

HOUSE OF ASSEMBLY**Wednesday, 6 July 2016***Parliamentary Procedure***SPEAKER, ABSENCE**

The CLERK: I advise the house of the absence of the Speaker. I will invite the Deputy Speaker to take the chair.

The Deputy Speaker took the chair at 11:00 and read prayers.

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

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (11:01): I move:

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

Motion carried.

DOG AND CAT MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL*Conference*

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (11:01): I have to report that the managers for the two houses have conferred together and it was agreed that we should recommend to our respective houses:

The House of Assembly no longer insist on its amendment.

*Parliamentary Committees***PUBLIC WORKS COMMITTEE: TORRENS AND GOODWOOD RAIL JUNCTIONS PROJECT**

Ms DIGANCE (Elder) (11:03): I move:

That the 547th report of the committee, entitled Torrens and Goodwood Rail Junctions Project, be noted.

This is the second stage of the Torrens and Goodwood Rail Junctions Project, with the Goodwood Rail Junction and Adelaide Showground Station components having already been completed in 2013 and 2014 respectively. The Department of Planning, Transport and Infrastructure has referred the three remaining components, which are the subject of this report—namely, the Torrens rail junction grade separation, Mike Turtur Bikeway overpass and Leader Street level crossing safety upgrades.

Currently, at the Torrens rail junction, the interstate rail freight trains are required to give way to the metropolitan passenger trains. This delays not only the interstate freight trains but also vehicles at the level crossings in the lead-up to the Torrens rail junction as the massive 1.5-kilometre freight train slows to stop. The proposed changes will grade separate the two lines, allowing for much more efficient rail and vehicle movement.

Specifically, the Outer Harbor passenger rail line will be lowered under the Australian Rail Track Corporation interstate main line and Park Terrace and will incorporate a relocated lowered Bowden train station. This will produce a 1.5-kilometre underpass from the River Torrens bridge to Chief Street in Bowden. In addition, it will improve pedestrian and cyclist access and safety. The cost of delivering this section of the overall project is \$238.3 million (GST exclusive). Early works have commenced on this project with the project due to be completed by mid-2018.

The second component, the Mike Turtur Bikeway overpass proposal, will grade separate the bikeway at Goodwood over the ARTC interstate main line and the Seaford and Belair passenger rail lines. Specifically, the project consists of a new shared cycling and pedestrian bridge to enable direct connection across the rail corridor, upgraded access to Goodwood Station to ensure compliance with disability legislation, decommissioning and removal of the current underpass access, and local amenity works, including landscaping. The cost of these works is \$7.1 million (GST exclusive) and are due to be completed by the end of 2017.

The Leader Street level crossing project, the smallest of the three projects, will implement safety improvements for cyclists and pedestrians through the provision of automated gates and visual warning lights at each of the two pedestrian cycling level crossings. This will be activated through the rail signalling system. The delivery of these projects and works are to occur in the 2016-17 financial year at a cost of \$2.1 million (GST exclusive).

The total cost of the three projects is \$247.47 million (GST exclusive) and will be jointly funded by the commonwealth and state governments, providing \$189.35 million and \$58.12 million respectively. The state government has already provided \$110 million for the two completed components, namely the Goodwood rail junction grade separation and the new Adelaide Showground Station.

I would like to thank my fellow committee members for their contribution in considering and reviewing these important infrastructure projects, and I would also like to thank the committee staff for their work. Given this, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr PENGILLY (Finniss) (11:06): I thank the member for Elder for her comments. They encapsulate the project in its entirety. I would add that if it were not for the federal government, we would not be going ahead with this. The federal Coalition government is funding a large part of it but, that said, it is something that has been needed for many years. It will streamline and make the rail system far more efficient in the city than it has been.

It has been a long-term hiccup, and this will finally once and for all fix that part of it and separate the grades and keep things moving. It will assist greatly; freight trains will no longer have to stop. They will be able to keep moving and come straight through, and there will be no interruption—well, there has not been anyway—to the passenger network. Interestingly, the bike track will benefit those cyclists who take on that pursuit, myself not being one of them. It is a major part of it and it is a good project. With those few words, I think my colleague wishes to speak as well in due course, but we have no hesitation in supporting it.

The Hon. P. CAICA (Colton) (11:08): I will be extremely brief. I, too, rise in support of this project. I guess I would make this point: what we are seeing here in South Australia, and not just Adelaide but throughout South Australia, is the most unprecedented delivery of infrastructure services that anyone has ever seen in this state. This is no small project.

Mr Bell: Not in the South-East.

The Hon. P. CAICA: Well, I am sorry that over the years—

The DEPUTY SPEAKER: Order! There are to be no interjections and, although you are being severely tried, no response to interjections. I will have to start calling people to order straightaway which means you might be in trouble by question time.

The Hon. P. CAICA: I will move on, Deputy Speaker, ignore them and take notice of you.

Members interjecting:

The DEPUTY SPEAKER: Order!

Mr Pederick interjecting:

The DEPUTY SPEAKER: The member for Hammond.

The Hon. P. CAICA: Anyway, again, the most unprecedented infrastructure projects that this state has ever seen, and we are undertaking these projects, setting a legacy that will last for many decades to come. I am very proud of these particular projects. They will be transformational

projects, and we will see Adelaide and the million people who live here being able to access all parts of the city in the most efficient and effective way.

I do not want to rain on anyone's parade, but I would make the point that we know that the future of our rail and light rail network is through electrification. I made this point at the hearing that we had, to see whether or not consideration had been given to ensuring that preparatory work for that electrification could be undertaken whilst this project was proceeding, as opposed to having to, necessarily, retrofit it at a later date.

Of course, what they are doing with respect to train stations is preparing those in such a way that they will be able to accommodate the electrified system. I would only urge that if any other money became available—and I note the member for Finnis's comments about the federal contribution, and we welcome that—what better money is there to spend than that of someone else? It is nice to get it from other people. It is also good to see that the then, if you like, federal government—because we do not know who will be the federal government in a few days' time—changed their attitude from one that did not consider people as freight, to a government that decided to fund these projects which are about moving people and enhancing—

Members interjecting:

The DEPUTY SPEAKER: Order! You can have a turn in a minute.

The Hon. P. CAICA: I thought I was actually congratulating the government on the contribution they have made, and I am still getting heckled—can you believe it! Getting back to my point, if more money becomes available, and I hope it is money from elsewhere—even if it is some of ours, that would also be okay—that we look at these projects in such a way that we do not have to retrofit and that we do the preparatory work that will save money into the future. I do remember and I have been around long enough to know that when we were going to have the Port River Expressway the initial proposal was for at-grade intersections, which would have been the most ridiculous thing that ever would have occurred.

If we look at the Gallipoli Underpass (the one on Anzac Highway) could they not see that train coming, or that tram coming? So, we had to then retrofit that. Whilst I think we have improved the way in which we manage these projects, and we look beyond just the project itself, I would again reinforce the point that if work can be done in regard to preparatory work for the electrification of our system, that should be undertaken. Having said all of that, I commend the project. I again congratulate the state government on all the work that it is doing with respect to this unprecedented level of work being undertaken on our roads and transport systems.

Mr WHETSTONE (Chaffey) (11:12): What a pleasure to get up and support the 547th report. Yes, it is a good infrastructure project. For me, it is a project that is very city-centric, but there is a productivity gain with the grade separation, particularly with the Torrens Junction grade separation. The freight line that operates between Adelaide and Melbourne is increasing its operations by 20 per cent, and the delays on that freight line were highlighted. About 50,000 vehicles were competing with about 160 rail movements every day, so that is a really good outcome. The Mike Turtur Bikeway is one of the most patronised bikeways in the state, with 1,000 people per day using it. Again, upgrades to that are a productivity gain, allowing people to move more quickly.

One of the concerns that I raised in the hearing was in regard to the Australian steel and concrete content in this project, like every project that the government undertakes. Obviously, it has been quite well documented, through FOI, that there is no regulatory requirement. There is no obligation for anyone, or any record keeping by any government department, to keep records or actually acknowledge where Australian steel is used, and that is a concern.

Also, apart from the steel and concrete in the project, there was a small amount of impact on the Parklands and soccer pitches as part of the project, so there will be some challenges on just how that is managed. I think there will be some trade-off with some of the soccer pitches, where the land is taken away. They will in turn be responsible for some of the maintenance of those grounds. It will also assist in the maintenance of the Outer Harbor and Grange lines and the ARTC works.

It is a good project primarily driven by the commonwealth government. The total cost of the project is \$443 million, and it was started in 2012. I commend the project to the house.

Ms DIGANCE (Elder) (11:15): Thank you to all of the speakers: the members for Finnis, Colton and Chaffey. This is a very significant project, a good project, allowing for the smooth flow of freight and passenger trains, and it also allows for the safety of cyclists. With that, I recommend the report to the house.

Motion carried.

NATURAL RESOURCES COMMITTEE: PINERY BUSHFIRES

The Hon. S.W. KEY (Ashford) (11:16): I move:

That the 116th report of the committee, entitled Pinery Fire Regional Fact-Finding Trip, be noted.

On 25 November 2015, the Pinery area in South Australia's lower and Mid North experienced a fast moving and destructive fire that resulted in two fatalities and five other people suffering critical injuries. Many thousands of head of livestock perished, and hundreds of buildings and many pieces of farm machinery were destroyed along with significant areas of unharvested crops. It was a devastating day for the region and for the state as a whole.

On 2 March 2016, the Natural Resources Committee conducted an all-day field trip to the Pinery area on the suggestion of the Hon. John Dawkins, and I must say that it was something that everyone on the committee immediately thought we needed to do. We also thought it was important to make sure that we provided an opportunity for other members of parliament, both federal and state, to be with us.

On the visit were committee members the Hon. John Dawkins MLC, the Hon. Robert Brokenshire MLC, Mr Jon Gee MP, Ms Annabel Digance MP, the Hon. Gerry Kandelaars MLC and myself. We all viewed firsthand the aftermath of the destruction wrought by the fires, and we met face to face with impacted community members.

Accompanying the committee on this visit were Mr Steven Griffiths MP, the Hon. Tony Piccolo MP, Mr Adrian Pederick MP and Mr Stephan Knoll MP. Mr Matthew Werfel from the office of the federal member for Wakefield (Nick Champion) also was in attendance. There were a number of other people who came with us, including advisers from minister Hunter's office. As we all know, fires do not respect lines drawn on maps, and on the day of the Pinery fire both the Adelaide and Mount Lofty Ranges and the Northern and Yorke NRM regions were impacted. Consequently, after the fires, representatives from both NRM regions collaborated in responding to the fires, in the recovery effort and in supporting this fact-finding tour.

Adelaide and Mount Lofty Ranges NRM Board Presiding Member, Professor Chris Daniels, and Natural Resources AMLR District Manager, Tony Fox, travelled with the committee on the day, providing background information and commentary. The Northern and Yorke NRM Board Presiding Member, Eric Sommerville; Natural Resources Northern and Yorke Regional Manager, Trevor Naismith; and Northern and Yorke Landscapes and Sustainability Manager, Mr Craig Nixon, joined the tour on site.

Other regional staff assisted by providing presentations and briefings at various sites during the day. I am sure that other members would agree with me that having that commentary was really helpful in us being able to get some sense of the horror the local people had been through. Committee members heard that some of the farming techniques had enabled growers to dramatically boost production, including no-till and low-till planting, and also contributed to the fuel load and exacerbated the speed and severity of the fire, which burned an area not previously considered high risk.

The committee heard that the fire has challenged people to rethink their practices and ideas. Conservation tillage practices are being reviewed and new combinations of techniques—some of them older, back-to-the-future techniques—have been trialled across the fire area to reduce sand and topsoil loss, which is a major concern after fires. Revegetation efforts are being made to create and restore shelter belts as well as contribute to soil improvement. The committee also heard that in this instance pockets of vegetation—indeed, any vegetation higher or greener than annual crops or stubble—proved helpful in slowing down the spread of the fire on the day.

The fire obviously impacted the community very deeply. This made the spirit of optimism in the region during the recovery all the more impressive and moving. The recovery effort has been supported widely by state and local government and, importantly, by many individuals, volunteers and community organisations, with neighbours not hesitating in lending support to each other during the fire and afterwards.

I commend the members of the committee—the member for Napier, the member for Elder, the member for Flinders, the Hon. Robert Brokenshire MLC, the Hon. John Dawkins MLC, and the Hon. Gerry Kandelaars MLC—for their contributions to this report. All have worked cooperatively to bring this report to the attention of parliament. Finally, I would like to thank the parliamentary staff for their assistance. I commend the report to the house.

Mr PEDERICK (Hammond) (11:21): I rise to speak on the Pinery fire regional fact-finding report by the Natural Resources Committee and commend the committee not only for looking at the aftermath of the devastating Pinery fire but also for inviting other members of parliament, both state and federal, to go along. I was certainly very impressed to have the opportunity to see firsthand the carnage that had occurred, even though this was four months after the event, as well as the attempts people were making to reduce drift and soil erosion.

Sadly there were two fatalities and five counts of severe, critical injury. There were about 500 buildings lost on the day, along with approximately 200 vehicles, about half of which were farm equipment, including a lot of headers, which can be valued up to \$900,000 per item these days and which can be very expensive just to insure, even if you have a 1 per cent insurance cost on those machines. After the fire, I saw some stunning pictures on news feeds and that kind of thing of harvesters just burned to the ground, tyres gone, chaser bin tractors and their bins just steel rims where the tyres once were, burnt out cabs. There is a lot of plastic in tractors these days and that goes up really quickly. Obviously it was a horrific time for everyone.

Tragically, there were many thousands of heads of livestock lost that day, as well as approximately 22,500 hectares of crops—around 50,000 acres in the old language—with an estimated loss of 60,000 tonnes of yield of grain, 33,000 tonnes of hay and 50,000 tonnes of straw. This was a truly significant fire, as anyone would know who saw the YouTube clips of people travelling through the smoke. Two deaths were two too many, but I am stunned that we did not lose any more people that day. It would have been absolutely terrifying to have been out on the roads; with modern technology nowadays we are brought face to face with all the dramas of life as they happen.

It was an incredible effort by the CFS, the farm firefighters and our Air Tractor firefighting planes to stop it where they did. You have to understand that this fire almost got to Gawler. In fact, it crossed the Sturt Highway and, as scary as it was, that would have been a terrible situation to be in. It took everything in its path and, because of the scale of this fire on a front of many kilometres, it was hard work for the firefighters.

I must comment on Richard and Nancy Bubner at Wasleys who lost a significant amount of their property and a lot of buildings around the house. Richard was in Wasleys that day. He was not out there and could not get back until the fire passed. Because he was calling his wife, Nancy, on the phone to see what was happening, he feared the worst, but she had done a magnificent job, filling gutters, filling what she could with water and making sure that she did what she could. Having such a well-manicured garden and some lawn space and that kind of thing helped her.

The speed and ferocity of the fire meant that it just blew straight over the house so quickly that she could come outside and then tidy up spots where the fire had perhaps caught an eave of the house or something close to the house. They could not save the sheds, of course, but it was a magnificent job and, obviously, the CFS were there pretty quickly and assisted them. Thankfully for Richard, when he got out there Nancy was well and truly alive. She was not just alive: she had essentially saved the family home. They are both to be congratulated, as are the emergency services involved in that part of the situation.

I also mention Richard Konzag from Mallala. I know Richard quite well and I am glad his comments were put in the report. I appreciate that. I think it is good for the committee to be so

forthcoming and they are to be commended. In terms of everything they do as farm firefighters and working with the CFS, as the report states:

...Mr Konzag praised CFS efforts but suggested the Emergency Services Levy needed improvement, saying it 'is not working. People cannot get refunded for equipment purchased... We are out there breaking our ass and literally saving peoples' lives and then we get another letter that rates are going up another \$200.'

He is exactly right. People are out there saving land, saving livestock and saving people's lives and, from what we have seen in the history of this government and what we will see moving forward with the state Labor government in every bushfire of this kind there will be many people—mainly Liberal voters, I presume—who will be putting their butts on the line, as Mr Konzag indicated, saving lives, saving livestock and saving buildings, saving the insurance industry and saving this state government from costs, only for them to say, 'Oh, thanks for that. Here's another bill.'

