If there is one grievance you hear from volunteers these days, and I am sure every member hears this, it is about the additional red tape and bureaucracy involved in just being a simple volunteer and all the hurdles you have to jump over to volunteer in your community, whether you are cooking a sausage sizzle at your local footy club or volunteering in other areas.

Some of those checks and balances that we have in our systems are very important. When people are dealing with children, obviously police checks are important. But I think sometimes we do not risk manage the process that well. We are more risk averse than risk managing. That said, this bill seeks to reduce the level of bureaucracy and the level of red tape and that is to be welcomed. To give you an indication of how important JPs are in our community, we have a JP service in our electoral office, as most MPs would. Over the last 10 days, for example, we have had 117 people come into our office and we have signed and witnessed over 225 different requests.

I am fortunate in that I have been able to recruit a lot of JPs who actually sit in our office, which means that my staff can actually do all the other work. We have a roster and, with the exception of one afternoon, we have an additional JP in the office doing JP work and they are run off their feet. They play an important role and I would like to personally thank the JPs who work through my office because it does release my staff to do other important work in the electorate.

To get a better idea of the work done by JPs, I am a member, as are others, of the Barossa and District Justices Group. This is one of the subassociations of the royal association and this association works with JPs. They meet regularly and also provide training. Just to put it in context, this particular group, the Barossa and Districts Justices Group spans a large area from Gawler to Eudunda and surrounding areas. They hold regular meetings, comprising training and development, throughout the district. They meet anywhere from Gawler to the Barossa, from Angaston to Tanunda and Eudunda, etc.

If I recall correctly, their AGM was held only last week, and the current executive committee comprises the following members. The Chairman is Mr Chris Johnstone OAM, JP from Nuriootpa. The Vice-Chairman is Mrs Jacqueline Raphael JP, who just lives around the corner from my house in the wonderful suburb of Kudla. The Secretary of the association is Mr Colin Drew from Gawler and he is also the coordinator of the Gawler group.

The Treasurer is Mrs Margaret Buckley JP from Nuriootpa. Publicity and reports are the responsibility of Mrs Maxine Chenoweth from Gawler River. The immediate past chairman is Mr Robert Brookes from Lyndoch. The Nuriootpa JP Service Room Coordinator is Mr Peter Flaherty and, as I mentioned, Colin Drew looks after the Gawler area. This group was formed on Friday 17 October 1980 with the inaugural chairman being the late Mr Cyril Cockshell JP from Gawler. I knew him quite well and I continue to know his family. The towns currently covered by the group are Robertstown, Eudunda, Nuriootpa, Angaston, Freeling, Roseworthy, Lyndoch, Williamstown, Kapunda, Gawler and Evanston. Half of those are in my electorate and half are in the electorate of Schubert.

There are town representatives from the local towns, representing their communities and encouraging their JPs to join the Barossa group and organise regular meetings in their areas. This has proved a very successful venture since the group was formed over 35 years ago. Currently, the Barossa and District Justice Group consists of 65 members. The JP Service Room (the name was changed just recently from the Library Daily Room) was set up originally in the library at Nuriootpa along with a service in Gawler.

The JPs actually have a service that they provide through the council libraries and they provide a couple of hours in the town of Gawler. As most of us would know, when people want a JP they want a JP then and there; they do not want to have to wait three or four days until the service is available. That is why officers like our own officers are regularly visited by people for JP work.

Both JP service rooms are used by the local community on a regular basis, with local JPs on a roster system attending on Thursday, Friday and Saturday. Regular professional development training is conducted to keep member JPs current on documentation and regulations requiring JP services in the community. I recall reading one of this group's recent newsletters which stated they actually had a training session on advanced care directives. There is a bit of controversy about that documentation. I have certainly written to the health minister and Attorney-General, as others probably have, about these directives. I am not sure whether that controversy has been sorted out yet.

*The Hon. S.W. Key interjecting:*

**The Hon. A. PICCOLO:** The member for Ashford indicates that, no, it has not been. This group has granted life memberships to show appreciation for a number of JPs in the community. Life membership has been granted to the late Cyril Cockshell JP, being the original recipient of the award. Some of the other recipients have been Dr Bruce Eastick AM JP, who would be known to people in this chamber. Dr Eastick was leader of the Liberal opposition in the mid 1970s—I think from 1977-79—the member for Light for over 23 years, and former mayor of the Town of Gawler on two occasions.

Mrs Margaret Raggat JP has also been granted life membership, as has Mr Clive LePage JP. If my memory serves me correctly, Clive was also the CEO of the former district council of Angaston, where he served with distinction. Mr David Lilliecrap OAM JP, whom I know quite well, and Mrs Maxine Chenoweth JP have also been granted life membership. The latest member to join the group is Mrs Jenny Dowling from Two Wells, who was secretary of the new recessed lower north JP group.

I would just like to emphasise that JPs play an important role, and one which is not often well understood in the community. People who come in to have a document witnessed will often ask the JP for advice on whether the form is completed correctly, etc. The JP will usually say, 'We are just here to make sure that you know what you are signing and what you are saying is truthful.' We often have to decline providing advice to the person who wants a document signed.

Having said that, JPs do go out of their way to assist and will direct people to other documentation, such as those provided by the Legal Services Commission or other fact sheets, to help them through the process. With those few comments, I support this bill, and again acknowledge the very important role that JPs play in our community.

**Ms DIGANCE (Elder) (16:03):** I rise to speak in support of the Justices of the Peace (Miscellaneous) Amendment Bill 2016, which essentially seeks to streamline the appointment and reappointment processes for justices of the peace. Justices of the peace perform a valuable function in society and we have heard a lot from my colleague and previous speaker, the member for Light, on the function they serve. It is also noteworthy that it is on a voluntary basis.

They witness hundreds of thousands of documents every year. They are typically someone of good stature in the community authorised to witness and sign legally binding documentation. I thought at this point it would be a good opportunity to reflect on the history and the origin of justices of the peace. This in fact can be tracked back to 1195 in Britain, with the commissioning by Richard the Lionheart of certain knights to be able to act in this role.

King Richard I believed this to be a wise measure in order to preserve the peace in unruly areas. These specially appointed knights were responsible to the King in ensuring that the law was upheld. They were more commonly called 'the keepers of the peace'. It is believed that they were rightly known as the forefathers of the justices of the peace. I say 'forefathers' because of course in those days they were inevitably men. During the early 1320s, keepers of the peace were appointed in each county and by the 1340s these keepers had powers to hear and determine trespasses and punish offenders. The title justice of the peace derives from 1361 during the reign of Edward III, making the office one of the oldest in the common law system.

Over time, justices of the peace in Britain were authorised to perform functions ranging from hearing and determining offences to licensing public houses. Justices of the peace in Australia today play a more limited role and have little in common with their earlier British counterparts. Justices of the peace were recognised in the Australian colonies from 1788 and the first justice of the peace was appointed after settlement of South Australia in 1836, so it is clear there is a long history of this role, as demonstrated. Indeed, there is depth and experience that has been shown in this role, and generally on a voluntary basis.

I will now return to the present day and to my electoral office of Elder, as daily we see a constant flow of people coming through the doors of the office for various reasons, requiring the services of a JP, which I am pleased to say that on most days we are able to offer. We regularly attest or witness the execution of a document, take an affidavit for use in court, take a statutory declaration, certify a true copy of an original document or certify a person's identity. We complete a waiver of rights when someone is buying a second-hand vehicle from a dealer and we witness that waiver of rights. We explain the effect of signing the waiver of rights, so there is quite a conversation with some of these people.

We also witness for people with disabilities and also the complex advanced care directives, which my colleague the member for Light made mention of. There is also power of attorney, general power of attorney and enduring power of attorney. We also have the enduring power of guardianship and medical power of attorney that we see come through our office doors.

The other examples I can give of JP services that we assist with through our electoral office is that we quite commonly have someone come in from a second-hand car yard which is close by. The proprietors often bring in a fine, together with a stat dec, so they can declare that they have sold the car. They name the person they sold the car to and then the police have the ability to follow up the infringement notice with the new owner of the vehicle. Without our service, they would have to go further afield to find a JP who could sign the paperwork.

Businesses in the area with a fleet of company cars will bring in a fine as well requiring stat decs to be signed so they can declare who was the actual driver of the car at the time, as opposed to having the company being liable for that fine. My electoral office is surrounded by numerous businesses and a busy shopping centre across the road with many banks, so we find many customers will come from across the street and from the back streets to use our JP services. Because we have a significant migrant population we regularly help with documentation and certifying documents to do with immigration matters as well.

You can see from just these few examples that the role of the JP is extremely important to the community. It is a great way to engage with people from all walks of life in the community and it is something that I and my staff enjoy doing. I would like to acknowledge and thank my staff for giving their time through commitment to the community by agreeing to take on the role of a JP and performing this critical service. This bill seeks to reform the appointment process by allowing the Attorney-General, instead of the Governor, to make and remake appointments. This removes a lot of the regulatory burden by allowing for quicker appointments and reappointments to occur. His Excellency supports the proposal.

The bill also removes the requirement of a statutory declaration to be submitted with the information supplied in support of a JP application. The main benefit of this is it allows online JP applications. The removal of the requirement for a statutory declaration is balanced by the creation of an offence for knowingly making a false or misleading statement when providing information required under the act. With all of those comments, and the little bit of a history lesson, I support the bill and look forward to a more efficient system that allows JPs to quickly and easily work with government to continue their valuable volunteer work without regulatory burdens.

**The Hon. S.W. KEY (Ashford) (16:10):** I would like to contribute to this debate because, having been a JP since I was 21, which is quite some time ago, I have been interested in the work of JPs and also in encouraging particularly women but people who I think would be able to serve in the community to become JPs. I believe I am responsible for quite a number of people actually becoming JPs and realising that they not only had the skills but also, in some cases, the time to actually help in the community in a very important way.

One of the reasons why I originally became a JP is that, when I was working at the Working Women's Centre, a number of women would come into the centre who had had one day's sick leave and, because of the problem they had with the reason they had had that sick leave, had not bothered to go to the doctor, could not afford to go to the doctor or it just was not possible for them to go to the doctor and get a sick certificate for one day. What they would do, and what they were compelled to do in many industries, was make a statutory declaration to say they had been genuinely sick on the day they had taken off and then take that to work.

I was really shocked a couple of weeks ago, when I was doing JP work at the electoral office, to have someone from the private childcare centre come in. We all know, as much as we love little tackers, the germ carriers that they tend to be, as do primary school children, and I can say this from experience but also from other people's experience.

This particular childcare worker had picked up one of the bugs from the children in the childcare centre and was compelled to come in and see us in the electoral office to get a statutory declaration to say why she had taken the day off and that she had been genuinely ill. It is quite a few years since I worked at the Working Women's Centre, so I was really dismayed to see that we had gone back to the future with regard to industrial conditions, particularly in areas where, as I said, childcare workers and teachers, I know, certainly complain regularly about what they are exposed to with regard to the people they have in their care.

Just like the member for Light and, I know, other members of this place, we have had to have a roster of JPs every day in the electoral office because of the demand of work that is needed. If we did not have those wonderful volunteer JPs in the office, I am sure the staff in the electoral office would not get any work done at all. So, in addition to the many phone calls and emails—I must say, the huge number of emails—and the work that they do on behalf of and for constituents, the JP load is very heavy in our office and has been ever since I can remember. Fortunately, I am a JP, as I said, and one of the things that I really encourage staff members to do is become a JP, so we have been in the situation for quite some time where the permanent staff in the electoral office are JPs.

The roster has been made up of people in the community who are willing to go through the process. As the member for Light said, as much as we understand the need for proper checks with regard to people becoming justices of the peace, it has taken a long time, and I compliment the Attorney-General for the priority he has given to making sure that, as quickly as possible, we try to progress JPs. I thank him for doing that because, certainly in the past, it might take more than six months: it might take a year, or in some cases a couple of years, to get these people processed. I thank him for that, and I am very pleased that we are looking at streamlining the system even further.