As Richard indicated in the report, he can almost live with the \$200, but he says it hits you in the head because of the psychological impact of the fact that it is not taking into account the work you did in fighting that fire. There are many hundreds and thousands of farm firefighters involved. I also want to talk about meeting the Angus family, Peter and Paul Angus, who are, I think, in the seat of Goyder.

Mr Griffiths: Yes, just north of Mallala.

Mr PEDERICK: Just north of Mallala. What an inspiring story from the Angus family. Paul, who is the father, was doing his best to save the prize livestock and, despite the fire rearing up behind him, he just got on with the job because that is what you do as a farmer. He was doing his best to save his special stud stock and other stock to get on with the job.

I have mentioned in this place before how Peter caught up with one of his uncles who had about 1,000 litres of water left on a ute, or it might have been half a tank, but he managed to somehow get through the roadblock, he got out there, and they saved the house. We all saw how the house had been severely scorched on a couple of sides, it had caught around under the eaves, and if he had not got there that house would have been gone as well.

Mr Griffiths: The pergola was burnt.

Mr PEDERICK: Yes, the pergola had gone. So, I commend the Angus family. The drift is terrible in some of that lighter country on their farm. The level of drift is so light in that country that you cannot manage it with some of the techniques they had to use on some of the heavier country, like going back to tillage, which has been a bit of an off word in many farming areas these days because of no till, or direct drilling. But people were finding that if they did some tillage lines, tens of metres apart, perhaps 30 or 40 metres apart, whatever they wanted to do, and criss-crossed their country, they could save that country from further erosion. When you have that fine sand, once it gets going, if you till it you are only going to make matters worse, if nothing else.

I would like to commend everyone for what they had to do to fight the fire on the day of the Pinery fire. It was very sad and distressing to see two lives lost and five people critically hurt, but I commend the people for seeing that there was not any worse damage. There are always lessons to be learnt from this and I certainly commend the committee for going out and having a look at the results of the Pinery fire. It is a salutary lesson to everyone in this house and to the whole state. It is certainly appreciated that other members could accompany the committee on this trip, and I congratulate the committee on their report.

Mr GRIFFITHS (Goyder) (11:31): I also wish to comment. I was provided with the opportunity to be a part of the visit because part of the Goyder electorate was impacted by the Pinery fire on 25 November. I thank the committee for its initiative in going there and having the opportunity to talk to some of the people so that they could see firsthand the impact. I do not intend to repeat what others have said, but just reinforce some things, if I may.

For those who have looked at it, either on the ground or on some form of map, 85,000 hectares is so hard to comprehend. I was not there on the day. Like the rest of the state, I kept up with the news reports about it and I was talking to people in the area to see if they were okay. I did not get the chance to go there until early the next morning and I had to break through some lines too and go through some back roads to get around, and I have to say it scared the absolute life

out of me because the landscape had completely changed. I have said to people since that it was as though vegetation had never existed in that area because it was completely gone.

I have looked at the YouTube videos about how black the sky was, how difficult it was to get around, and it has made me think about some things. I have taken feedback from others and I have put some issues through to the Natural Resources Committee which I think need to be considered as part of the response to it, but it was such a desperate situation. I am blessed to have known Allan Tiller, who passed away at 69 years of age while fighting the fire. I never met Janet Hughes, a 56-year-old lady from Hamley Bridge who died in the fire. I am aware that 90 people were injured in the fire: five are critical and still dealing with the health issues associated with their recovery.

When you look at the simple numbers: 91 homes were destroyed, and every possession a family owned was gone. The support that existed, not only from the fire impacted area but from across the state and from interstate, is truly inspiring. At the local level, the Mallala Lions Club has been acknowledged seemingly worldwide for what they did in coordinating responses and support for families. It is truly an amazing story. A group made up predominantly of older people worked for days and days, probably 20 hours per day at least, to ensure that they were there as part of a group effort to assist the community in recovery.

It is inspiring. I know of so many groups that donated money, resources, cars, refrigerators and clothing. All of these sorts of things came in, many with good value attached to them, to try to help people who they did not even know, and I have to tell you that it restores your faith in the human species. Since 25 November, the people of the Pinery fire area lived with an everyday reminder in one simple thing: the dust. No matter what the weather conditions, there was dust everywhere. If you were to go there now, it looks like such a different place, but the evidence of the fire still exists in burnt scrub and vegetation on the side of the road. Thank goodness we have good rain.

I heard John Lush, a Mallala farmer, on the radio earlier this week talking about how he thinks they have really good moisture down to a metre. That just emphasises the fact that there is an opportunity to recover from this. It has created enormous challenges for the farming industry. People still have to share equipment far more than they have ever done because they have not been able to replace over 90-odd pieces of farming machinery. They were vaporised in some cases; there was very little left. Much of that equipment is worth hundreds of thousands of dollars.

There are also challenges associated with the communities in trying to rebuild their homes. There has been a lot on talkback radio in particular about some restrictions that have been in place. I can assure you that I have been told that, yes, there are rules to be observed, but there has been a relaxation of the rules to create an opportunity to do things sooner rather than later. I understand it is not as quick as we would all like, as there are still legal issues associated with it, but there have been some good things.

There has been a willingness of people from the wider area to take in whole families. I know extended families in the Balaklava township who have allowed families of five or six people to move into their homes for months. In some cases it has provided an opportunity for some of the really good managers in the area to look at how they manage their properties, to rejig fence lines, create different areas, and think about what they are going to do on their farm. They have taken the challenges associated with the tragedy as an opportunity to do things better for the future. It shows people's resilience, which is just amazing.

I was pleased when the Natural Resources Committee went around. While I am not a member of the committee, I was grateful for the opportunity issued by the Chair and the executive officer to be a part of it. I, along with other members, visited the Angus family and listened to Paul and Peter. I was moved by the way that Paul explained what he had done to try to preserve their breeding sheep and what had taken decades of work to create. The humility of what he did in the face of significant adversity is humbling.

Everyone I have spoken to in the Pinery fire area has a story. There was an amazing story of a farm fire unit trying to get through and save a property. They had reached the stage where they did not think they could do it, and they had almost decided they had to get away to help themselves, when all of a sudden a plane came through the clouds and dumped water onto the house and saved

it. The efforts of CFS members, the farm units that responded, emergency services professionals and the pilots actually saved a lot of places.

I know it hit me on 26 November, when I drove around Hamley Bridge and wondered, 'How the hell is that town still there?' The fire got so close to even the fringe properties. It had burned the back of one property, seemingly jumped over the house and burned the front garden. The fire came right up against the hospital, which was on the extreme edge of town, and right next to the big gas bottle that supports the hospital. I do not know how that did not explode. Everywhere I go, people have a story to tell.

There is a high level of frustration about communication challenges on the day, be that the landline or mobile connections. I think it is great that we send out text messages to people in affected areas about things they need to be aware of. I have also heard stories from people who did not even realise there was a fire. It was a shocker of a day, and they had decided to stay inside. If you were not connected to the information flow in some way and if you did not look out the window, you would not have known. It was fact for them.

A person I know really well, who is switched on to what occurs in the world, had come in to do some bookwork because it was too bad for harvest. He listened to the news on ABC radio, found out about the fire and thought, 'Crikey, what the hell are we going to do?' The responders came straightaway, but there are so many people who have shared these sorts of stories with me. The issues I took to the committee, which came from feedback to me, were about the protection of regional communities and how you actually allow some form of buffer zone or cleared area to exist while still allowing the opportunity to make an income from land that is around a regional community. That is one of the great challenges.

I also put before the committee another matter that was put to me about vegetation approaching intersections. The member for Hammond I think spoke about this too, about how lucky everybody was that there were no really serious accidents as people were either escaping or coming to help or, as an emergency service, responding to an issue. The question that has been posed to me is: is there a chance to review the amount of vegetation in, say, the areas approaching intersections to give a greater opportunity?

I know, even in the non-fire periods, the Mallala community and some of those through the Mid North have lived with the tragedy of accidents occurring when people have not given way at intersections and there have been collisions in vehicles. Is it driver error? You could argue that. Is it indeed, in some cases, the vegetation that is on the intersections? Whose responsibility is it to maintain that? What should be planted and what should not? I think that is one of the issues the committee needs to look at.

Can I just finish with, and the member for Hammond referred to this too, Richard Konzag talking about the emergency services levy. Mr Konzag contacted me probably in early January; they had just received the bills. I wrote to the Treasurer about whether there was an opportunity to provide some form of leeway on when these bills would be required to be paid, because we had families dealing with a hell of a lot of effort. What they did not want to have to do was pay another bill to the state government, even when you discounted the increases that had occurred.

I initially got a response from minister Bettison's office. Then I said, 'I appreciate that, but my request is to the Treasurer.' The Treasurer ensured that one of his senior advisers spoke to me about it, but there was still unable to be any change to it. In situations like this, I think there needs to be a policy and an opportunity to look at, in severely impacted areas, what the collection requirements normally would be of state taxes and levies to give some surety and belief to the people who are impacted that the state government truly does care and that it is not just an opportunity to send another bill. I commend the committee for its report and look forward to the changes that will come from it.

Mr VAN HOLST PELLEKAAN (Stuart) (11:42): I thank the Natural Resources Committee for taking such a strong interest in this event. When I use the word 'event', it seems to really downplay the very significant importance of the Pinery fire, but I do really appreciate the fact that the Natural Resources Committee takes a great interest in a whole range of issues across our state. I also

appreciate the fact that I was invited to participate in their tour, but very unfortunately it just was not possible for me to go that day.

The day of the fire itself was actually a pretty terrifying day from a bushfire risk perspective. In our electorate of Stuart over the last six years, we have had five very serious bushfires—four in the Upper Mid North/Southern Flinders area and one in the Far North East of the state—so it is something that is never very far from my mind. On that day of the fire, I was actually thinking more fearfully about parts of the electorate of Stuart farther north than where the Pinery fire actually happened.

All day, as the day was building up and getting worse and worse through the morning, I was thinking about the places further north that I thought were at greater risk. At about 12 o'clock, I think it was, when it became apparent that there was a fire building and becoming serious in the Pinery region, to be fair, it caught me a bit by surprise. But do you know what? It caught everybody else by surprise, too. It was not expected.

Our experience with fires in general is typically with regard to bushfires, and typically we think that if a bushfire burns itself out towards a stubble paddock, that will be a tremendous opportunity to fight the fire and hopefully stop it there. But, of course, the difference was that these were not stubble paddocks (this was early in the season) but crops. They were crops that had not had a great deal of rain on them toward the end of the growing season, so they were pretty well cured, so there were exceptionally high fuel loads in these paddocks. That really is what separated this fire so early in the fire season from what we are far more used to dealing with, which are fires much later in the fire season.

I arrived at Kapunda, which is the southern end of the electorate of Stuart, the next day at 6.45am, and I can tell members it was bedlam at that stage. Nobody in the town was at risk of being burnt or anything like that at that point in time, but there were people still trying to leave town and there were people trying to come back to town. It very quickly became apparent that what had been shared over the public media and social media the previous afternoon and evening had not resulted, unfortunately, in a careful, measured, effective and useful set of messages for people.

Some people had been told to go to the school at Kapunda, some people had been told to go to the oval at Kapunda and some people had been told to evacuate Kapunda, keeping in mind that Kapunda, while it did not immediately suffer any effects from the fire, was under extreme threat late the previous afternoon. Some people were told to evacuate to Eudunda, and when they got there they were told, 'No, Eudunda is under threat, you need to evacuate to Morgan.' I know people who left and went to Morgan to try to keep themselves and their families, and particularly young children, safe from the fire, at the same time as other people were told, 'No, stay right in the middle of Kapunda.' I am not saying that to have a go at anybody, I say it because it is one of the really important lessons that we all need to learn out of this experience.

The electorate of Stuart, out of all the electorates that were affected by this fire, was affected nominally less than the other state electorates. Let me tell you, Deputy Speaker, the impact on one family, one farm or one person is devastating, and it does not matter whether there was 80 per cent in one electorate and 20 per cent in the other, or 20 per cent in the first electorate and 80 per cent in the other, it is actually all about people. The people in the electorate of Stuart, who were affected by this fire, have suffered, and are still suffering, just as much as the people and the families in any other electorate, even though there may well have been more of them in other electorates.

It is a terrifying and devastating experience. I have friends who were caught up in the Wangary fire, which is a long time ago now, who are still scarred mentally from that experience. I have had people contact me after the Bangor fire, particularly people who were under no threat during the Bangor fire but who were under threat during the Mount Remarkable fire 20-plus years earlier, and when the Bangor fire came along it brought back all these extraordinary fears, emotions and wounds, which apparently were healed, but when a similar threat came along it was clear were not actually properly healed.

Something else we need to get out of all of this is: what is the very best that we can do for the people caught up in the Pinery fire? Not just with regard to the very important job of helping them recover their lives, their businesses, their homes, their fences, their sheds, their stock, etc., but what

can we do so that in 20 years' time they are not still suffering in the same way that some people in my electorate, in the Mount Remarkable district, are. These are the responsibilities that we have in the aftermath of this fire.

It goes without saying that I and everybody in this place have extraordinary appreciation for all the volunteers who helped, as well as the people who work professionally in government agencies. Of course, we think of emergency services workers most immediately because they are the ones on the front line, but an enormous number of people have provided support, and still are, in a volunteer and professional capacity in an enormous number of different ways.

Of course, I want to put on the record my thanks to Mr Vince Monterola who has coordinated so much of that effort. I have met with him and I will continue to support Mr Alex Zimmerman, who has recently taken over from him, who has another big task still to do. I attended several meetings in the district at the time, as I know many other local MPs and some government ministers did as well, and I think this is a very good example of when the stuff hits the fan, everybody comes together to do the very best they can. I understand and agree with the comments that the members for Hammond and Goyder made about fees and charges and things, and I support them entirely. However, separate to that, I know that the government was doing everything it possibly could at the time to productively and effectively deal with and help the people who were affected by the fire, and I thank them for that.

Minister Bignell (the Minister for Agriculture) and I attended a function together at the Schuster family farm, which had many people from the Pinery district and, particularly, the more immediate Freeling district. Lots of functions like that were held, and I think there is certainly a need for them to continue to be held and for Liberal, Labor and Independent MPs to support them to the very best of their abilities. As I said before, the fire is out, but the issues are not over, they are not dealt with.

As to future fires, we probably will see more and more—certainly the risks are growing anyway, let's hope we do not see more and more fires—but certainly the risks are growing with fires. The seasons are pretty good at the moment and agricultural techniques are getting better and better. As I said at the beginning of my remarks, when we compare what happened in Pinery last November with what happened in Bangor 2½ years ago, with similar weather threats, there were completely different outcomes in completely different parts of the state. We need to be right onto this.

I would like to finish by saying that I worry about bushfires all over the state, particularly, of course, in my electorate of Stuart. The Natural Resources Committee did a body of work a few years ago with regard to the Adelaide Hills. I am terrified about what might happen in the Adelaide Hills. Please, let what happened in Pinery be a very stark and real reminder for us that these threats are moving south every year.

Time expired.

Mr TRELOAR (Flinders) (11:52): I rise today to make a contribution to this report from the Natural Resources Committee. I do so as a member of the committee but as one who, unfortunately, was not able to take part in the visit to the Pinery fireground on that particular day. The rest of the committee was able to get along, and I note that there were also some visiting MPs: the members for Light, Goyder and Hammond and the federal member for Wakefield also attended. The member for Schubert was also there, along with many staff, including DEWNR staff, and of course local input was had.

I was not able to visit the Pinery fireground with the committee, but I stand and speak today as one who experienced the Wangary bushfire some 11 years ago. The similarities are extraordinary: almost exactly the same area was burnt, around 80,000 hectares, and it was almost within the same time frame, about six hours or half a day, that this devastation occurred. I note that the member for Mawson, who is now a member of this chamber, in the aftermath of the Wangary fire actually assisted one of the ministers at the time on that fireground and got to know, amongst others, my father, who was chair of the District Council of Lower Eyre Peninsula at the time.

It is all too fresh in my memory, as the member for Stuart said. It is 11 years ago now, but I understand completely and absolutely what these people went through on that particular day. It was a catastrophic day and we will have catastrophic days again. Each and every summer we will be faced with the threat, at least, of bushfire. I have no doubt that, at some point in the future, similar

fires will occur. My biggest fear, of course—and the member for Heysen mentioned her residency in the Adelaide Hills—is what could and might happen should a fire occur on a catastrophic day within the Adelaide Hills. Of course, that is to take nothing away from what can happen, and we have seen occur, in an agricultural landscape. There are lots of reasons for that and I might take some time to talk about those today.

I am actually going to congratulate and give credit where credit is due on the government's response to this. Minister Zoe Bettison was quick in her action. What do you do in the aftermath? What do you do? You have to react quickly. You have to provide support and funds where they are needed. You have to provide the opportunity for people to deal with their insurance agents and deal with livestock that need destroying. You have to help people and assist them in the clean-up, revegetation, refencing and rebuilding of outbuildings.

It is not only all the physical things, you also need to help people repair their lives because, sadly, there were five critical injuries and two lives lost on that particular day. All of those others who did the work, and we have heard names mentioned today, people who made an extraordinary effort to protect their homes and their own assets, they were confronted with a situation that they probably never ever dreamed that they would be confronted with.

For the most part, I would suggest that those who were prepared were those who were best able to respond to the emergency. I am one who believes that in life we make decisions based on experiences we have had. In this situation, I am going to suggest that a lot of the people, most of the people in fact, who were confronted with the bushfire at Pinery on that day had not experienced such a day or such an incident before. So, their reaction, even to themselves, was unknown. They did not know how they were going to react confronted with this because they had not had any experience to base that situation on.

It is most important to be prepared for these situations, as prepared as you can be, and I am not saying anything new here. It is important to have a plan, a significant and detailed plan, for these events. I would suggest that people consider a contingency plan as well because the situation on the fireground can change very quickly. If your initial and priority plan is not able to be effected, then you have to know what you are going to do next.

I might just run through some of the findings that came from the field trip and are documented in this report. Those topics that require further consideration are such things as vegetation clearance around road sections, which the member for Morphett and the member for Goyder have both talked about, and firebreak shelter belts around townships and how this may affect the amount of land in production. Of course, some of this country is extraordinarily valuable these days. As farmers who want to buy the farm next door know full well, it is extraordinarily valuable and they do not look like giving up too much of it for the sake of a firebreak. But it is always about protecting property and also about protecting townships because in this case there were townships under threat.

The dot points go on to include preventative measures and monitoring, timing of return to homes after fire, the contribution of weather and terrain for the spread of the fire and its perimeter, and appropriate aerial plant and how it can be deployed during the fire season. That is something we did not have during the Wangary bushfire, the ability of the emergency services to deploy aircraft. In my opinion, that has been one significantly good outcome from the Wangary fire, to now have the opportunity to deploy aircraft at Pinery, and we also saw it at Sampson Flat. These guys cannot stop a fire, but they can certainly save a house and they can save lives. I take my hat off to them.

The other findings were whether after grassfires such as Pinery and Wangary, South Australia had received adequate federal assistance for fire recovery, and the potential for the Green Army to assist with recovery, particularly revegetation. We also discovered, and this is not for the first time, that many of the landowners, property owners and people involved were underinsured. Of course, insurance is something that none of us particularly likes paying. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Mr PENGILLY: Madam Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

*Bills***DOG AND CAT MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL***Committee Stage*

Consideration in committee of the recommendations of the conference.

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

That the recommendations of the conference be agreed to.

Motion carried.

INDEPENDENT COMMISSIONER AGAINST CORRUPTION (MISCELLANEOUS) AMENDMENT BILL*Introduction and First 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) (12:03): Obtained leave and introduced a bill for an act to amend the Independent Commissioner Against Corruption Act 2012; and to make related amendments to the Criminal Law Consolidation Act 1935, the Judicial Conduct Commissioner Act 2015 and the Ombudsman Act 1972. Read a first time.

Standing Orders Suspension

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) (12:04): I move:

That standing orders be so far suspended as to enable the bill to pass through all stages without delay.

The DEPUTY SPEAKER: There not being an absolute majority present, ring the bells.

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

Motion carried.

Second 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) (12:05): I move:

That this bill be now read a second time.

This bill amends the ICAC Act to further refine and improve its operation. The amendments are in large part a response to requests from the Independent Commissioner against Corruption to address some operational matters. The bill also addresses the recommendation by the reviewer appointed under section 46 of the act to provide a procedure for the making of complaints about abuse of the exercise of the powers of the commissioner or misconduct by officers of the ICAC.

The bill provides for complaints to be made to the reviewer directly and for the reviewer to investigate complaints relating to alleged abuse of power, impropriety or other forms of misconduct on the part of the commissioner or employees of the commission or the Office of Public Integrity and other matters if requested to do so by the Attorney-General or the committee. In addressing the operational matters raised by the commissioner, the bill removes the oversight of the Ombudsman by the ICAC, which will reduce the complexity and conflicting outcomes from current referral processes. A matter referred by the ICAC to the Ombudsman will be deemed to be a complaint under the Ombudsman Act 1972 and will be dealt with exclusively by the Ombudsman.

To streamline the assessment procedure, the bill provides for the Office for Public Integrity to assess and refer matters directly to the appropriate authority. Currently the OPI must, following

the assessment of a complaint or report, make a recommendation to the ICAC about referral. In practice, this has proved to be an unnecessary and cumbersome exercise. The amendment will streamline the referral and reporting processes. The bill will also make clear what I understand is already the practice of the ICAC investigators when undertaking a search to secure documents over which a claim of privilege is made. It also provides clarity around the use of information obtained during an investigation under the ICAC Act.

In rare circumstances, there may be a challenge to the jurisdiction investigation undertaken using the powers of the ICAC Act and it is subsequently determined that the person under investigation was not a public officer at the time of the investigation. Information gathered in good faith that could lead to a prosecution for an offence will be able to be provided to a law enforcement agency. The amendment does not affect the ability of a court to rule such information inadmissible for any other reason.

Other amendments in the bill to facilitate operational matters and clarify the jurisdiction of the ICAC include allowing for law enforcement officers involved in a joint investigation with ICAC officers to be named on a warrant permitting an investigator to enter and search a place or vehicle and seize items during that search and amending the definition of corruption to encompass the act of lobbying.

The bill will clarify that breaches by members of parliament of a statement of principles cannot be investigated by the ICAC, and that a reference to a privileges committee for any misconduct of a member of parliament remains the exclusive responsibility of the house. This amendment addresses a recommendation of the report of the joint committee and it is supported by the commissioner.

Finally, the bill clarifies the primary object of the commissioner is to investigate serious or systemic corruption in public administration and to refer serious or systemic misconduct or maladministration in public administration to the relevant body. It does this by amending the act to redefine the circumstances in which the commissioner should investigate serious or systemic misconduct or maladministration in the public administration and by providing a definition for serious or systemic misconduct or maladministration.

The bill reflects the government's intention to ensure that the act operates as effectively as possible. I commend the bill to members. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Independent Commissioner Against Corruption Act 2012*

4—Amendment of section 3—Primary objects

This clause alters the statement of primary objects to reflect the changes to section 7.

5—Amendment of section 4—Interpretation

This clause changes the definition of inquiry agency to remove references to the Commissioner for Public Sector Employment and updates the definition of law enforcement agency. The section is also amended to define what constitutes 'serious or systemic' misconduct or maladministration in public administration.

6—Amendment of section 5—Corruption, misconduct and maladministration

This clause includes offences or attempted offences against the *Lobbyists Act 2015* in the concept of corruption in public administration and provides that a statement of principles applicable in relation to the conduct of members of Parliament will not be treated as a code of conduct for the purposes of the statutory concept of misconduct in public administration.

7—Amendment of section 7—Functions

This clause amends the functions of the ICAC to reflect the fact that the ICAC will not be giving directions or guidance to the Ombudsman on referring a matter and specifies limits on the Commissioner's powers to investigate misconduct and maladministration in public administration.

8—Amendment of section 17—Functions and objectives

This clause allows OPI to refer complaints and reports to inquiry agencies, public authorities and public officers, and to give directions or guidance to public authorities, in circumstances approved by the Commissioner.

9—Amendment of section 24—Action that may be taken

This clause is consequential to clause 7.

10—Amendment of section 31—Enter and search powers under warrant

This clause amends section 31 to allow a warrant to be issued authorising a police officer or an investigator to conduct a search and also to allow a Judge of the Supreme Court to issue a warrant in relation to any premises or place. The clause also provides that new Schedule 3 (relating to claims of privilege) will apply to searches.

11—Amendment of section 36—Prosecutions and disciplinary action

These amendments provide that the power to refer a matter to the relevant law enforcement agency or public authority on completing an investigation or during an investigation applies regardless of the subject matter of the investigation and make it clear that the Commissioner can provide both evidence and information to the relevant law enforcement agency or public authority.

12—Amendment of section 36A—Exercise of powers of inquiry agency

This clause makes minor amendments to reflect the amendments in clause 7 and clause 9.

13—Substitution of section 37

Section 37 is substituted to remove provisions relating to oversight by the ICAC of a matter that has been referred to the Ombudsman.

14—Amendment of section 38—Referral to public authority

This clause amends section 38 consequentially to clause 8 and also to limit the Commissioner's power under current subsection (7) (now to be subsection (7a) under the proposed amendments) to situations where a referral of a matter included a requirement that the public authority submit a report or reports in respect of the matter.

15—Amendment of section 42—Reports

This clause broadens the Commissioner's power to report but includes a requirement that a report must not identify any person involved in a particular matter raising potential issues of misconduct or maladministration in public administration that is, or has been, subject to assessment, investigation or referral under the Act unless the person consents to being so identified. The amendment also provides that a report relating to a completed investigation must be provided to the public authority responsible for any public officer to whom the report relates and to the Minister responsible for that public authority (as well as to the Attorney-General and the Parliament).

16—Amendment of section 44—Public authority to assist with compliance by public officers

This clause makes a minor change to simplify the wording of the provision.

17—Amendment of section 45—Commissioner's annual report

This clause is consequential to clause 8.

18—Substitution of section 46

Proposed section 46 requires reviews to be conducted in accordance with new Schedule 4 (see clause 23).

19—Amendment of section 48—Commissioner's website

This clause is consequential to clause 18.

20—Substitution of section 54

This clause substitutes a new provision on confidentiality. The basic rule is that a person who is or has been engaged in the administration of this Act must not disclose information in relation to a matter that is the subject of a complaint, report, assessment, investigation, referral or evaluation under the Act, except as required or authorised by this Act or by the Commissioner. Proposed subsection (2) lists circumstances in which disclosure is authorised. Proposed subsection (3) deals with disclosure by a person who receives information knowing that the information is connected with a matter that is the subject of a complaint, report, assessment, investigation, referral or evaluation under the Act.

21—Amendment of section 56A—Use of evidence or information obtained under Act

This clause clarifies that use that may be made of evidence or information obtained by the lawful exercise of powers under the Act and specifies that evidence or information will be taken to be obtained by a lawful exercise of powers under the Act notwithstanding a jurisdictional error in the exercise of those powers.

22—Amendment of section 59—Evidence

This amendment allows for proof by evidentiary certificate of the requisite suspicion for the purposes of section 5(2) of the Act.

23—Insertion of Schedules 3 and 4

This clause inserts new Schedules as follows:

Schedule 3—Search warrants and privilege

This Schedule makes provision in relation to claims of privilege when search powers are being exercised pursuant to a warrant.

Schedule 4—Reviews

This Schedule provides for the appointment of a reviewer and for the conduct of annual and other reviews in relation to the ICAC and the OPI.

Schedule 1—Related amendments and transitional provisions

Part 1—Amendment of *Criminal Law Consolidation Act 1935*

1—Amendment of section 237—Definitions

This clause ensures consistency between the concept of a public officer in the *Independent Commissioner Against Corruption Act 2012* and the definition of that term for the purposes of offences in Part 7 of the *Criminal Law Consolidation Act 1935* (offences of a public nature).

Part 2—Amendment of *Judicial Conduct Commissioner Act 2015*

2—Insertion of section 29A

This clause ensures that a review under proposed Schedule 4 of the *Independent Commissioner Against Corruption Act 2012* (see clause 23) could consider also the conduct of the Judicial Conduct Commissioner if the ICAC were also appointed as the Judicial Conduct Commissioner.

Part 3—Amendment of *Ombudsman Act 1972*

3—Insertion of section 14B

This clause inserts a new section 14B providing that matters referred to the Ombudsman under the ICAC Act must be dealt with under the *Ombudsman Act 1972* as if a complaint had been made under that Act.

Part 4—Transitional provisions

This Part provides transitional provisions.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (12:10): The Independent Commissioner Against Corruption Act 2012 has now been in effective operation for some three years, and the commissioner appointed is Mr Bruce Lander QC, who has been the one and only commissioner pursuant to that legislation. As a state, we are better off in the protection of having an ICAC. It was a long time coming. It was introduced finally by this government after many years and after almost every other jurisdiction around the country had advanced to having a criminal and/or corruption commission.

It is in a form that is a model that was not exactly as our side of the house wanted. It was often described as the 'skinny ICAC' at the time of its establishment, particularly reflecting the limited amount of funds that were available to it. However, from our side of the house, we accept that, as a relatively new integrity institution in the state, it does require refinement from time to time and improvement and, as the Attorney has pointed out, there are operational matters that need clarification and enhancement and sometimes they are only evident as a result of the operation of the institution.

After some three years, during which the commissioner has undertaken direct investigations by the government at the request of the Attorney-General, which is in his purview to do, he has provided to the parliament several dedicated reports, including a review of all the integrity authorities

operating in South Australia, identifying their overlap and the need for some review; the investigation and consideration of police complaints in South Australia; the review of the whistleblowers' law; and his reporting to us in respect of lobbyists and how they should be regulated, in particular to protect the public in respect of any behaviour that may fall into corruption, maladministration or misconduct.

The commissioner has also provided two comprehensive reports to the parliament in his annual reports and, of course, in a few months I expect we will have his report for the 2015-16 financial year. Members will also be very well aware of his report into the sale of state-owned land at Gillman in which he investigated the activities of ministers, senior personnel in Renewal SA (or the Urban Renewal Authority, as it strictly is), and other parties, and found two senior members of Renewal SA, including its then chief executive, to have undertaken maladministration in their duties or lack thereof. He has already provided an enormous amount of advice to the government and to the parliament and indeed given comprehensive advice and provided information to the Legislative Council's committee, which is the—

The Hon. J.R. Rau: The public integrity committee.

Ms CHAPMAN: —public integrity committee. It has a longer name, but I will find it in a moment and just correct that. Yes, the Crime and Public Integrity Policy Committee of the Legislative Council has provided evidence to that committee. I should also acknowledge that a reviewing party, a former justice of the Supreme Court, His Honour Mr Kevin Duggan QC, has acted as a statutory reviewer of the commission itself. All in all, we have had a lot of advice. We have had specific requests from the Attorney to consider a number of matters, including the operation of ICAC itself within the context of a number of other public integrity entities.

Primarily as a result of recommendations from his annual report 2015 and the Gillman land sale report, tabled 14 October 2015, there were a significant number of machinery reforms, which I think the Attorney describes as a refinement of operational matters. It is pedantic as to what it is described as. We are talking about relatively minor matters, but things that need to be fixed. As a result of that, I introduced a bill to this parliament to capture a number of these recommendations.

In the first instance, let's deal with the elephant in the room, that is, the question of public hearings. Members know what the Liberal Party's position has been on that issue. Indeed, the commissioner himself took the view that there needed to be some relaxation of publication rules to enable proper administration of his commission, but to deal with public hearings and deal with the course of the investigations of maladministration and misconduct he has since advanced a more relaxed view than he has in the past.

That has been a moving feast, but the government's position, to be fair, has always been that they will not agree to public hearings and that this will not be an institution that will be heard in public. Cogent arguments have been presented, but in any event it is not a matter the commissioner has advanced as something that should fracture the proper reform of all other matters that need to be attended to. We agree with the commissioner on that; we agree with the government on that.