One of the things that has also added to the workload in the electoral office is people who are volunteers needing to be screened. Again, I support that process, but quite often the process of having documents certified and getting information, like applying for different licences—certainly we seem to have the taxi industry in our office all the time and we also have a number of international students having to certify documents—will take different volunteers and staff members over an hour to assist each person. So, you can imagine the workload, having people lining up quite often, and particularly, as I said, overseas students, but also people who are not local residents or who are new residents coming in to get these documents certified.

There have been a number of directions put out—and very helpfully, I must say—from the royal JP association, of which I am a member, and I thank them very much for all their work. Just lately, there has been some concern about how we are to deal with advance care directives. I have raised this with minister Snelling, and I understand there are going to be some extra briefings available for us so that we can make sure we are dealing with the very important initiative of advance care directives in the proper way and perhaps minimise the amount of stress that a number of people experience in actually going through that process.

Because, let's face it, when you are looking at advance care directives (and I can say this from personal experience) you really do need to confront a whole lot of issues if you want to make those advance care directives useful. Again, the JPs in our office try to spend as much time as possible to be supportive of people who are considering their advance care directives. All the decisions are their decisions, but quite often there is a lot of stress associated with their going through the process.

I would like to thank all the volunteers in our office, and I must say that whenever I find a good person who is about to retire I always suggest that something they could do that would be very helpful to the community would be to start the process of becoming a JP. As I said earlier, I am very proud of the fact that a number of very good JPs in our community are there as a result of encouragement from me and also from the workers in the Ashford electorate office. I commend the Attorney for this bill and thank him for the attention he has paid in a very busy portfolio to make sure that we can all provide the best and most varied service possible in our electorate offices.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (16:18):** Can I thank all those members who have said something, and in particular I note the acknowledgement by many members, I think, of the slowness that the present scheme has involved. It is a completely process-driven slowness, which I know is frustrating. Occasionally, my ministerial office receives often quite agitated calls from members of parliament who have staff they are trying to get on the roll as a JP about the time that it takes and the hoops that need to be jumped through.

Of course, we have this super-efficient commissioner who will be able to process these things at lightning speed once this goes through, and I think this is a serious step forward. It is also good that, if there are any problems in the future, which I do not anticipate, we know who we can ring up and have a chat to about it because he will be the chap who can fix it. The member for Bragg made a couple of points. First of all, her general support for the bill is welcomed, and I thank her for that.

Secondly, just to be clear, it is true that the member for Bragg did raise a number of issues in a consultation exercise with Peter, from my staff, and the commissioner, and his people, but we only actually saw the black and white version of the amendments about an hour ago. We are a bit like the member for Bragg, we like to move—

**Ms Chapman:** Two hours ago.

**The Hon. J.R. RAU:** Two hours ago. We like to move quickly. That is something we like to do, and we know she does too. There is nothing we like more than legislating.

**Ms Chapman:** Nimble.

**The Hon. J.R. RAU:** And being nimble. We like to be—

**The DEPUTY SPEAKER:** That is not a word I am thinking of when I think of you—'nimble'.

**The Hon. J.R. RAU:** 'Nimble,' no, perhaps not.

**The DEPUTY SPEAKER:** Isn't that a reindeer?

**The Hon. J.R. RAU:** No, that's Nipper.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** I beg your pardon, you are right—Nipper and Nimble.

**The DEPUTY SPEAKER:** They are on the interweb. We could check that.

**The Hon. J.R. RAU:** It has been a long time since I have been to the Magic Cave, so I have forgotten many of those things. I do recall there were two floats, Nipper and Nimble, and as I recall, and the member for Bragg might recall this too—

**The DEPUTY SPEAKER:** She was probably on one.

**The Hon. J.R. RAU:** She is in the same ballpark as me—

**The DEPUTY SPEAKER:** Or secretly wanted to be.

**The Hon. J.R. RAU:** —in the age department. I am not going to go any further, but we would have similar memories of watching the Christmas Pageant in black and white on our tellies.

**Ms Chapman:** We were too poor to have a telly.

**The Hon. J.R. RAU:** The member for Bragg would at least have met somebody on the island who had a television, who would have relayed these stories to her. There was quite a contest, as I recall, for the young lady who would get to ride Nipper or Nimble. They would get done up—

**Ms Chapman:** They are not a JP, so let's move on.

**The Hon. J.R. RAU:** Sorry, I was diverted. It does happen. There have been a number of proposals put forward by the member for Bragg for amendment, and I am happy to say on this occasion, with one exception, that I am very comfortable with them. I suggest that we go into committee, we deal with the ones I am comfortable with (which is all bar one) and we allow time between the houses for the remaining matter to be resolved. I will explain briefly on the record what that is. For those people at home who are listening to this, 'Hello.'

**The DEPUTY SPEAKER:** Incapacitated in their beds and unable to change the station.

*The Hon. S.W. Key interjecting:*

**The Hon. J.R. RAU:** Yes, those people who are tied to their chairs with involuntary audio going on around them—and also for those people at home waiting for the rushes of this to come out on the interweb. Just to make clear what is going on, most of what the member for Bragg is suggesting is simply to substitute the words 'the Attorney-General' with the words 'relevant authority'. There is no problem about that. That actually means that I am quite happy with her amendment Nos 1, 2, 3, 4 and 5 because all those do that, and there is no issue about that.

In her remarks about amendment No. 6, she said that she would be happy if the commissioner—because she clearly has confidence in him, as we all do—were to be the delegate, but not if anybody could be the delegate. I am quite comfortable with that as an amendment. The only reason I do not want to accept at this point her amendment No. 6 is that it obliterates the whole section altogether about that. We do not really have time to redraft what is her amendment No. 6, which alters clause 12.