We welcome this bill, largely because it deals with a number of matters that are covered in the bill that I have had in the parliament since late last year, but also because it deals with the extra matters of making it clear in respect of members of parliament. In respect of that, the commissioner's view, and indeed the Attorney-General's view, has been placed on the record in correspondence, but just in case they are dead and gone by the time there is any challenge to that, I think it is important that it be in the legislation, and so I welcome that being included in this bill.

Finally, as the Attorney has pointed out, I make reference to amendments to the objects of this act to make it abundantly clear that the purpose of this commission is to investigate corruption and serious or systemic maladministration or misconduct. Its primary role is not to be a police department with extra powers. In short, the reason we have advocated for and supported having an ICAC in South Australia is because corruption is a criminal offence and it does exist.

Regrettably, there are situations where, wherever there is property, money or power, there can be people who are vulnerable to committing this offence. We need to ensure that it is identified and eradicated so that we can maintain confidence in public administration in particular. Bear in mind our ICAC only deals with public administration. It does not deal with the private world of banking or horseracing or any other area which some other international ICACs favour.

I just place that on the record because, when trying to identify and secure in the investigation accumulation of evidence to successfully prosecute, it is an unusual piece of conduct. You do not very often immediately have an apparent victim to complain. It is generally accepted that it is necessary to have a body that is vested with very specific extra powers to be able to investigate that.

The most common powers, of course, are to be able to require people to submit to questioning, provide documents and statements, have their phones tapped, etc. These are extraordinary powers for extraordinary circumstances, so we support the government in ensuring that the nature of investigations by ICAC are at that serious level and are not being applied, using that structure with its extraordinary powers, to deal with cases which, frankly, can be dealt with by other agencies.

I undertook an exercise just recently of listing all of the public servants, police officers and even the head of a department who, in the last 18 months or so, had been the subject of an ICAC inquiry of which the commissioner had made a public statement—in fact, his usual practice was to issue a media release—to confirm that he had referred these persons to the police or to the DPP for prosecution or further investigation. Indeed, there was a very healthy list of people who were largely charged with theft or abuse of public office. There were some accounts of aggravated theft and some accounts of dishonesty.

That was the nature of the types of charges that resulted and, to be frank, most of them were for relatively minor amounts. Sometimes it was stealing some of the property of the government, sometimes it was using a credit card for some purpose that was not allowed and sometimes it was misappropriating moneys for which they had responsibility for a specific purpose. I think one of them was for a sports fund for young children, and the misappropriation of those moneys was for their benefit.

So, we are not usually talking about really large amounts of money or valuable property. These are matters which could have been reported, identified perhaps by the Auditor-General or some other body within government, referred to police and prosecuted. Frankly, I do not think any of these matters needed the involvement of an ICAC. However, some of these matters were the joint investigation of South Australia Police and ICAC, and in any event they have all gone on to be prosecuted. Most of these have been dealt with now that have been made public, and they have been appropriately dealt with in the end—a very expensive process to go through, I suggest. It gets the Rolls-Royce treatment for relatively small amounts of money or value of assets.

The other thing I make the point on is that our police force, which is largely our investigative agency in South Australia, actually is pretty good at investigating a number of these matters anyway. Indeed, they have even been prepared in recent times to identify, investigate and prosecute their own, so I do not think we should be in any doubt that SAPOL themselves have successfully investigated, as part of their own anticorruption operations, even their own.

There was a very public case several years ago of Amanda Boughen, who was a police officer charged with abuse of public office, attempting to pervert the course of justice, later pleading guilty to fabricating and concealing evidence in a major drug investigation. Most recently, there have been allegations involving six police officers of evidence for crime scenes being taken, and theft and corruption charges are pending. So, we have some very good agencies that do their work, but for the special high-level cases we need to be clear that we have a corruption commission to be able to deal with it. The new primary objects will be substituted to read:

- (2) Whilst any potential issue of corruption, misconduct or maladministration in public administration may be the subject of a complaint or report under this Act and may be assessed and referred to a relevant body in accordance with this Act, it is intended—
 - (a) that the primary object of the Commissioner be to investigate corruption in public administration; and
 - (b) that matters raising potential issues of misconduct or maladministration in public administration will be referred to an inquiry agency or to the public authority concerned (unless the circumstances set out in section 7(1)(cb) or (cc) apply).

This is important, I think, to record. The exercise of this by the commissioner is to take into account, and this is defined in clause 5(3)(2)(a), as follows:

...serious or systemic if the misconduct or maladministration—

- (a) is of such a significant nature that it would undermine public confidence in the relevant public authority, or in public administration generally; and
- (b) has significant implications for the relevant public authority or for public administration generally (rather than just for the individual public officer concerned).

Let us consider the one and only case so far that the commissioner has reported on at length to the parliament, which is in this category, that is, the sale of public land at Gillman. A very comprehensive inquiry was undertaken by the commissioner, acting as though he were the Ombudsman under the Ombudsman Act, and there was a finding of maladministration.

I do not think there is any doubt that a case such as that which involved a government agency, in particular Renewal SA and the multitude of parties that were relevant to investigation and consideration by the commissioner, that that would qualify and remain qualified as an issue that ought to be within the purview of Mr Lander to undertake. The amendments in this bill would not remove his opportunity to do just that and, frankly, I would expect him to do it.

Can I just leave aside the other area in relation to police complaints and the conduct of all employees in the police department, from the Commissioner of Police down. It is proposed that there be a rewrite of the police complaints procedure in this area of integrity management. We have already given notice of our bill, from our house. We have been waiting a long time for this, but we understand the government is now going to advance this, and we are happy to work with them in relation to it.

Certainly, it is important to remember at all material times that, because police officers are in a unique position of service to the people of South Australia, they are often the repository of information—including criminal intelligence—which, for all our sakes and for our protection, they need to keep confidential, etc. So, we accept that they need a separate structure and that they should have it. For other government departments or, as has been identified in this bill, public entities that come under serious criticism, to the extent that they are a public authority or in public administration, where there is an undermining of confidence we must surely have someone at the level of Mr Lander to effectively investigate those allegations and restore public confidence.

There is only one other matter I want to address, and that is an issue that has not been adequately dealt with in this bill—that is, how we manage the time frames for items that are the subject of a retention order or a warrant that have either been handed up pursuant to a retention order or seized pursuant to a warrant, and the processes that operate currently. I am assuming that the amendments in this bill are consistent with what I have read in recent days. I still do not think that it actually resolves an issue that we have raised and I think does need to be raised, but we are happy to follow it through in the other place, and that is a question that I have advised the government about—that is, there being no time limit in some of the processes in respect of confiscated assets and documents.

I will outline the issue because I was referred to the ICAC website, in particular their standard operating procedure in respect of entering and search warrants and exercise of powers, and I have obtained that and read it. I do not think it actually resolves the problem. In fact, it does not really deal with the issue at all. What that document tells us is the process to be undertaken if a warrant is issued, how the powers are to be exercised and what notices should be given to the party receiving the warrant, etc.

I will try to be brief on this. Members would be aware that under the Independent Commissioner Against Corruption Act 2012, there is provision in section 31 for the 'Enter and search powers under warrant'. I hope I do not butcher this by my abbreviation, but the commissioner himself, on application, can issue a warrant authorising an investigator to enter and search if the place is in respect of an inquiry agency, public authority or public officer. If you want to get a warrant for a private place or a private vehicle, you have to get it from a judge of the Supreme Court. In short, that is what that tells us—for the purposes of an investigation into a potential issue of corruption in public administration. It has to fit within the objects of the act.

Provisions under section 31(7)(c)(v) and (vi) go on to tell us what the warrant authorises the investigator to do. In particular, subparagraph (v) states:

to seize and retain anything that the investigator reasonably suspects has been used in, or may constitute evidence of, a prescribed offence, or issue a retention order in respect of such a thing requiring that it not be removed or interfered with without the approval of an investigator;

Subparagraph (vi) essentially enables the same thing in respect of an offence, other than 'other prescribed offence', and there are some qualifications. That tells us what is to happen and that there is the capacity to then issue a retention order.

We have two events that can result in goods being brought into the possession of ICAC; one has a time limit on it and one does not. If a seizure or retention order procedure is undertaken and, in particular, a retention order is issued, anything that is taken into possession essentially has a two-year limit on it—that is, if the retention order lapses after two years as defined in the designated period in the act. However, if an item is seized pursuant to a warrant, that can be held indefinitely. Obviously, the commissioner has the discretion to release that material, but it appears that there has been an evolution of our law in this regard, with two distinct alternate positions.

Bear in mind that in 2014 we were asked as a parliament to consider amending the six-month warrant limit and our parliament was happy to oblige. That was presented to us as too short a time for some inquiries and therefore there needed to be an extension, so we considered what I colloquially call the 'two-year rule'. I do not think that it was intended at that stage by anyone that there should be a limit on one and not the other, and I still do not think that there should be a distinction between these two items. I accepted that in 2014, and still today I accept that six months may be too short a time to deal with these matters.

Bear in mind that members might also be aware that in the issuing of warrants they lapse if they are not exercised within a month. We have certain protective rules around any potential abuse by any investigator who has the benefit of searching and seizing under warrants and some fairly strict guidelines that go with them, but there is nothing in the guidelines that I have been directed to that gives me any comfort that we have not dealt with this other matter.

I am happy for the Attorney to have a look at that between houses and to consider how we might best address it, but it seems to me that it is something that needs to be considered. Remember here that the items that are the subject of seizure under a warrant may not just be items owned by the person who is the subject of investigation. They may be the equipment or items of a third party; for example the most common, as one would expect, is other co-workers of the person under investigation, or agents for that person (an accountant, for example) who may have property or documents which are the subject of a seizure order—which, at present, can be indefinite, and I do think we need to tidy up that issue. I indicate that I am happy to work with both Commissioner Lander and with the government to have that dealt with.

I conclude by confirming my appreciation to Commissioner Lander for his ongoing work. He has had a busy three years, and he has served South Australia well in his work to date. I would also like to record my appreciation of his registrar, Ms Patricia Christie, who has acted so well in the administration and ensured that we have our annual reports to parliament promptly, something I cannot say for every agency of the government. I thank them for their continued work.

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) (12:41): I thank the deputy leader for her contribution and also thank her for her indication of support for the bill. I think all of us in this place agree that it is necessary for this work to be done by the parliament to maximise efficient performance of this important agency of government.

I note the deputy leader's remarks about warrants and indicate that I am very happy to have that conversation with her. However, I think the conversation should occur in the context of both of us speaking—quite possibly together but certainly both speaking—with the agency to ensure that we understand what their perspective on these matters might be. It may or may not be that there are very sound operational reasons for things not to be disturbed, but that is a matter we can talk about.

Whether or not that fits the timetable for this particular legislation making a swift passage through both houses of the parliament I do not know, but I will certainly do nothing to impede or slow that conversation if it can occur and we can resolve those matters.

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) (12:43): I move:

That this bill be now read a third time.

Bill read a third time and passed.

PUBLIC INTEREST DISCLOSURE BILL

Introduction and First 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) (12:44): Obtained leave and introduced a bill for an act to encourage and facilitate disclosures of certain information in the public interest by ensuring that proper procedures are in place for making and dealing with such disclosures and by providing protection for persons making such disclosures; to make related amendments to the Local Government Act 1999 and the Public Sector Act 2009; to repeal the Whistleblowers Protection Act 1993; and for other purposes. Read a first time.

Second Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (12:45): I move:

That this bill be now read a second time.

I am pleased to introduce this important bill. This bill complements the establishment of the Independent Commissioner against Corruption and the proposed new police complaints scheme. Together they provide a comprehensive scheme for the disclosure and investigation of complaints about alleged wrongdoing in public administration and for appropriate support and protection of persons who make those disclosures.

The proposed scheme will replace the Whistleblowers Protection Act 1993, which was groundbreaking legislation at the time but no longer represents best practice in this area and is no longer a comfortable fit with the modern integrity landscape. With the introduction of the Independent Commissioner Against Corruption Act in 2012, the government committed to a review of the whistleblower legislation. This bill is based on the recommendations of the review carried out by the Hon. Bruce Lander QC.

The review included a long and extensive consultation process. Submissions received during that process were supportive of the proposed legislation. The purpose of the bill is to facilitate disclosures about public administration information by public officers or former public officers; ensure that public disclosures are properly assessed and, where necessary, investigated and actioned; and ensure that a public officer making a disclosure is protected against reprisal.

The definitions in the bill complement the scheme established under the ICAC Act. For example, 'corruption, misconduct and maladministration in public administration', 'public administration' and 'public officer' all have the same meaning as in the ICAC Act and 'public administration information' means information that raises a potential issue of corruption, misconduct or maladministration in public administration, whether occurring before or after the commencement of this act.

However, the bill also provides protection for disclosures by members of the public about wrongdoing in the private or public sector where the information is disclosed to an appropriate recipient and the information relates to substantial risk to public health or safety and the environment. It would be hard to argue that such disclosures should not be encouraged and facilitated and that persons making such disclosures should not have the protections of the scheme.

For a disclosure to be protected, the person must believe on reasonable grounds that the information is true or believe on reasonable grounds that the information may be true and is of sufficient significance to justify its disclosure so that its truth may be investigated, and the public officer must make the disclosure to a relevant authority, as defined in the bill. Of course, like the ICAC Act, a critical aspect of the bill is confidentiality. The bill provides an offence for knowingly divulging, without the consent of the informant, the identity of the informant except in certain circumstances, which carries a maximum penalty of \$10,000 or imprisonment for one year.

The bill also contains an offence of victimisation identical to that contained in the ICAC Act. A person who makes an appropriate disclosure is not subject to any liability as a result of that disclosure. The bill places a duty on the person who receives an appropriate disclosure to take action in relation to the information and to take reasonable steps to keep the informant advised of the action and the outcome of any investigation. Under this scheme, principal officers of public sector agencies and councils and persons designated as responsible officers are required to take appropriate action.

The bill complements the important reforms already taken by the government for the maintenance and improvement of the quality, accountability and integrity of public administration in this state. It provides an appropriate balance between the government's need to conduct its business at times confidentially with the need for transparency and accountability in conducting that business. I commend the bill to members. I seek leave to have the explanation of the clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

1—Short title

2—Commencement

These clauses are formal.

3—Objects

This clause sets out objects for the measure.

4—Interpretation

This clause defines certain terms used in the measure. In particular, *environmental and health information* is defined as information that raises a potential issue of a substantial risk to the environment or to the health or safety of the public generally or a significant section of the public and *public administration information* means information that raises a potential issue of corruption, misconduct or maladministration in public administration. The umbrella term used in the measure to encompass both of these categories of information is *public interest information*.

5—Immunity for appropriate disclosure of public interest information

This clause provides an immunity from liability for any person who makes an appropriate disclosure of environmental and health information and for a public officer who makes an appropriate disclosure of public administration information. The section also sets out the requirements for making an 'appropriate disclosure' for each category of information and who such a disclosure may be made to.

6—Disclosure to a member of Parliament

This clause sets out an additional way in which an 'appropriate disclosure' of information may be made.

7—Duty to act in relation to appropriate disclosure

This clause sets out actions to be taken following an appropriate disclosure of public interest information. Such information must be assessed and, following assessment, action must be taken (in accordance with applicable guidelines or as appropriate in the circumstances). The clause also provides for notification to be given to the informant and to the OPI. The clause does not apply to a disclosure to a member of Parliament.

8—Identity of informant to be kept confidential

This clause creates an offence protecting the identity of an informant.

9—Victimisation

A person who causes detriment to another on the ground, or substantially on the ground, that the other person or a third person has made or intends to make an appropriate disclosure of public interest information commits an act of victimisation. Victimisation is an offence and is also actionable as a tort or as if it were an act of victimisation under the *Equal Opportunity Act 1984*.

10—False or misleading disclosures

Making a false or misleading disclosure of public interest information is an offence. The clause also makes it clear that such disclosures are not protected under the measure.

11—Preventing or hindering disclosure

This clause creates an offence of preventing or hindering a person making an appropriate disclosure of public interest information.

12—Duties of principal officers

The principal officer of a public sector agency or council must ensure that 1 or more officers or employees of the agency or council are designated as responsible officers under the measure and must ensure that a document setting out relevant procedures for making and dealing with appropriate disclosures of public interest information is prepared and maintained.

13—Duties of responsible officers

A responsible officer of a public sector agency or council for the purposes of this Act must receive and deal with appropriate disclosures of information and provide advice to officers and employees of the agency or council in relation to the administration of this Act.

14—Guidelines

The ICAC may publish guidelines for the purposes of the measure.

15—Non-derogation

The measure is in addition to, and does not derogate from, any privilege, protection or immunity otherwise existing under which information may be disclosed without civil or criminal liability.

16—Regulations

This clause provides a regulation making power.

Schedule 1—Related amendments, repeals and transitional provisions

Part 1—Related Amendments

This Part sets out related amendments to the *Local Government Act 1999* and the *Public Sector Act 2009*.

Part 2—Repeal

This Part repeals the *Whistleblowers Protection Act 1993*.

Part 3—Transitional provisions

1—Disclosures under repealed Act

The measure (other than clause 7) applies to an appropriate disclosure of public interest information under section 5 of the *Whistleblowers Protection Act 1993* as if it were an appropriate disclosure of public interest information under the measure.

2—Designation of responsible officers

The principal officer of a public sector agency or council in existence at the commencement of the measure must ensure that clause 12 is complied with within 3 months after that commencement.

Debate adjourned on motion of Ms Chapman.

Sitting suspended from 12:51 to 14:02.

Ministerial Statement

ADELAIDE FRINGE

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:02): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: Today, the Adelaide Fringe released its full economic impact statement for 2016. It is no secret that the Adelaide Fringe is the biggest and best fringe festival in Australia and is second only in the world to Edinburgh, yet it goes from strength to strength, not only providing a unique experience for performers and a great atmosphere in Adelaide during February and March but also as an economic driver for our state.

With around 4,400 artists in 1,124 events and across 430 venues and creating 216 jobs, the 2016 Adelaide Fringe was the biggest ever, smashing the previous ticket sales with over 604,000 tickets sold. Through this, \$14.8 million in box office revenue was generated, most of which goes directly to artists—a 64 per cent increase in five years. The incredible free offerings such as the Fringe Parade, and the incredible illuminations which lit up our North Terrace cultural institutions and universities saw attendances also skyrocket to 2.26 million, an 8.4 per cent increase on 2015. The 2016 Fringe delivered a staggering \$21.7 million of new money to the state from over 13,500 interstate and international visitors, an increase of almost 70 per cent in five years.

This has led to an increase in the total estimated number of visitor bed nights, now sitting at around 77,200, a 14 per cent increase on the 2015 figure. The total expenditure related to the event was \$77.6 million, up almost 13 per cent on last year's figure of \$68.8 million. The Adelaide Fringe is so incredibly important to our economy, but it is also worth noting what an incredible opportunity it provides to our artists through the Honey Pot program. This year the Fringe hosted 136 directors and presenters from venues around the world, who were all here to buy productions to take to their festivals and their venues. With 225 sleeps until the next Festival kicks off, planning is well underway for the 2017 Fringe. Both venue and artist registrations will open up next month and will close on 7 October.

I encourage everyone, but particularly our bricks and mortar businesses around the state, to find ways to get involved with next year's Festival. I would like to take the opportunity to thank and congratulate Fringe director, 'the pink lady', Heather Croall; chair, David Minnear; as well as the board and the team at the Adelaide Fringe for their hard work and success. I know there is no rest for the wicked, and they are working hard to bring together what promises to be a great 2017 Fringe.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today year 11s from Cummins Area School, who are guests of the member for Flinders, and I note that Cummins Area School is the alma mater of the member for Flinders. I also welcome to parliament today Mrs Ada Barclay, who celebrated her 100th birthday at Lanzerac Tanunda on the weekend, a much-loved member of the member for Wright's family. She should now be addressed as Lady Barclay, since her acquisition of Mountain View Bumblebee Haven in the Highlands.

Members interjecting:

The SPEAKER: Applause is entirely out of order.

Mr Pederick: Throw them all out, sir!

The SPEAKER: But whom should I start with?

Parliamentary Committees

ECONOMIC AND FINANCE COMMITTEE

Mr ODENWALDER (Little Para) (14:07): I bring up the 91st report of the committee, entitled Inquiry into Local Government Rate-Capping Policies.

Report received and ordered to be published.

LEGISLATIVE REVIEW COMMITTEE

Mr ODENWALDER (Little Para) (14:07): I bring up the 27th report of the Legislative Review Committee, entitled Subordinate Legislation.

Report received.

*Question Time***ENTERPRISE PATIENT ADMINISTRATION SYSTEM**

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:08): My question is to the Minister for Health. Can the minister advise the house what the total project cost is for the electronic patient administration system up to June 2021? The Auditor-General's Report released yesterday stated, and I quote, 'There is a detailed budget for the EPAS Program extending out to June 2021.' What is it?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:08): Mr Speaker, I also quote, to answer that question, the Auditor-General. The Auditor-General says:

Until EPAS is fully implemented at all in-scope sites, the full costs and benefits...cannot be accurately determined.

Mr Marshall interjecting:

The SPEAKER: The leader is called to order.

The Hon. J.W. WEATHERILL: Point of order.

The SPEAKER: Premier, point of order?

The Hon. J.W. WEATHERILL: Yes, can I move a point of order, Mr Speaker, about the manner in which these questions are being asked? On every question time that we've had, a point of order—

Mr Gardner interjecting:

The SPEAKER: The member for Morialta is called to order for interjecting. I am waiting to hear the Premier's point of order.

The Hon. J.W. WEATHERILL: The point of order is this, sir: in every question time we have had this week, the Leader of the Opposition has begun with a question and then immediately a cacophony of noise has drowned out the answer.

The SPEAKER: The member for Morialta will be seated. The Premier's point of order is that he can't hear the minister's answer because of the barrage of interjections from the leader, and I uphold the point of order. There is a certain fin-de-siècle quality about the Leader of the Opposition's contributions.

Mr GARDNER: Point of order, sir.

The SPEAKER: Point of order, member for Morialta.

Mr GARDNER: I ask you to check the *Hansard* when you have time to reflect, look at what the Premier said and identify if that is indeed the way he characterised what was a so-called point of order.

The SPEAKER: It was a valid point of order because under the standing orders, you will be astonished to know, is a provision (standing order 142) that when a member is speaking no-one may make a noise or disturbance or converse aloud.

Mr Marshall: He has sat down, sir, with no answer to the chamber after the Premier said that we—

The SPEAKER: The Premier's point of order was clearly under that standing order, or under standing order 131, 'A Member may not interrupt another Member who is speaking.' These standing orders are part of the tradition of the house and, frankly, they are so obvious that they do not need to be specified. This better be a point of order.

Mr GARDNER: Can points of order now be put forward as impromptu speeches without having to refer to any particular standing order, as the Premier did before?

The SPEAKER: A point of order can be put forward without nominating the precise standing order, although that is desirable, where it is plain what the content of the point of order is. Further, I

am advised that a point of order may be about the longstanding practice of the house, and what we have inherited from the House of Commons, and not specified in standing orders, in which case it would be impossible to nominate a standing order.

Mr GARDNER: We are happy with your new ruling, sir.

The SPEAKER: Well, I am happy that you're happy. The member for Newland.

SOUTH AUSTRALIAN ECONOMY

The Hon. T.R. KENYON (Newland) (14:12): My question is to the Treasurer. Can the Treasurer outline to the house recent trends in economic indicators?

The SPEAKER: Effendi, Treasurer.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:12): Thank you, sir. I thank the honourable member for this important question because what this state needs more than ever is for the nay-sayers to take a seat and for us to start talking South Australia up.

South Australia's economy is facing unprecedented challenges and headwinds as a result of the global decline in mineral commodity prices, gaps in naval shipbuilding and the closure of the Australian car manufacturing industry. Despite these challenges, there are a number of positive signs. Yesterday, the release of retail figures saw South Australian retail turnover rise by 0.3 per cent in May; it is now 3.6 per cent higher than a year earlier. These figures are above the national trend. Our unemployment rate is—

Mr WILLIAMS: Point of order: given what you just said to the house a few moments ago, sir, about the inheritance of standing orders from our mother house, the House of Commons, I believe the House of Commons doesn't allow ministers to read answers.

The SPEAKER: Clearly, the member for MacKillop's point of order is questioning—

Mr Gardner interjecting:

The SPEAKER: No, quite the contrary. It is questioning my previous ruling, and I will reiterate for the benefit of the house. Standing order No. 1 is:

In all cases that are not provided for in these Standing Orders or by sessional or other orders, or by the practice of the House, the rules, forms and practice of the Commons House at Westminster are followed as far as they can be applied to the proceedings of this House.

The member for MacKillop relies on that. My advice is that this house has allowed reference to notes, both in ministers answering questions and in members making speeches. If the member for MacKillop wants the proceedings of the house to be entirely extempore, I am willing to apply that. I am willing to bring it on, but when I was a minister I seem to recall the member for MacKillop stumbling when reading out a question to me. Physician, heal thyself. Leader.

Mr MARSHALL: My question is to the Minister for Health. Can the Minister for Health—

The SPEAKER: I'm sorry, I erred. The Treasurer hadn't finished.

Members interjecting:

The Hon. A. KOUTSANTONIS: Bad weekend? Bit of a hangover?

Members interjecting:

The Hon. A. KOUTSANTONIS: Are you all going to start wearing orange ties?
Mr Speaker—

The SPEAKER: The Treasurer is called to order. He will not respond to interjections.

The Hon. A. KOUTSANTONIS: Our unemployment rate is unacceptably high, but our nation-leading tax reform package that saw our state abolish a range of business stamp duties, returning \$670 million to businesses and families, makes South Australia one of the most attractive places in the country to do business. Our WorkCover reforms delivered \$180 million worth of annual savings. These measures have contributed to the creation of nearly 6,000 new jobs in the past

12 months. That is why KPMG, in the Competitive Alternatives report, has ranked Adelaide as the most cost-competitive city to do business within Australia, ahead of Melbourne, ahead of Sydney and ahead of Brisbane.

There are green shoots. State final demand rose by 0.3 per cent in the March quarter in 2016, in trend terms higher than the national equivalent. Housing is up: the total trend number of dwelling approvals rose by 1.9 per cent in May in South Australia and was 23 per cent higher than a year earlier. The trend estimate for the number of private sector houses has risen for 10 consecutive months, to be 13 per cent higher than a year ago.

Overseas goods exports are up. South Australia's overseas goods for the year to May 2016 totalled \$11.5 billion, up 0.7 per cent compared with the year to May 2015. International tourism is up, thanks to the good work of the Minister for Tourism and, of course, our visitor economy. There was a 7.6 per cent rise in the number of international tourists, making our international visitor expenditure during this period 38 per cent higher than a year earlier.

For each and every year, this government has seen positive economic growth. The government recognises the gains we have made, but also we understand that more needs to be done. Given the recent federal election, I encourage the younger members of the Liberal Party to take back their party from the karaoke-singing compost king—

Members interjecting:

The SPEAKER: The Treasurer will be seated.

The Hon. A. KOUTSANTONIS: —who prefers to go out with the Greens—

The SPEAKER: The Treasurer will be seated.

Members interjecting:

The SPEAKER: The Treasurer is called to order and he is warned for defiance of the Chair and for debating an answer.

Mr Gardner: And then he defied you further, sir.

Mr Marshall: And he was already called to order before he was called to order.

Mr Gardner: That counts for three.

The SPEAKER: It's been going on for 25 years. I call to order the members for Newland, Davenport, Hartley, Finnis, Chaffey and the deputy leader. I warn for the first time—

The Hon. T.R. Kenyon: Thank you, sir.

The SPEAKER: Thank you, member for Newland. I am pleased to do it. I warn the members for Morialta and Hartley, and I warn for the second and final time the member for Morialta, who wouldn't want to get a pair this week, in the cricketing sense.

ENTERPRISE PATIENT ADMINISTRATION SYSTEM

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:19): My question is to the Minister for Health. Can the minister provide the house with an update on the rollout of EPAS across Country Health in South Australia? How much is this project going to cost? What is the time frame, and has the minister received any advice as to the cost of this project?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:20): The only hospital in scope with EPAS is Port Augusta Hospital and that was rolled out, from memory, a couple of years ago. I think it would be fair to say that, because of the unique circumstances of the Port Augusta Hospital, there were issues, particularly with the local GPs who do work at the Port Augusta Hospital and the issues that they have had that were specific to that hospital because of the model that we have with GPs providing fee for service.

No, we haven't costed—at least I don't have handy a costing of how much it would be to roll EPAS out to country. They are not currently in scope, but certainly it will be our intention that, subject

of course to the budget, once we have successfully rolled EPAS out to metropolitan hospitals then we would roll it out to our country hospitals as well.

Mr MARSHALL: Point of order, sir: I ask you to direct the minister to answer the substance of the question. My question was very specific about whether the minister has received any advice as to the cost of the rollout of EPAS across—

The SPEAKER: I think the leader has made his point.

Mr MARSHALL: Thank you very much.

The SPEAKER: Does the minister wish to add anything?

The Hon. J.J. SNELLING: No, sir.

The SPEAKER: The member for Light.

Members interjecting:

The SPEAKER: The Treasurer is warned—

Mr Marshall: For the third time.

The SPEAKER: —for the second and final time. Don't get ahead of yourself. Member for Light.

TRADESTART

The Hon. A. PICCOLO (Light) (14:21): My question is to the Minister for Investment and Trade. Can the minister advise the house whether targets for assisting local businesses through the TradeStart program have been reached?

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) (14:22): I thank the member for Light for his question. There are a lot of small businesses in his constituency. The TradeStart program that the government supervises sets out to assist small to medium enterprises in their international business endeavours. The program uses the combined resources of Austrade and the South Australian government's international engagement trade and immigration team based at the Department of State Development, and they do it well.

Numbers just in reveal that 52 companies were supported in the 2015-16 financial year. Those assisted companies have achieved \$49,716,000 worth of export sales and 16 new distribution agreements. Our TradeStart network is now managing an active client list of over 660 companies, up by 100 on the previous year. More than 60 of those are new clients, being first time exporters. The work of the TradeStart team is interwoven with the outstanding efforts of the state government's international business missions program. This integration in our service offering is especially powerful. 2015-16 has seen the biggest year of trade mission activity in many years as we embrace the opportunities of new global markets.

I informed the house earlier this year that the success of the missions has been profound in China, India and South-East Asia. That has been matched by inbound missions from those countries and regions, as well as an almost continuous team in international delegations seeking opportunities to invest in South Australia. Earlier this week, a visiting group of Shandong county mayors left Adelaide after a very successful two weeks in this state. Once again, we have a number of new friends with whom to do business.

In a related area, numbers have also just settled for Immigration SA for the full financial year, with 2,439 skilled and 264 business migrants nominated for 2015-16. This delivers on two economic priority No. 9 targets, and for the business target, one year ahead of time. It's no coincidence then that the latest economic briefing report by the South Australian Centre for Economic Studies shows that the state's export performance is on the up and up, a point made a moment ago by the Treasurer. The economists at the University of South Australia report that, and I quote, 'South Australia's export performance has shown a welcome improvement over the last year.' Our performance in the March 2016 quarter, year on year, was up 17 per cent compared with a national rise of

only 7.6 per cent. I congratulate the businesses that have taken these steps to expand their business horizons.

I also congratulate the hardworking team in the Department of State Development who have worked tirelessly to deliver a first-class program of inbound and outbound trade missions and for the follow-up work they undertake, which is creating jobs for South Australians across the state—country and city. The government's economic priorities continue to help to transform the economy, to build new and lasting opportunities and to put more people in jobs they can enjoy.