To be more specific, clause 12, and, in particular new section 16B, which talks about delegation, I think that both the member for Bragg and I know what we mean. We mean that to say, 'The Attorney-General may delegate a power or function of the Attorney General under this Act to the commissioner.' The only question is whether or not some of the provisions in the current bill under 16B(2) may need to survive to make that proper and effective. I will have to get some advice on that; I will get that. Can I say that I have no difficulty, in principle, with the proposition the member for Bragg has advanced because it was never my intention that somebody other than the commissioner, who is universally held in high esteem, should be doing this.

We find ourselves in theoretical unanimity, but for the purposes of today I just indicate that when we go into committee I will accept amendments Nos 1 through to 5, I will oppose amendment No. 6 for the technical reason I have just explained, and between here and the other place we will come up with a satisfactory set of words that makes it clear that it is either the Attorney-General of the day or the commissioner, but it cannot be delegated on to any other individual.

Bill read a second time.

*Committee Stage*

In committee.

Clause 1.

**Ms CHAPMAN:** In respect of the procedural matter of the time taken for applications to be processed, can the Attorney give an indication at present of what time it takes from the time an application is submitted until the decision is confirmed by cabinet of an application for a JP?

**The Hon. J.R. RAU:** There are a couple of answers to that question. The short answer is that it varies. The reason it might vary, for example, is if a person, in making an application, improperly completes the application documentation and therefore it is necessary to go back to the person to ask for further material—

**Ms Chapman:** It is from the date of a valid application being accepted.

**The Hon. J.R. RAU:** A valid application. I am assuming, from the point of view of 'valid', that the appropriate checks about whether or not they have a criminal record and so forth have been done; that is the second point. Assuming it is filled in properly, there is still an onus on the commissioner to check whether, notwithstanding what is said on the application, this person does or does not have a criminal record, or perhaps an undisclosed criminal record, because that is a ground for refusing the person. That will vary according to the individual.

That said, the next bit of it is where it slows down, which we hope will be better here because the next bit of it is that they tend to wait until they have a bunch of them. The bunch of them then has to become the subject of a cabinet submission. You do not do a cabinet submission for one JP to go on, although occasionally we do one for one to come off. In fact, almost invariably we do one for one to come off. They accumulate a group of them.

There would then have to be a cabinet submission prepared. The cabinet submission would then have to go into cabinet office. It would have to deal with the 10-day rule. More often than not, these are dealt with in subcommittee, so they do not actually require deliberation by cabinet, but they are on the formal cabinet agenda. They could be pulled out by any cabinet member who wished to escalate a subcommittee matter into a debated matter in cabinet.

After cabinet has dealt with the matter, we then have to wait on the decision set to come through, although that is not normally very long. Then there is the process of getting it to Executive Council, which again is not normally lengthy, and then it has to go through Executive Council. After it goes through Executive Council, I think they are gazetted and then technically that is it, isn't it? Then there is a formality after that, where they get a nice bit of paper.

What we are doing in this is removing about the last four steps in the process. It could mean weeks or months, depending on how long they are waiting to accumulate people for that pool of applicants. It certainly means fewer steps, and each one of those steps is potentially a step that could delay us for a week or two, depending on what is going on. Cabinet submissions do not materialise out of thin air. Although this one is a fairly proforma one, it still does take time for them to be prepared, and then there is a process that has to be done through. We are probably pulling out the last three or four steps in the process.

**Ms CHAPMAN:** If we are removing that time frame at the end, one of the problems is that it still leaves a very long time frame for the process of obtaining a clearance under the police checks. The Attorney is probably familiar with this problem. It is not something that is unusual—it comes across our desk as MPs—for volunteers and so on. For job applications, often there is a more extensive scrutiny process. In addition to the general police check, there are other inquiries that have to be made. I am hoping that, in looking to reduce the authorisation process, some attention is given in the future to ensuring that we reduce the time frame for these police checks.

I appreciate that another agency and another minister are responsible for that. We have heard in the parliament from time to time attempts by her to improve this process. However, the reported frustration to me, in this bill, is the problem. Whilst we are accepting in any event that for JPs this process is abbreviated or abridged through what is about to pass, bear in mind that it is not going to resolve whole problem unless we have another minister attending to the reasonable timing of that and not what we currently suffer.

**The Hon. J.R. RAU:** It is a very good point. I am paying attention to that, too, because if I am not mistaken I have something to do with bringing forward a cabinet submission to try to get a streamlining of the screening process. I know that is a matter of general interest to members because it has been a cause of great concern.

**Ms Chapman:** Angst.

**The Hon. J.R. RAU:** And angst, yes. We are looking to do something in that space fairly soon, I can tell the honourable member. That said, the screening thing that we are looking at doing is predominantly focused on working with children issues. Even though a person might be successfully screened in that sense and would be, under our new model, I am confident, more quickly and efficiently successfully screened, that does not necessarily mean there are not offences of dishonesty or other offences which might not have anything to do with working with children checks

but might nevertheless be relevant to whether or not the person was a fit and proper person to be a JP. The message is heard and we understand it.

**Ms CHAPMAN:** A general matter I want to ask about is the provision for members of the local council to be appointed. I do not think it is in the current act, but I might have missed it. I thought this was just a process where it was going to remove the cabinet, essentially, for the Attorney-General. In any event, is everyone, from government advice, satisfied that a person who is a member on council is able to do that under the Local Government Act?

Technically, it could apply to MPs as well. I do not think that the meeting fee or sessional fee that special justices receive is not remuneration, by definition; it is really a compensatory payment. In any event, not many MPs these days are JPs. I am talking about local government, members of council, as distinct from people who are in the public sector.

**The Hon. J.R. RAU:** I am advised that this is intended to mean that people who are principal members of the council, which I am interpreting as meaning elected members of the council, are entitled to make application for appointment. As far as any money associated with that is concerned, I am led to understand that is, conceptually at least, reimbursement of expenses rather than a salary.

Clause passed.

Clauses 2 to 6 passed.

Clause 7.