CHEMOTHERAPY TREATMENT ERROR

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:25): My question is to the Minister for Health. When was the minister first made aware that one of the chemotherapy dosing bungle victims had experienced another treatment error, this time in the lead-up to a transplant in April of this year? In a submission to the chemotherapy dosing scandal select committee, the family of one of the victims provided a treatment diary which indicated the patient was subjected to four separate treatment errors during her treatment at the Royal Adelaide Hospital rather than just two incidents as previously acknowledged by the minister. Is this another cover-up?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:26): I would advise the opposition to be very, very careful about litigating this matter in public. I do make the point that that information that the Leader of the Opposition—

Ms Chapman: Tell us the truth.

The Hon. J.J. SNELLING: —is referring to—

The SPEAKER: The deputy leader will rise and apologise for implying that the minister was misleading the house.

Ms CHAPMAN: I will withdraw and apologise—

The SPEAKER: Thank you.

Ms CHAPMAN: —and speak to you later.

The SPEAKER: Minister.

The Hon. J.J. SNELLING: I do point out that the information that was put on the committee's website was—

Mr van Holst Pellekaan: Tell us everything you know.

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

The Hon. J.J. SNELLING: The information that was put on the committee website was very quickly taken down. Members opposite will know why that is the case and, on that basis, I will not be talking and canvassing publicly the circumstances around that patient and that patient's family.

LIQUOR LICENSING

The Hon. S.W. KEY (Ashford) (14:27): My question is directed to the Minister for Consumer and Business Services. Minister, can you inform the house about the review into South Australia's liquor licensing system?

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) (14:28): Yes, I can provide some information, actually.

Mr PISONI: Point of order, sir: can I please refer the clock to the four-minute mark? Thank you.

The SPEAKER: That's been done.

Mr Pisoni: Now.

The SPEAKER: Yes, it's been done now. I didn't imply it had been done retrospectively.

The Hon. J.R. RAU: I think, as we say in the law, nunc pro tunc—that's what we would say. Anyway, back to the main conversation. As members would be aware, in October of last year the government published a liquor licensing discussion paper as part of the review of the Liquor Licensing Act. Subsequently, the Hon. Timothy Anderson QC was appointed to conduct the independent review on 30 November last year.

The review had very broad terms of reference that looked at all aspects of the current liquor licensing regime and looked to explore ways to reduce red tape and promote a safer drinking culture whilst, at the same time, creating, maintaining and supporting vibrancy in our city and around our state. The public consultation regarding the discussion paper took place over a four-month period with submissions closing on 29 January this year. I am advised that a total of 89 submissions were received in response to the discussion paper, the majority of which I believe are actually published online on the AGD website—

Ms Chapman interjecting:

The Hon. J.R. RAU: I'm just telling you they are there. The member for Bragg obviously did criticise me quite harshly yesterday about only having something put on my website, and I'm attempting to tell everybody now.

The commissioner held face-to-face discussions with many of the parties in order to further flesh out the points of view that they had expressed in their submissions. He also conducted consultations and meetings with officials from elsewhere around Australia to actually find out what the comparative legislative arrangements were in other states and see whether there were improved opportunities by looking at models elsewhere. Ultimately, the review has resulted in some 129 recommendations, which are directed towards reform of the liquor licensing regime. As I mentioned, these are now published on the Attorney-General's website, and I invite everybody to have a look at them.

The path from here is that the government is currently considering the review and the recommendations, and in due course, once we have had an opportunity to give them full consideration, the government will come to a settled position about its response to those recommendations. I don't expect that to occur in the far distant future, but we are working towards that, and it would be our intention then to go to the next stage of preparing draft legislation.

At this point in time, it's not clear to me whether that legislation would involve amendments to the current legislation or take the form of a completely new bill, which would replace the existing legislation. That will be a matter we will determine in the fullness of time. It would be, obviously, our intention, once we get to the point of having draft legislation, to consult with particularly interested parties who might have suggestions about finetuning or improvement of the exact contents of that legislation. Just to make it clear, we regard the consultation process that has been undertaken by Mr Anderson QC to be the consultation in relation to this matter, and we look forward to considering his recommendations.

PRISONER SUPPORT AND TREATMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:32): My question is to the Minister for Mental Health and Substance Abuse. Will the minister explain why a 35-year-old young woman, a mental health patient, is being held at the Women's Prison for breach of licence in respect of traffic offences when she has been declared unfit to plead and, by court order, is to be assessed for mental health?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:32): For the record, I don't discuss individual cases in this house because they involve the consent of the person involved. Secondly, all our clinical decisions that have been involved with this have been made.

PRISONER SUPPORT AND TREATMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:32): Supplementary, again to the Minister for Mental Health and Substance Abuse: how many mental health patients are being held in prisons in South Australia as we speak?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:33): I am happy to seek advice from my department on that, but I would like to point out—as I did late last week in correspondence with the member for Bragg—that all consents must be made from the person involved before we discuss these things.

Members interjecting:

The SPEAKER: The member for Kavel will not further obstruct the business of the house. The member for Elder.

HOUSING SA MULTITRADE CONTRACTS

Ms DIGANCE (Elder) (14:34): My question is to the Minister for Social Housing. Minister, what is the government doing to ensure the continuation of maintenance services of Housing SA properties?

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) (14:34): I thank the member for Elder for her question. Back in October 2013, the South Australian Housing Trust awarded 14 contracts to five multitrade contractors for the delivery of maintenance services to Housing SA properties across South Australia. The initial contracts were for a three-year term, with a possibility of extension, and an approximate annual value of \$112 million. On 9 May 2016, the government approved the extension of the contract for a further three years, through to 30 September 2019.

During this financial year to 31 May 2016, over 175,000 work orders have been raised to the multitrade contractors for responsive maintenance repairs, vacancy works to bring properties up to standard for reallocation, programmed works to maintain condition, amenity and serviceability, and upgrade works to improve the overall condition and quality of Housing Trust properties. The performance of the multitrade contracts has been satisfactory, with steady improvement in timeliness and quality. The results of customer satisfaction surveys conducted across all contract areas have been consistently strong.

In addition, the extension of the contracts and the continued delivery of maintenance work ensures ongoing employment and job security for both the people directly employed by the contractors and the subcontracting companies engaged to deliver the maintenance services. The multitrade contractors report regularly on the engagement of Indigenous employees, trainees, apprentices, people with disability and vulnerable people.

For example, Doherty Trade Services (DHT) is a 100 per cent family owned South Australian company. They currently employ 90 South Australians, including Indigenous employees, apprentices and employees with hearing impairments. Programmed Facility Management (PFM) is an Australian company which currently employs 33 South Australians for the Housing Trust contract, including Indigenous employees and employees with barriers. They aim to increase these numbers through targeted employment initiatives.

RTC Facilities Maintenance SA currently employs 24 South Australians and established its head office in Port Pirie, with branch offices in Mount Gambier, Port Augusta and Gawler. RTC has engaged a good number of apprentices and trainees, Aboriginal workers and Housing SA tenants. It is also facilitating a work for the dole program in the Davenport Aboriginal community near Port Augusta.

Bettio Building Company is a South Australian company that currently employs 11 South Australians for the Housing Trust contract. Bettio has engaged Ngopamuldi Building Company to undertake upgrading and other works in the Raukkan Aboriginal community. Mordangood Pty Ltd is a South Australian company that currently employs 42 South Australians for the Housing Trust contract. MDG also endeavours to engage Aboriginal workers in the Koonibba and Yalata communities near Ceduna.

In addition to their own direct labour, these companies also engage a combined 323 subcontracting companies to deliver services. Extending these contracts to these five multitrade contractors will ensure the continued delivery of vital services to Housing SA tenants across the state and provide ongoing employment and job security to a diverse range of South Australians.

PRISONER SUPPORT AND TREATMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:38): My question again is to the Minister for Mental Health and Substance Abuse. Why does the minister ask that I obtain a signed authority from any mental health patient in the circumstances of being held in custody when they have been declared unfit to plead and have a legal incapacity to sign such an authority?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:38): I am advised that is appropriate procedure.

Members interjecting:

The SPEAKER: The leader is warned and so is the member for Kavel. Member for Fisher.

OLYMPIC TEAM

Ms COOK (Fisher) (14:38): My question is for the Minister for Recreation and Sport. Can the minister inform the house about the South Australian representatives on the Australian Olympic team?

Members interjecting:

The SPEAKER: The Treasurer is on two warnings.

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) (14:39): I would like to thank the member for Fisher—

Mr Pisoni interjecting:

The Hon. L.W.K. BIGNELL: —for that very important question. I would like to start out by acknowledging—

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

The Hon. L.W.K. BIGNELL: —the hard work that she has put in to making sure that we have a world-class BMX track here in South Australia. She came to me last year—

Mr Pisoni interjecting:

The Hon. L.W.K. BIGNELL: —and has been pushing for it, and I am very pleased—

The SPEAKER: The member for Unley is warned.

The Hon. L.W.K. BIGNELL: I'm very pleased that our Treasurer has seen fit to deliver tomorrow a megabudget for sport in South Australia. It is going to be the biggest sport budget this state has ever seen. Included in that budget will be \$2 million plus \$750,000 from the Marion council and \$750,000 from Onkaparinga council to build a world-class BMX facility, which is going to be terrific for people like Sam Willoughby from the Happy Valley BMX track who started out at the Happy Valley BMX Club and, of course, won silver at the Olympic Games in London. He has been selected in this year's Australian Olympic team alongside other South Australians.

There are 12 cyclists from South Australia in the team, making up almost half of the Australian team. I would like to congratulate brother and sister, Alex and Annette Edmondson, who are on the track, Jack Bobridge, Glenn O'Shea, Callum Scotson, Matthew Glaetzer, Stephanie Morton, Patrick Constable, Rohan Dennis who, of course, wore the yellow jersey in the Tour de France last year, Anthony Dean and a very special congratulations to the wonderful Anna Meares, lining up for her fourth Olympic Games and today announced as the flag-bearer and captain of the Australian Olympic team—a marvellous achievement for one of the finest people who has ever represented South Australia.

In athletics, we have Jess Trengove, who of course won silver at the Commonwealth Games in Glasgow two years ago, and Jared Tallent. He went across the line in second place in London and a few weeks ago was awarded that gold medal after the original winner was rubbed out because of a failed drug test—

Members interjecting:

The Hon. L.W.K. BIGNELL: Tanya Holliday is also in the walking competition. In badminton, we have Leanne Choo in the mixed doubles.

Ms Chapman interjecting:

The Hon. L.W.K. BIGNELL: In diving, we have Grant Nel. In shooting—

Ms Chapman interjecting:

The Hon. L.W.K. BIGNELL: Can I just point out for the *Hansard* and for the record that the Liberal Party in this state are being totally disrespectful to the Australian Olympic team. I want that on the record.

The SPEAKER: The minister is called to order for responding to interjections and debating what should be a simple list.

The Hon. L.W.K. BIGNELL: Thank you very much, sir. I appreciate your protection.

The SPEAKER: I understand that the deputy leader's interjection may be offensive to him, but he should not respond to it in the way he did.

The Hon. L.W.K. BIGNELL: It was all offensive to the Australian Olympians—every utterance over there. They should be sitting there and just cheering on our wonderful athletes. That's what they should be doing and, instead, they want to jeer and boo and hiss our wonderful athletes.

The SPEAKER: Point of order, deputy leader.

Ms CHAPMAN: Apart from defying your ruling, I am offended by the statement that has been made by the minister whom you have just pulled up in respect of that.

The SPEAKER: What were the words?

Ms CHAPMAN: I ask that he apologise and withdraw the—

The SPEAKER: What were the offensive—

Ms CHAPMAN: The allegation that members of the opposition were opposing the Olympic team. That was a disgrace and you pull it out.

The Hon. L.W.K. BIGNELL: Sir, if they were sitting there in silence I would have nothing at all to say about their performance. I would be talking about the performance of the athletes.

The SPEAKER: The minister will be seated. The opposition's heckling the minister and his answer to this question is not a sufficient substratum of fact for asserting that the opposition is disrespectful to the Australian Olympic team. I would ask the minister to return to the substance of the question.

Mr Marshall: Apologise and withdraw.

The Hon. L.W.K. BIGNELL: I'm not going to apologise.

The SPEAKER: Minister, return to the substance of the question.

The Hon. L.W.K. BIGNELL: In shooting, we have William Godward, Jack Rossiter, David Chapman; in swimming, we have Kyle Chalmers and Joshua Palmer; in tennis, Thanasi Kokkinakis, the only good guy in Australian tennis. He is doing a great job and sets a wonderful example and he could teach a few things to a few other people. In trampoline, we have Blake Gaudry. In volleyball, we have Louise Bawden—

Mr van Holst Pellekaan interjecting:

The SPEAKER: The member for Stuart is warned.

The Hon. L.W.K. BIGNELL: —Taliqa Clancy, Nicole Laird and Mariafe Astracho Del Solar.

Ms Sanderson interjecting:

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

The Hon. L.W.K. BIGNELL: And we've got a quarter of the Hockeyroos team. Georgie Parker and Karri McMahon are both from the Riverland and we honoured Karri McMahon at our community cabinet there where the Premier, two years ago, got up and acknowledged Karri's fantastic performance with the Hockeyroos and their world cup winning championship just a few months earlier. To Jane-Anne Claxton and Gabrielle Nance, who have also made that Hockeyroo team, congratulations. On behalf of the government, we wish the South Australian Olympic athletes all the very best in Rio.

PRISONER SUPPORT AND TREATMENT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:44): My question is to the Minister for the Status of Women. What action has the minister taken in her capacity as Minister for the Status of Women since I emailed her last week in respect of the young woman in the women's prison—

The Hon. J.M. Rankine interjecting:

Ms CHAPMAN: —towards assisting her to be immediately placed in a mental health facility where she can receive the assessment and support that she needs?

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

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) (14:44): I thank the member for Bragg for her question. I have received the email and have sought a brief, and when I get that brief I will take it up with them.

PRESCHOOL ACTIVE LEARNING ENVIRONMENT INITIATIVE GRANTS

Ms BEDFORD (Florey) (14:45): My question is to the Minister for—

Members interjecting:

Ms BEDFORD: I am just waiting—Education and Child Development. How will the new DECD grant continue to promote children's outdoor activity and health development?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:45): I was so pleased, late last week, to be able to go along to a kindergarten at Netley, a preschool, with Roger Rasheed to make an announcement about a grant to all public preschools in this state. Roger Rasheed, as people know, is not only an outstanding athlete but has continued to be a very loud advocate for our physical activity and sporting activity for kids in this state, and is no mean supporter of the glorious Port Adelaide Football Club.

An honourable member: Hear, hear!

The Hon. S.E. CLOSE: Thank you, sir. The program that Roger and I have discussed, and I was very persuaded by his arguments, is to ensure that children at a very young age are starting to engage in physical activity and particularly sporting activity. He pointed out that if we leave it until school for children to have the hand-eye coordination, the balance and so on to be good at sport, if we leave it too late—because for some children regrettably their parents have not encouraged them to develop those skills—then they reach an age before too long when they are intimidated by the fact that other kids are better than they are.

They are conscious of it and it puts them off, and that may put off a future sporting star to represent the state, represent the country, but it also potentially puts kids off from a lifetime of being healthy and active, and that is what we all want for our children. I know, amongst my own group of friends, I was the one who did not play any sport. Wendy played netball, Vicki and Liz played hockey and I didn't, and I regret that I wasn't more sporty and more active, and I became, just as Roger warned, conscious of not being skilled. In fact, when I was at the Netley Kindergarten, I was nervous that someone might ask me to have some kind of interaction that would involve catching a ball and throwing it back neatly to Roger. Fortunately, I ducked that.

I was absolutely delighted to be able to provide this support because we know that our kids are going to live for a long time if they start off well. We want our children to live long and happy lives, to prosper and to get a good education so that they are able to be a part of this emerging and sometimes frightening new economy, but that involves giving them what they need when they are young and not relying all the time exclusively only on parents being able to do that. It is so important for me that we are able to get into every single public preschool to make that offer.