**Ms CHAPMAN:** I move:

Amendment No 1 [Chapman-1]—

Page 3, lines 24 to 32—Delete the clause

This is the first clause to deal with the appointment of, or removal of, special justices being transferred to the Attorney-General.

Amendment carried; clause as amended passed.

Clause 8 passed.

Clause 9.

**Ms CHAPMAN:** I move:

Amendment No 2 [Chapman-1]—

Page 4, line 21—Delete 'Attorney-General' and substitute 'relevant authority'

Amendment No 3 [Chapman-1]—

Page 4, line 23 [clause 9(4)]—Delete 'Attorney-General's' and substitute 'relevant authority'

Amendment No 4 [Chapman-1]—

Page 4, line 25 [clause 9(5)]—Delete 'Attorney-General' and substitute 'relevant authority'

Amendment No 5 [Chapman-1]—

Page 4, after line 25 [clause 9(6)]—Insert:

(7) Section 11—after subsection (6) insert:

(7) In this section—

*relevant authority*—

(a) in relation to a special justice—means the Governor;

(b) in relation to a justice who is not a special justice—means the Attorney-General.

I move these amendments for exactly the reasons I indicated in regard to amendment No. 1.

Amendments carried; clause as amended passed.

Clauses 10 and 11 passed.

Clause 12.

**Ms CHAPMAN:** In respect of amendment No. 6 in my name, I withdraw the same on the basis of the undertaking of the Attorney.

Clause passed.

Title passed.

Bill reported with amendment.

*Third Reading*

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (16:37):** I move:

That this bill be now read a third time.

I thank honourable members and, again, the member for Bragg for her assistance. It just shows that when we put our minds to legislating, we get things done. It is terrific.

**The DEPUTY SPEAKER:** And it had nothing to do with her getting her own way, did it?

**The Hon. J.R. RAU:** Madam Deputy Speaker, in the course of debate, you said something about 'then as it was now' or 'now as it was then'. The member for Bragg might recall a fellow Master Boehm who used to—

**Ms Chapman:** Cough a lot.

**The Hon. J.R. RAU:** He used to cough a lot, yes, but he was very fond of an expression, and I will probably pronounce this incorrectly, which was 'nunc pro tunc'. I heard that for about five years before I summoned the courage to ask what that meant.

**The DEPUTY SPEAKER:** And what did it mean?

**The Hon. J.R. RAU:** Apparently, it means 'then as it is now'. There you are. Next time, Deputy Speaker, you feel inclined to Latin-ise your contributions in committee, 'nunc pro tunc' or 'nunc pro tunc' depending on—

**The DEPUTY SPEAKER:** No-one knows how Latin is really pronounced, do they?

**The Hon. J.R. RAU:** Nobody would have a clue, so you can say it any way you like, actually. That sums up what I have to say about the matter.

Bill read a third time and passed.

**SUMMARY PROCEDURE (ABOLITION OF COMPLAINTS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 8 June 2016.)

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:38):** I rise to speak on the Summary Procedure (Abolition of Complaints) Amendment Bill 2016 and indicate that the opposition will be supporting this bill. In the relatively brief time we have had to consult on the matter, we are satisfied that our side has no objection to the terms as outlined. The Law Society have indicated that they take no objection—in particular, the Criminal Law Committee, which is probably the most likely to have members who might raise some complaint.

Let us just remember what we are doing and why we are doing it. The government have said that this is an efficiency measure which I suppose relieves South Australia Police of having to double-handle prosecution matters. That would of course save some time and presumably some money. In short, what occurs at present is that under a summary offence, this is established by the laying of a complaint supported by evidence in affidavit form. If a charge is in the minor or major indictable

offence category, the process is to file an information supported by a written statement and verified by declaration.

What happens in practical terms is that if SAPOL prepare at one level and the charges are either upgraded or downgraded, the preparation and filing of the necessary charge and supporting documents are redone, depending on which way they are progressing. There are some historical reasons for the requirement of the two distinct provisions, but it is fair to say that obligations have changed over the years.

We now have statutory disclosure of material, etc., so the form is not as important. It serves as a bit of discipline to the SAPOL officers responsible for preparing these cases to have a good think about what level of charge they are progressing and, as best as possible, to get it right. The introduction of one standard form could leave this approach open to some laziness; nevertheless, we are prepared to accept it.

The second matter I want to comment on has not been traversed at the briefings I have had, but is referred to in the second reading. The current arrangement is that an affidavit is sworn by an authorised person (for example, a solicitor, Justice of the Peace, or a commissioner for taking affidavits). That is the current process. The Attorney highlights in his contribution that it is proposed that SAPOL would require all police officers to undertake relevant training to seek their appointment by the government as a proclaimed police officer under the Oaths Act. This is another category which can actually undertake this task.

Any requirement of legislative change to accommodate that does not appear in the bill; we have simply been informed of that. I have to say that on the face of it I would see it as a gross waste of resources and time to train every police officer in South Australia in the role so that they might, from time to time, be available to take oaths under the Oaths Act. I think it is reasonable that we get some information as to what is happening with that.

Perhaps the Attorney can send me information on what funding is being allocated to this, who is going to be doing the training and what is required, particularly as we have just signed off on another piece of reform for justices of the peace, who largely do this work. More importantly—not that the money is not important, nor the time spent by police officers signing documents rather than doing other police work—when statements are taken, they are recorded by the interviewing officers.

The statement is converted to an affidavit or declaration and then authorised by the proclaimed police officer. There is no independent party taking this oath, and I think that is potentially not a good practice. There is no other independence of the taking of that oath. It is all very well to have convenience, but we have some of these rules for good reason, so I just flag that. In the Attorney-General's second reading speech, he says:

This will eventually enable all police officers to administer oaths and ought to improve the quality of sworn affidavits filed by SAPOL.

That is not something I swallow easily, and I would want to have some further information on that in due course. Further, we will not be making any amendments.

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (16:45):** I thank the member for Bragg again for her comments in relation to this bill. I must say that this bill has caused some confusion in the sense that some members have asked me whether it would include complaints about them by their spouses or constituents and I have said, 'No, it's nothing to do with that. It's to do with complaints in the technical legal sense.' I think they were having a joke with me, Deputy Speaker, or at least I hope they were.