What we are doing is we are allowing the preschools to have some discretion over how they spend the money because some already have some pretty good sporting equipment. So, we are saying, 'If you have already got that kind of sporting equipment, have a look at nature play, make sure that the kids are getting out, a mud kitchen, a fire pit to toast marshmallows. Maybe it is actually that your teachers aren't confident in how to teach these skills.' Just watching Roger interact with the kids, he knows all of those methods to get the children interested and to get them engaged, so making sure that the teachers are alert to that within the preschool system. So, a good program, a great South Australian who suggested it to me, and I am really very positive that this is going to make a real and lasting difference to our kids.

STATE GOVERNMENT CONCESSIONS

Dr McFETRIDGE (Morphett) (14:48): My question is to the Minister for Communities and Social Inclusion. Will the minister inform the house how she plans to recoup the concession payments made to 4,350 dead people?

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) (14:48): I thank the member for this question. It is important that when government assistance is distributed it is both fair and responsible. I realise that the focus has been today about those people who have been ineligible, some of whom have been deceased. Let us remember that over 200,000 South Australians receive their energy concession each year. It is not paid to an individual but it is paid to their energy retailer who then has that discount on their bill. As we discussed yesterday, the Auditor-General had a six-year deep dive into this concession and looked at some of the concerns that are there.

One of the issues that we have raised is keeping accurate records. I am the first to say that what we have been doing is not acceptable. When the Auditor-General has spoken to us before—we worked together with him in both March 2015 and December 2015—we have changed the way that we validate and how we reconcile. So, when we look at those people who were considered ineligible at the time of payment, which is what the Auditor-General looked at, we saw there were about 2 per cent of energy payments in 2009-10. That has now fallen to 0.2 per cent, and it was about 18,000 last year.

When we looked into the situation that the member for Morphett has talked about, in the vast majority of cases there was a surviving spouse. In most of those cases, they will continue to be eligible for the concession.

Mr MARSHALL: Point of order, sir.

The SPEAKER: Point of order.

Mr MARSHALL: I ask that you direct the minister to answer the substance of the question, which was extraordinarily tight and just asked how the minister was going to recoup the money paid to 4,300 people who were dead?

The Hon. J.W. Weatherill interjecting:

The SPEAKER: I call the Premier to order for interrupting the Leader of the Opposition's point of order. I think the minister is being germane.

Mr MARSHALL: To how the money is recouped?

The SPEAKER: Yes, the minister has been talking about how the department audits its accounts.

Mr MARSHALL: But that wasn't the question. The question, sir, was specifically about what the government's plans are to recoup the concessions given incorrectly.

The SPEAKER: If at the end of the minister's answer the opposition or the fourth estate is dissatisfied by her answer, it will draw its own conclusions, but at the moment the minister seems to be close enough to the substance of the question. Minister.

The Hon. Z.L. BETTISON: Thank you, Mr Speaker. In many cases, the bill was in one name, or it might have been in two names but the concession was attached to that person. We know that there have been times when people have received—

Mr Wingard interjecting:

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

The Hon. Z.L. BETTISON: —concessions when the accuracy of the application has not been thorough. We continue to seek back payments in this sort of issue with energy retailers. As I have spoken about, this has been estimated, through some of the studies we have done previously, \$366,000 has been recovered. We expect that there is more to be recovered, and we will seek to do so.

The SPEAKER: In response to earlier points of order, my attention has been drawn to page 304 of the *Manual of the Practice, Procedure, and Usage of the House of Assembly*, which reads—

Mr Marshall: Is that the Blackburn one?

The SPEAKER: Yes; Blackmore. It states, 'He'—a member, because they all were he when this was written—'may not read his speech, but may refresh his memory by notes, and may read extracts from documents.' If the member for MacKillop and the opposition wish me to apply that, I will.

Mr Marshall: Just to the ministers, sir.

The SPEAKER: I thought that might be the case. Unfortunately, my application of standing orders is normative. On the question of offensive words, my attention has been drawn to page 516 of *House of Representatives Practice*, which quotes with approval the ruling of Senator Wood as acting deputy president of the Senate in 1955:

...in my interpretation of standing order 418 [similar to the House of Representatives standing order 90 in relation to Members] offensive words must be offensive in the true meaning of that word. When a man is in political life it is not offensive that things are said about him politically. Offensive means offensive in some personal way. The same view applies to the meaning of 'improper motives' and 'personal reflections' as used in the standing order. Here again, when a man is in public life and a member of this Parliament, he takes upon himself the risk of being criticised in a political way.

I interpret shouting at a minister, 'Tell the truth,' to carry the imputation that the minister is deliberately misleading the house. Moreover, on the same page:

In accordance with House of Commons practice, for many years it was ruled that remarks which would be held to be offensive, and so required to be withdrawn, when applied to an identifiable Member, did not have to be withdrawn when applied to a group where individual Members could not be identified. This rule was upheld by distinct votes of the House.

Mr Gardner: So, it's okay to call the Labor Party a bunch of liars?

Members interjecting:

The SPEAKER: I think that is a difficult one. However, I thank my friends at the Estonian club for buying this volume for me.

The Hon. T.R. Kenyon: You have to say, 'All of you except one.'

The SPEAKER: The member for Newland speaks wisely, but I warn him for doing so out of his seat. The member for Colton.

EXPORT PERFORMANCE

The Hon. P. CAICA (Colton) (14:55): My question is to the Minister for Agriculture, Food and Fisheries. How is the state government assisting food and wine businesses to increase exports?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:55): I thank the member for Colton for his question. Of course, premium food and wine from our clean environment—

Mr van Holst Pellekaan interjecting:

The SPEAKER: The member for Stuart will rise in his place and withdraw and apologise forthwith.

Mr VAN HOLST PELLEKAAN: I apologise.

The SPEAKER: Thank you. Minister.

The Hon. L.W.K. BIGNELL: He didn't really mean it, sir; we get on pretty well, thank you, member for Stuart. Premium food and wine from our clean environment is one of our government's key economic priorities. It is now worth \$18.2 billion a year, and it was terrific to hear the trade minister come into the house yesterday with the latest trade figures to show that wine exports were up \$136 million, or 11 per cent, in the past year.

A lot of this has been off the back of the government working with the wine industry to make sure that we are out there working in a concerted and quite deliberate way to get South Australian wine into bottle shops and onto restaurant wine lists right around the world. Earlier this year, I led a wine delegation to China; we had 52 representatives from 25 wineries, and the program provided participants with an understanding of the China market and of delivering export trade opportunities.

One of the great things about it is to actually see the different wine organisations learning from each other while they are away because quite often you might work within your own association, whether you are from Coonawarra or McLaren Vale or the Riverland or wherever. It is interesting to be on these delegations and see how much people learn from each other, as well as learning about the whole China experience and that market. I have to say that it is a great collaborative approach, where you see one winery telling people to beware of the pitfalls that they may have suffered a year or two earlier.

One of the delegates who joined the mission and who has taken part in three other state government-led trade missions in the past year, including visits to the United States and South-East Asia, is Mr Mark Kozned from Nova Vita Wines in the Adelaide Hills. I am pleased to report that as a result of their participation in the state government's trade missions, Nova Vita has secured the following deals in the past year:

- more than \$140,000 worth of wine exports to the United States;
- more than \$56,000 worth of sales to Singapore and Thailand; and
- more than \$300,000 worth of wine exports to China.

In addition, Nova Vita is in discussions with a Chinese importer to supply more than 9,600 magnum bottles of premium sparkling wine for the Chinese wedding market by September 2016. This deal will be worth an estimated \$180,000. So, it is terrific to see them going after not just a big, wide market but concentrating on that niche market as well.

These export deals demonstrate the high value our trade missions have in helping South Australian food and beverage companies establish and further develop relationships in key export markets. Since 2013, PIRSA has supported more than 100 trade missions, inbound and outbound, which have been of incredible value to our agriculture, food and fisheries businesses right across South Australia.

I want to thank the staff at PIRSA and thank all those people who have come on delegations in the past and who will come in the future. Later this month, I will be leading a delegation to Singapore, Malaysia and Bangkok and, again, it is about opening up new markets and going there

en masse. We spoke to the Australian ambassador in Bangkok and he said that no other state has come into Thailand in the sort of organised and collaborative way that South Australia has. I think a lot of people deserve a lot of credit, within government and outside government, for making these trade missions work.

STATE GOVERNMENT CONCESSIONS

Dr McFETRIDGE (Morphett) (14:59): My question is again to the Minister for Communities and Social Inclusion. Can the minister inform the house how much the mismanagement of concessions payments has cost taxpayers? In the Auditor-General's Report handed down yesterday, the Auditor-General identified some validation issues for energy concession payments over the six-year review, as follows:

- \$11.79 million where DCSI did not approve an energy concession application for the applicable period;
- \$5.03 million without sufficient validation of eligibility with Centrelink;
- \$2.81 million where DCSI had no record of the client;
- \$1.82 million where the client had not registered an energy concession application;
- \$1.25 million where the Centrelink data indicates that the client was ineligible;
- \$930,000 where DCSI cannot fully match the energy records to a client; and
- \$7.4 million for the abandoned CASIS IT system.

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) (15:01): I have always acknowledged that we have some systemic issues in the concessions area. In my time as minister, I have always been full and frank to say that we need to improve our validations and our reconciliations, and we have done so. Over the six-year period that the Auditor-General looked at, more than \$845 million of concessions were distributed to South Australians—concessions for water, sewerage, transport, energy, council rates, ESL and more. This is an incredibly important part of how we support vulnerable South Australians.

Mr Pisoni interjecting:

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

The Hon. Z.L. BETTISON: With the question here, the Auditor, who we have worked very closely with, and I talked about previous audits that we have done where we have improved our reconciliations. We have implemented a semiautomated system, and I spoke yesterday about our intention to have a fully automated system with COLIN.

Ms Chapman interjecting:

The Hon. Z.L. BETTISON: We have put an additional 12 FTEs in energy concessions to fix this up.

Mr Marshall interjecting:

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

The Hon. Z.L. BETTISON: We know about 200,000 South Australians receive the energy concession each year. We also know about 25 per cent of these people change. They may change energy retailer, if they are a beneficiary of Newstart they might come in and out of eligibility, or they might be a new customer. Compared to our other concession areas, this is the area of most complexity.

But always I have taken on board what the Auditor-General has said and we have changed what we have done. We have had to make some difficult decisions in the past, in the way we could have improved. That did not work how we thought it would, and that has been disappointing. But my

focus will always be about being accurate and correct, and that will be my endeavour as we move forward.

DISABILITY ENGAGEMENT REGISTER

Ms HILDYARD (Reynell) (15:03): My question is to the Minister for Disabilities. Can the minister tell the house about the Disability Engagement Register?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:03): I thank the member for Reynell for her question and her interest in disability engagement. The South Australian government is committed to engaging with communities and stakeholders in decisions and, importantly, with people living with disabilities. Disability SA aims to connect people living with a disability, their carers and families, and the broader community and non-government sector together in a form that will help them to develop government policies, programs and service delivery across this state.

A key initiative to engage South Australians living with disabilities is the Disability Engagement Register. The register is a confidential contact list of individuals who have nominated to be available to provide independent advice on issues that are important to people living with a disability in South Australia. People on the register have lived experience of disabilities, as someone living with a disability or as a parent, or a family member, carer or friend.

State and local government departments, statutory authorities, non-government organisations and, in other circumstances, private businesses can initiate contact with Disability SA to access the Disability Engagement Register for the purpose of consulting and engaging with people with a disability for their business or community engagement areas. During the 2015-16 year, Disability SA undertook a review and update of the Disability Engagement Register. In order to support future growth and developments in this space, they have included in the review a redesign of the information through the register available on the DCSI website and also testing of new online registration to ensure that it is more user-friendly and readily accessible to all people with a disability.

Current promotions about the register are aimed at attracting new members and broadening its reach across the whole of South Australia, including regional areas, and to raise awareness of the register via promotional emails to disability service providers, statutory authorities, local government, peak bodies, consumer groups, advocacy services and information services. We have also engaged in social media, our new information being available on the DCSI website. Distribution will also be sought via external networks, such as the Women's Information Service Facebook page and SACOSS's eBulletin. The register has been used to date by a number of services, including:

- the National Disability Insurance Agency, to engage members in a public consultation on the Information, Linkages and Capacity Building Framework;
- the Taxi and Chauffeur Vehicle Industry Review;
- the commonwealth Department of Infrastructure and Regional Development, to invite members to have their say on a whole-of-journey experience of planning, delivery and accessibility of public transport; and
- the Adelaide City Council for their Access and Inclusion Plan.

The next stage of this promotion will be to focus on stimulating interest from state and local government departments, statutory authorities and other non-government organisations about how they can consult and engage with people with lived experience with disability or those people with disability. It is anticipated that promotion at this level will also involve a number of other strategies that will involve the Better Together team at the Department of the Premier and Cabinet.

I would encourage all members in this house to help promote this important register. It is important that we engage with people in this state who have a disability and their experience.

AUSTRALIAN CENTRE FOR PLANT FUNCTIONAL GENOMICS

Mr WHETSTONE (Chaffey) (15:07): My question is to the Minister for Agriculture. Can the minister confirm if the state government will cut its funding to the Australian Centre for Plant Functional Genomics in the 2016-17 financial year and beyond?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:07): I thank the member for Chaffey for the question. Of course, this centre was built by this Labor government. When we built it, we said that we will fund it to a point and then everyone else was meant to chip in and help with funding. Over the years, a lot of that funding has dissipated, and what we know is that, as a government, we have been paying over the odds for research that benefits not just South Australian farmers—

Members interjecting:

The Hon. L.W.K. BIGNELL: Calm your farm. What we want to do is have a fair go for the South Australian taxpayers' money that we are putting in to make sure that it is our farmers who benefit the most out of it. We told them a year ago that we wouldn't be funding it past 30 June—and I wasn't playing chicken. I said, 'Get out there and find another source of funding.' You know what? We have told them we are not going to put the \$1 million in and do you know what they are saying now? That they can continue on with the business as they—

Mr Whetstone: You don't care.

The Hon. L.W.K. BIGNELL: Don't say I don't care because I absolutely care, and I particularly care about the good use of South Australian taxpayers' money, so you just calm your farm.

Members interjecting:

The Hon. L.W.K. BIGNELL: The llama farmer.

Grievance Debate

STATE GOVERNMENT CONCESSIONS

Dr McFETRIDGE (Morphett) (15:09): The rebate and concession schemes in this state have been a debacle for many, many years now. What we were presented with yesterday was the absolute tip of the iceberg when it comes to the depth of despair that this Department for Communities and Social Inclusion is in. Today, we heard about Westminsterial responsibility. This minister has to accept ministerial responsibility. This minister, though, is the trifecta of the debacle which started in 2009 with the now Premier. What did the 2009 Auditor-General's Report say?

Over a number of years—

so 2009 was not the first time—

Audit review of the administration of concessions payments has highlighted areas where controls could be improved.

The audit for 2008-09 indicated there remain a number of controls which require improvement.

DFC—

as it was then (the department for families and communities)—

responded that these concerns will be addressed through the implementation of a new database system [CASIS].

We know what happened to CASIS. It started at under \$600,000 under the Premier. It was trashed under the current minister at \$7.4 million. That was in 2009, so this problem is not new. Let's see what the Auditor-General said in 2012:

Over recent years—

so, again, over recent years—

Audit has commented on the Department's inability to comprehensively reconcile concession payments with client details maintained on the Department's databases.

The Auditor-General then goes on to talk about CASIS and what a debacle, what a mess, CASIS was. For those who do not know, CASIS is the Concessions and Seniors Information Service. We started with CART, which we think is an absolute donkey cart, in this case, which is the Concessions and Rebate Tracking service. We know that failed. The Premier introduced CASIS and that has

failed. Now we have COLIN and we have COLC. None of those is working well. Let's continue with what the Auditor-General said in 2009, 2012 and 2014.

Let's see what the Auditor-General said in 2014. The Auditor-General said that CASIS had been introduced. It was supposed to be going to solve the problems with an anticipated introduction fee of \$600,000, then it was \$3.72 million. It was not working. The Auditor-General identified the problems back in 2014, but the minister comes in here and says that this is something she has been working on and working with the Auditor-General on. It is not the Auditor-General's problem: it is the minister's problem.