This bill is about courts efficiency. The courts efficiency situation is a complex series of small initiatives which we hope will ultimately result in the whole being more than the sum of the parts. There are lots and lots of little incremental changes.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** It is about many things. The other thing I should say to the member for Bragg is that I am going to be bringing in here very shortly some very wideranging initiatives in respect of reform in the major indictable area, which is something I have been promising for a while. I am looking at a man who is working very hard on that who works for me, Mr Evans. He is doing a fabulous job and I am led to believe that it will be ready very, very soon. When that is ready, some of the concerns that the member for Bragg has expressed here will be allayed because we will see that there will be a much better and much more rigorous procedure for major indictable offences. That addresses the point that was raised about being lazy.

In respect of the oaths proposition with police, I have been given some information on this. I am advised that the situation is that this will be done in the academy where police are trained and there is also an online learning module proposed or existing for current police officers, but I will seek further information about funding and suchlike. This is not a revolutionary piece of work, but it is a useful incremental reform. I would like to place on record actually here my acknowledgement of the very positive contribution being made by the new Chief Magistrate. Since she has been in the role I have said, 'If you have got any ideas about how we can smarten up things and make it easier for'—

**Ms Chapman:** It's not her ideas, it's the police's ideas.

**The Hon. J.R. RAU:** I think you will find that there are a number of different mergings of ideas around the place.

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** This one might be, but I am just giving her a bit of a rap too because she has been pretty quick out of the starting block. I regularly get correspondence from her, at my request I might add, where I say to her, 'Look, if you have any thoughts about things, let me know,' and she also regularly comes forward.

The reason I am explaining all of this is that there is no big bang way of solving all the problems in the criminal justice system. What we have to do is listen to all these relatively small incremental propositions, and my hope is that, as the parliament considers these and hopefully enacts them, we will see incremental improvement in the way the system is working. In this case, I thank the police, but I am very happy to acknowledge the Chief Magistrate's active pursuit of other matters.

I am pleased that this bill will be supported and I would ask members to look at this with the view in mind that the major indictable reform which I hope I will be able to have here very soon will, I am confident, cause a very significant change in the way we manage, in particular, major indictable offences through the system. I do not want to go too far along this track, but if I had to summarise the problem with major indictables, as I see it at the moment, it is that things get into the court list which objectively should not have been in the court list until they were properly prepared.

**Ms Chapman:** The trial list.

**The Hon. J.R. RAU:** Into the trial list; I beg your pardon, yes. They get into the trial list and, if there had been a thorough shaking of the case and a thorough banging of heads earlier on, it would have been ascertained they were not ready to be in the trial list and they would not be in the trial list. Of course, once they are in the trial list, they bob along as the calendar moves through the months and whatever and, eventually, we discover, at the very last moment, 'This one is not ready.'

I accept that, from time to time, that happens because a witness dies or something happens. I understand that can happen but not to the extent that it does now. The knock-on effect of that is of course we have the overlisting that the District Court in particular uses as a method of dealing with the fact that they know statistically that a significant number of the matters they are listing will not actually be ready for—

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** The member for Bragg asked about the early plea. I am actually quite encouraged by the way that is going, but that was never going to be the big bang either, but it is certainly making some difference. Anyway, I hope to be able to be more informative about the detail

of what I have in mind in the not too distant future, but these things are all part and parcel of a much bigger project, which is to try to improve the efficiency of the justice system.

Bill read a second time.

*Third Reading*

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (16:51):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

*Adjournment Debate*

**MOUNT GAMBIER MENTAL HEALTH SERVICES**

**Mr BELL (Mount Gambier) (16:52):** I rise in this adjournment to grieve to talk about funding uncertainty and mental health bed reductions in the seat of Mount Gambier. I find it quite perplexing, disturbing and agitating that we have a government and a minister who is prepared to cut 20 mental health beds across the state and, in yesterday's question time, turns around and says, 'No, in one of those places in the state, the seat of Giles, which includes Whyalla, we will reinstate those mental health beds,' but for the other place where those cuts are coming into effect on 1 July, Mount Gambier, 'Sorry, nothing for your community down there.'

I find it hard to believe or comprehend that one part of our state is more deserving than the other. I understand fully the impact of Arrium and the uncertainty in an industry like Arrium's has on a regional community because I have been born, raised, educated and have returned to a regional community, so I know firsthand the need for services, particularly around mental health. I am calling this for what it is: a purely political decision. It is one that I hope, when we are in government, I will stand up for if it shows its ugly head in our party room.

As I said, I understand the need of those in Whyalla and the uncertainty around Arrium; however, contrast that with Mount Gambier and the dairy crisis that we are in, which has been recognised by the Minister for Agriculture by putting in \$60,000 for extra counselling of those dairy farmers. Whilst that is welcome, again, it does not go anywhere near the \$150,000 which is allocated to Whyalla-based MATES in Construction. I am not here saying they should not get that money; in fact I applaud the government for putting money into that area. What I am saying is that my community is just as deserving, and I would like to see those members opposite supporting the South-East and the reinstatement of these 10 mental health beds because they are vital for our area.

Just to be clear, these are not the acute beds. We have had a hospital upgrade with 10 mental health beds at an acute stage. They are over capacity. They are very expensive. These are the rehabilitation mental health beds for either transitioning people from acute back into their day-to-day lives or, and more importantly, supporting people so that their mental illness does not get to that acute stage. Is that not the best type of health investment? Prevention is better than cure. Whatever you can do earlier on certainly pays dividends down the track.

Again and again in the South-East we see a situation where you are given crumbs off the table. Today in the house, there was \$2.95 million for an airport upgrade, which is welcomed gratefully, but \$8 million has been taken out of mental health services: 'The loaf of bread has left the table, but we will leave you some crumbs on the table.' That \$2.95 million, I remind the house, was allocated to the Forestry Partnerships Program after the sale of the South-East's forests. Of \$27 million in all, \$2.95 million has not been spent (or let's round up to \$3 million), yet the benefit to those living in the CBD of the sale of the South-East forests far outweighs the \$27 million allocated in return. I do not need to point much further than to some of the sporting developments up here.

I also want to talk about the Junction and a wonderful lady called Nel Janz. It goes to the heart of what I have been talking about: some investment in prevention is far better than a cure at an acute stage in our Mount Gambier Hospital. The Junction has not been funded for nearly three years now, after previously being funded, but a wonderful lady called Nel Janz now operates

the centre in a volunteer capacity because she sees the value and the need of those people who are suffering from mental health issues coming into a space where they are encouraged to take responsibility for their own wellbeing and take an active role in the day-to-day operation of the centre.

The centre gives support to people experiencing mental health issues or recovering from mental health issues. What I have seen over the last two and a bit years that I have been representing the seat of Mount Gambier is a continual reduction in services from Country Health SA. It is to this area that I would direct the government to give some focus. It does not always have to do with money. Country Health SA used to provide a person who would work with Nel at the Junction one day a fortnight, I believe, but I will need to check my facts. It is these types of services that need to be supported.

The Junction is based in Mount Gambier, but it has an outreach service in Millicent and Penola. It is now forced to run fundraisers just to pretty much keep the doors open. If we allow centres like this to close, we are going to see our acute mental health facilities under even more and more burden and stress. This is what I encourage this government to do: we need that \$8 million put back into mental health beds before they get to an acute stage.

If it is good enough for Whyalla, I am calling on this government that it is good enough for the people of the South-East, and I would like to see some contribution back to reinstating those facilities. Otherwise, I can tell you now that the overrun will be picked up by the acute mental health facility at Mount Gambier Hospital, and it is a very expensive method of trying to deal with mental health services. With those few words, I am disappointed, but I call on the state government to do the right thing and reinstate those services.

I will just finish on an issue that has been floating around, that is, federal health cuts. When I go and speak to my federal colleagues, they say there is more and more money in health than ever before. There is more money this year than there was last year, there will be more money next year than there is this year. What we have done is untie the money. Kevin Rudd had pet projects—palliative care, mental health, substance abuse—where money was tied from the federal government to those specific causes.

This government has untied those funding agreements, called national agreements or partnerships, so there is more money. It is just how this state government is deciding to spend that money. It concerns me that we have a big black hole in health and that we have a big building that is going to suck the health budget completely dry. We are going to see, particularly in country areas, and in Country Health, a pulling back of resources, which is not going to serve country residents at all well. With those words, I conclude my remarks.

#### **MCGUIRE, MR E.**

**Ms DIGANCE (Elder) (17:02):** Today, I rise to condemn the distasteful remarks made by Collingwood president, Mr Eddie McGuire. Mr Eddie McGuire, as I am sure we are all aware, made horrendous remarks in reference to drowning a fellow female journalist. Drowning, in the scenario used by him, equates to killing. It clearly was not a joke, as he reflected on his first monetary offer to hold her under the water, and then increased it—not once, but twice. This was no slapstick joke, but a deliberate public exercise in humiliation, bullying and speaking of an act of harm to a woman.

Eddie McGuire is no celebrity. He is a coward and a bully. The act he has committed, and then the strange convoluted, supposed apology that then followed, backs this up. Sadly, after situations such as this, when remarks are made by supposed celebrities (and I consider he is not a celebrity, particularly using the words that he did), it polarises the community. It can also give the impression that these words are okay, as many Australians will follow by using those types of words and role modelling that people like him put out.

People who backed him up also disappoint me, and I condemn their words. Jeff Kennett, whom we all know, the *beyondblue* founder and Chair, came out saying that he did not know what the fuss was about, and, 'Don't start telling me here in Australia that we have to lose our sense of humour.' I for one would have thought that Jeff Kennett would recognise bullying and that he would recognise the impacts of bullying. He would recognise that bullying can cause anxiety and depression.

Jeff Kennett, I do not find this very funny, and I do not think that this comment because it was made in application to a woman is at all funny. Jeff, men do not die at the hands of women, and women generally in Australia now are dying at a rate of one per week at the hands of someone, they supposedly are being told, who loves them. We cannot keep hiding behind these supposed slip-ups and make out that they are a joke. They are just plain disrespectful and these types of comments need to stop.

Then there is the supposed apology that Mr McGuire made, when he conceded that it was totally unacceptable and that if in any way his comment condoned violence against women, or it actually offended someone, that was not what he meant to do. In this particular apology, he did not take responsibility yet again for what he had said. He went on to say:

[I'm] really disappointed that these comments have led to these feelings from people. I apologise and retract them in the spirit of what we're trying to achieve, which is to look after women and children in our community.

His apology and retraction came after he initially said the comments were made in the spirit of the fun on the day and who would be next going down the slide. Even in his apology, he still could not face up to take responsibility for what he had said. He still pushed the comments away from himself and he still made it the responsibility of those receiving the message that they, in fact, had the issue and not him. This is just typical behaviour of a bully, someone who will not stand and say—in his case, let's give him a lesson:

I, Eddie McGuire, apologise and take responsibility for what I have said about a woman and the actions that I have said I will take against her and the fact that I said I would bet on drowning her. I take responsibility for that and I am ashamed of what I have done. I am also so ashamed that I will stand down from my position as president of the Collingwood Football Club.

But, no, we have not heard that from Eddie and we have not heard that from the AFL, although they gave some sort of mealy-mouthed apology. We have heard a mealy-mouthed apology from the Collingwood Football Club. But do you know what, Mr McGuire? This is not okay and you are not a celebrity. Your behaviour shows that you are a coward and indeed a bully. This is not the first time that you have done this to someone else. I can recall the Adam Goodes situation, when yet again you managed to try to slip and slide out of this. At the end of the day, Mr McGuire, you are the one who has to live with your comments. You are the one who has to face what you say and the fact that you are not a role model or a celebrity at all.

With those few words, I would like to make us think about these comments that people in our society say and to be brave enough to stand up and call them on those comments and call these people's behaviour for what it is. They simply are abhorrent. They simply are bullies. They are simply part of a pack mentality being shown for all of Australia to hear. I think we all hear time and time again in this place that communication is really critical and that language is critical. We have people who are specifically in the role of policy-makers and the reason that they are policy-makers is that they use language and communication to make policies that will direct a civil society.

Policy-makers would be horrified to think that these words from Mr McGuire would have any influence of any sort in society. I condemn what Mr McGuire has said. I condemn all those who have backed him up, including our Deputy Prime Minister, who seem to think they are okay as well. I call him for what he is—a coward and a bully. I also condemn the AFL for not acting more strongly on his behaviour.

### FEDERAL ELECTION

**The Hon. A. PICCOLO (Light) (17:09):** I would like to make a few comments, which are perhaps a reflection of comments made in this place this week. The starting point for my comments is next week's federal election, particularly comments made about minor parties and populist parties and candidates, etc. Comments were also made today about free trade.

I think there are some failings in our political system. I say 'political system' because some of the populism we see in our community today in Australia is no different from some of the things we hear about in the American presidential elections, and it is no different from what we are hearing about the Brexit campaign in England. The common thread that runs through those who support what is referred to as populist candidates is that they have been attacked in this place today and this week. I will not be doing that because I think those populist candidates are created by the major

parties. I say that because I think the people we as major parties often expect to just move along in a changing society are the ones who then turn their backs on us.

When you look at the people who support Trump, the people who support Brexit and the people who support the Nick Xenophon group this time, the PUP group last time, or the Hanson group the previous time, there are some common themes. They are people who are lodging some sort of protest vote. If we say that all those people, as has been said to me in the past, are generally racist, etc., I think that is a complete nonsense. There may be some in the mix, but you do not get a million votes across the nation from people who are racist. They are people who believe they have been left behind in some way by the political and economic system. We need to understand that.

Some of the groups that are common throughout are, generally speaking, blue-collar workers. It is quite a surprise that the people who support Brexit, the people who support Trump and the people who support the populist candidates in this country over time are generally middle-aged men and women. We have modernised our economy, we have achieved all this deregulation, we have free trade agreements, and we have crucified manufacturing in this country, and we have left people behind. We have left them behind. They are the people who support these candidates because they are looking for some sort of hope.

I was a little concerned today when the member for Schubert decided to express unqualified support for free trade. I am not suggesting that we go back to setting up the walls, but there is a cost to that. There are people who win from free trade and there are people who lose from free trade. A number of people have lost their jobs. A lot of their jobs are being transferred to China or other parts of Asia. We need to be very careful when we start basking in the glory of these free trade agreements because there are many dark points in these free trade agreements.

There are people who are displaced economically, there are people who are displaced socially, and then there are people, for example, as the member for Mount Gambier talked about earlier, who go into a spiral and develop mental health issues. If you look at the pockets where there are mental health issues, they are in communities that are hit the hardest by the economic changes in society. I am not suggesting that those changes are not required. What I am suggesting, though, is that it is wrong for us not to fully understand what those things mean or why these people are voting for these minor and populist parties. Criticising them does nothing.

As I said yesterday, the worst thing to do to someone, if you want to get them to understand, is to lecture them. You do not lecture them. You need to walk alongside them and understand where they are coming from. I have to say that the major parties sometimes do not do that very well. We do not do that very well. We do look forward and sometimes forget the people we leave behind, and I think it is important we understand that.

That is why it is important to support a number of groups in our community who support people in society, mainly men and blue-collar workers, people in the trades. They are the ones who are now voting in droves for these populist causes such as Brexit and Trump. When you look at Trump's media, there are not a lot of young people or middle-class people in those groups. For example, there are not a lot of East Coast, middle-class young people because they are well educated, affluent, etc. It is really the have-nots. It is not the haves who support them: it is the have-nots. We need to understand that, because we can come in here and criticise those minor parties and we can criticise those populist parties, but it does nothing to sway those people from them.

What we need to do is make sure we understand them and we need to have policies in place to make sure that we do not leave people behind, including people in the regions. I support what we are doing in Whyalla because we do not want to leave people behind, but we should extend that to other parts of the country as well. The only comment I would like to make is that we need to make sure that, in this political process, we keep everybody on side.

Time expired.

*Bills***SUMMARY OFFENCES (FILMING AND SEXTING OFFENCES) 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 5, page 3, line 22 [clause 5(7), inserted subsection (2)(b)(i)]—Before 'breasts' insert 'bare'

No. 2. Clause 6, page 3, after line 31—Insert:

(2) Section 26B(9), definitions of *broadcasting*, *media organisation* and *publish*—delete the definitions and substitute:

*media organisation* means an organisation whose activities consist of or include the collection, preparation for dissemination or dissemination of the following material for the purpose of making it available to the public:

- (a) material having the character of news, current affairs, information or a documentary;
- (b) material consisting of commentary or opinion on, or analysis of, news, current affairs, information or a documentary;

No. 3. Clause 7, page 3, line 35—Delete 'minor' and substitute 'person under the age of 17 years'

No. 4. Clause 8, page 4, after line 1—Before subclause (1) insert:

(a1) Section 26D(1), penalty provision, (a)—delete 'a minor' and substitute:  
under the age of 17 years

No. 5. Clause 8, page 4, after line 3—After subclause (1) insert:

(1a) Section 26D(3), penalty provision, (a)—delete 'a minor' and substitute:  
under the age of 17 years

No. 6. Clause 9, page 4, line 16 [clause 9, inserted section 26DA(1), penalty provision, (a)]—Delete 'minor' and substitute 'person under the age of 17 years'

No. 7. Clause 9, page 4, line 27 [clause 9, inserted section 26DA(2), penalty provision, (a)]—Delete 'a minor' and substitute 'under the age of 17 years'

At 17:16 the house adjourned until Tuesday 5 July 2016 at 11:00.