You cannot pay 4,350 dead people and say that it is the Auditor-General's problem. If you cannot count the bodies, if you do not know where the bodies are, you should not be in that place. If you are going to hand out \$2.81 million when your department has no record at all of the client, what are you doing? It is the minister's responsibility. The public servants can give them this information, but it is the minister's responsibility to check on the information. You cannot hand out \$11.79 million to people across South Australia who are not eligible, when they have not even put an application in or when Centrelink has not approved their application. You cannot excuse \$1 million when your records do not match the energy supplier's records. You cannot keep going like this.

Not only has the Auditor-General warned about this in 2009—seven years ago—but the media were warning about this three years ago. In the media, the headline in InDaily was, 'Taxpayers face "looming catastrophe" on concessions'. Who was the reporter then? The Minister for Investment and Trade's chief of staff Kevin Naughton. So, Kevin Naughton was an in-depth investigator here and the headline was 'Taxpayers face "looming catastrophe" on concessions'.

The Minister for Water is implicated in this too because SA Water have been giving out concessions. They do not know how many or who to and they do not seem to care. The Premier is the architect of this failed system. He was there right from the word go, with one in five people receiving ineligible concessions back in 2013. Even last year, there was the headline, in InDaily again, on the \$7 million for the CASIS system that failed.

This is a system that has been under pressure for a long time. We have had the Premier fail with his IT system. We then had former minister Piccolo come in and pick up the pieces, and now we have the trifecta with the current minister, who is completely out of her depth. This should not be allowed to go on. You cannot stand in here and not take responsibility for the outcomes of this. You have been warned time and time again.

The SPEAKER: No, I have never been warned, member for Morphett.

Mr Marshall: I find that hard to believe, sir—that you have never been warned.

The SPEAKER: About that. The member for Florey.

NATIONAL CALISTHENICS CHAMPIONSHIPS

Ms BEDFORD (Florey) (15:14): Adelaide is actually abuzz at the moment with all things to do with calisthenics as the 28th nationals, under the auspices of the Australian Calisthenics Federation, have commenced at the adjoining Festival Theatre. Here in Parliament House last night, it was my honour to host the welcome event for reps from the ACT, New South Wales, Northern Territory, Queensland, Victoria and WA, along with the Australian Calisthenics Federation President, Liz Kratzel, and all her team.

South Australia's organising committee was in attendance, including Wayne Morris and Meredith Phillis, who are the conveners, Michelle Gaffney, Karen Darby, Kate Loveridge, Christine Nightingale, Michelle Reardon-Hood, Jayne Sellick and Shannon Mossop, Jennifer Feutrill, Danae McGregor, Fiona Belton and Jill Harrington. We also have Energy Images and Video Camera Service looking after the recording of the event. I must also mention Badge-a-minit, our good friends at Norwood, and Colleen, who I understand were involved in producing the merchandise for the event.

We did our best to warmly welcome everyone despite the really cold weather, as we are normally in Darwin at this time of year for the event. We looked at the 32° weather they are having up there and were quite envious. We were honoured that the Premier had time to call through to

meet everybody, along with the members for Ashford, Elder, Fisher and Waite, and I know that there were apologies from many other members, as well as yourself, sir, who would have loved to have been there. I do thank the Premier for assisting CASA with funding, and also the Minister for Recreation and Sport for his contribution and also for being available to open this morning's session.

We have a great number of sponsors who have been involved: the diamond sponsors were CAL.S.A.C. and CASA Skills. We have a gold sponsor in Ridgehaven Calisthenic Club. Silver sponsors were Atlantic Tower Motor Inn, Braeview-Reynella Calisthenic Club, Burnside Academy, Cali Girl, myself, H&R Block, Home Loans & More, Jem Calisthenic College, Quest on Franklin, Seaton Calisthenic Club, Stafford Accounting, The Calisthenic Shop WA, The Stage Shop, and Vital Core Physiotherapy. These events cannot go on without this vital funding. The cost of hiring the Festival Theatre alone is enough to make sure that we have to work very hard, even after the competitions are finished.

This morning's session is underway with the calisthenic gracefuls, which are a marvellous part of the calisthenics program. Tonight, we will see the opening ceremony at 7pm, followed by a full three days of competition culminating in a gold medal honours presentation by Tara Douglas. We have many great adjudicators here with us, esteemed women in calisthenics, including Linley Campbell, Shirley Pettitt, Diane Winterling, Glenda Sellick and Karen Hicks.

The cali family really enjoys the opportunity to get together, and I note that calisthenics will be part of the Pan Pacific Masters on the Gold Coast in November of this year. Masters competitors can be as young as 26, with cali enthusiasts ranging from the ages of two to 90. My association with calisthenics began soon after my election in October 1997, when the first cheque I was ever able to present was to the Ridgehaven Calisthenics Club. The committee there, led by Trevor Holst, was very welcoming, and from that time on I began championing this great sport at every opportunity.

The Ridgehaven club was established in 1968 by Meredith Phillis, and is now under the guidance of Tracey Emes. There has been a great rivalry between Ridgehaven and Marden over many years, along with all the other clubs here in South Australia. I urge members to look up there local cali club because there are calisthenics clubs all over the city, and within the country regions as well.

CASA's office has always been supportive of me, people like Bev Daysh and now Carolyn Fortune. One of the first people ever to explain the intricacies of calisthenics was Esme Dobson (who knew every calisthenics girl in South Australia over four or five decades), who introduced calisthenics to me and Jane Lomax-Smith. At the time, we were both under her wing in our early days as patrons of this wonderful sport.

Cali girls develop great friendships and skills which can be easily transferred to many areas. Their confidence is highly developed, and everyone can tell a cali girl. Cali clubs can only run with the help of volunteers, and there are so many volunteers involved at every level of the club management, from the making of those fabulous costumes where modern-day fabrics have made life a lot easier, through to the finances and the organisation of teams as they travel around the countryside.

You will see in the program, if you are lucky enough to go over to the Festival Theatre and have a look at one of the sessions, all the wonderful young women who have travelled over here, mostly in the junior and senior areas this year. We do welcome from NSW the first junior and senior team I have seen together on a program, and we hope they do really well. South Australia is well represented by about 80 young women, as is WA, and the families and friends who have travelled from all over to support these young women are in for a really great weekend of calisthenics. I urge all members to pop over whenever they get the opportunity.

MENTAL HEALTH

Mr BELL (Mount Gambier) (15:19): I rise to call on the state government to reinstate funding in tomorrow's budget for the 10 community mental health respite beds in Mount Gambier. This is coming at a huge cost to our community. Not only are the 10 respite beds being taken away, it impacts up to 15 staff and has been accommodated over four leased premises.

I would like to ask the minister, I notice the minister is on the floor of the house today: on what clinical evidence were the beds reinstated in Whyalla over Mount Gambier? If there is clear evidence of that, I would love to see it tabled in this place so at least I can go back to my community with some understanding of why one area that had a cut has had funding reinstated, yet another area of our state has not, as opposed to there being one Labor member of parliament in one area and one Liberal in another. I would be upset if that were the reason for it.

Was there any consideration given to reinstating five beds in Whyalla and Mount Gambier so the bucket of money would spread between both? I understand the seriousness of the possible closure of Arrium and the steelworks in Whyalla. However, I point the minister to the dairy crisis which is occurring in the South-East of South Australia and the need for these beds at such a critical time. With the closure of the 10 beds in Mount Gambier, for what remaining period does the government have to pay rental on those properties and at what cost? Those are some questions I have of the minister.

I will address a point that I keep getting asked about time and time again, and that is a reduction in federal funding. I took this up with our federal member and he informs me that there is more money going into health every year. More money this year, more money next year, more money the year after.

Members interjecting:

Mr BELL: The difference is the federal government has not tied that money—

The SPEAKER: The Minister for Disabilities is called to order.

Mr BELL: —to specific areas. The federal government has not tied that money to a national partnership where they direct the state government to spend in certain areas. I am standing here saying this state government cannot be trusted with country health. Maybe there needs to be an exemption that, for South Australia, the health funding gets retied back to areas of need so that the government that currently sits in front of me cannot cherrypick areas they are going to fund and let other areas wither on the vine.

The major issue around this is that it goes back to old medicine, or old procedures, where acute care will be inundated by cases that could have been prevented or minimised at an earlier stage. That is what these respite beds have provided in the past at an 80 per cent occupancy rate. These beds have and were being used to a rate of 80 per cent on average. As I said, this is a backward step, it is a retrograde step, which is going to put more pressure on our acute mental health facilities at the hospital. The cost of that is going to be far more significant than having preventative measures in there.

So, I call on the federal government, when the Liberals are re-elected, to treat South Australia differently, to retie funding to a state program where mental health gets the funding it deserves, because this state government cannot be trusted. The issue—

The Hon. L.A. Vlahos interjecting:

The SPEAKER: The Minister for Disabilities will hear the member for Mount Gambier in silence. She is warned.

Mr BELL: Thank you, sir. What I find intriguing is that there is no problem for funding for prison expansions. I believe tomorrow we are going to get another 40 beds in Mount Gambier for another prison expansion. This is year in, year out prison expansions in Mount Gambier, yet no money for the related agencies to support these prisoners. It has an impact on our community and on families moving into our community, where a partner, or so forth, is in prison, and of course when they are released into our community these services are needed. I call on the state government to reinstate this funding.

FEDERAL ELECTION

The Hon. P. CAICA (Colton) (15:24): What we know, and what all of Australia knows, is that there was an election on the weekend and I want to make a few observations and comments regarding this election. As you would have expected, sir, I worked on the Hindmarsh campaign for

the re-election of the former excellent member and my good friend Steve Georganas. This seat remains neck and neck.

First and foremost, what I want to do is thank and congratulate the army of volunteers who worked on Steve's campaign, but I also want to extend my gratitude and congratulations to all those who worked on the campaigns in Port Adelaide, Kingston—of course, Amanda Rishworth has made that a fortress—Adelaide, Makin and Wakefield and the various other seats across Adelaide and South Australia.

Mr Bell: Sturt?

The Hon. P. CAICA: All the other seats, I said. I also want to congratulate all our candidates on their outstanding efforts. Secondly, I want to say that if I never live through another 55-day double dissolution campaign I will die happier than would otherwise be the case. I get why the PM wanted a double dissolution. I did not quite get why he wanted a 55-day campaign. Of course, the PM knows why he wanted both of these things and what he and his party believed would be the likely outcome from this campaign. Never have I seen what a PM and party believed was going to happen be so far off the mark.

What he promised for Australia, amongst jobs and growth, was a stable, unified and coherent government and, of course, a workable Senate. What he delivered could not be further removed from what he promised. What we have witnessed over the 55 days of the campaign, as well as leading into this campaign, actually, and since the polls have closed, has been the most petulant performance I have ever seen from a prime minister who has staked his future on this very campaign.

We also witnessed the most bizarre election night speech from a PM—petulant, arrogant and totally lacking in judgement. He might always believe he is the smartest person in any room but, on Saturday night at the Wentworth, he was the dumbest or, at the very least, as dumb as those who advised him to make that speech, advised him to undertake a 55-day campaign, advised him how to correct the imbalances of the Senate and advised him not to engage properly with real and everyday Australians.

Like those who advised him, the PM should just ride off into the sunset and forget about his leadership aspirations because, if he does not fall on his sword, there is enough evidence since Saturday night that those in his party are going to take the sword to him. He is now a lame-duck leader whose days, I think, are numbered. I want to turn my attention now to someone at the other end of the spectrum that the PM finds himself on and that is Bill Shorten.

Members interjecting:

The Hon. P. CAICA: I must say that on Saturday—

Members interjecting:

The Hon. P. CAICA: I must say, Madam Deputy Speaker—

Members interjecting:

The DEPUTY SPEAKER: I am on my feet. Stop the clock, please.

An honourable member: We were just getting into it!

The DEPUTY SPEAKER: No, order! I am not going to allow members to defy the standing orders because I know there are many here who do not wish that to be the norm so that, when they have a turn to speak, they will be heard. I remind them of both 142 and 131 and my ability to arrest you if you defy me. Let's have a go at that today if you want to keep going any further.

Mr Bell: In your office, Madam Deputy Speaker, or—

The DEPUTY SPEAKER: There is a dungeon you don't know about yet; you haven't been here long enough.

Dr McFetridge interjecting:

The DEPUTY SPEAKER: Order! We have two more speakers and I want to hear them in silence. Member for Colton.

The Hon. P. CAICA: Thank you, ma'am. I think I had said something about Bill Shorten being at the opposite end of the spectrum than where the PM finds himself. I must say that, on Saturday morning, I did not even consider that we would find ourselves on Sunday morning in the position that we did. We owe a lot of this to the Malcolm factor, but we owe a lot more to Bill Shorten, his leadership team, our candidates, our party officers and our army of volunteers. On any fair assessment, it was an excellently run campaign by Labor, and the results have shown this to be true. I congratulate all who were involved in the campaign.

We know it is probable that the Coalition will be in a better position to attempt to form government, but make no mistake: Labor is not out of the mix. I say this because it is my view that the very nature of the PM might make it more difficult for some to agree to support him in forming government. He is certainly no Shorten when it comes to negotiation. Time will tell.

Mr Whetstone: It's coming to Elder.

The DEPUTY SPEAKER: Member for Chaffey.

The Hon. P. CAICA: Interestingly, after Saturday night where the PM's—

Mr Tarzia: And Port Pirie.

The DEPUTY SPEAKER: The member for Hartley will not get his turn to have a grievance if he is not careful.

The Hon. P. CAICA: —petulant performance tried to sheet blame for the result onto others, I note that since this morning (no doubt on the advice of others) the PM is taking responsibility and stating that it was all his fault. I and the people of Australia already knew this to be the case, but I question the genuineness of the PM's statements, given his previous comments on a lot of issues, including climate change, price on carbon, and marriage equality, amongst the many other areas of policy where his previously stated positions have changed.

A greater number of Australians now know that in the PM we have a person who does not say what he means or mean what he says. We have a hollow man for PM.

Mr Whetstone interjecting:

The DEPUTY SPEAKER: Member for Chaffey.

Members interjecting:

The DEPUTY SPEAKER: I cannot protect you from the other side because you have all disrespected the standing orders. They can go their hardest if you are not going to observe them.

Mr TARZIA: I promise to be impeccably behaved.

The DEPUTY SPEAKER: You want it to be that way now because you are speaking, but no-one needs to observe standing orders just because you are on your feet. Member for Hartley.

HARTLEY ELECTORATE

Mr TARZIA (Hartley) (15:30): I rise to speak on a couple of constituents in my area. I know that constituents on both sides of the house have been affected by some elements of some recent legislation that has been amended by the house. Whilst, on the whole, the Return to Work Act has been quite positive, there seem to be a couple of constituents on both sides of respective members' electorates who have been affected by this and I am asking for the Attorney to investigate some issues which I wish to speak about.

I spoke on this bill in September 2014, indicating a few areas of concern, including compensability and also entitlement to weekly payments, and I will bring these again before the house. I specifically bring the attention of the house to clause 37 of schedule 9. It has become apparent that some individuals who have suffered injuries in their workplace who receive income support allocated to them in the workers rehabilitation act of 1986 are not receiving income support under the Return to Work Act 2014 because they were not receiving payments immediately before the designated day, being 1 July 2015.

The Return to Work Act 2014 was introduced with the objective of establishing a scheme that supports workers who suffer injuries at work and has a primary objective to provide early intervention in respect of claims so as to ensure that action is taken to support workers and, in turn, achieve an injured worker's return to work.

I am aware that members of both sides of parliament have had this issue brought to their attention. I have recently been approached by a couple of constituents who are concerned with the way that some of these transitional provisions in the Return to Work Act are affecting their right to access income support payments, but also medical expenses. One in particular has also directed her concerns to the minister for industrial affairs.

In October 2014, this particular constituent was involved in a motor vehicle accident that caused her to suffer substantial injuries, both physical and mental. Despite this, she continued to remain in the workplace and was encouraged to do so by her medical practitioners and also, I am told, Employers Mutual. When her employment ended she got another job. She did not cope well with that job and had days off later because she was not coping due to ongoing symptoms caused by her work injuries, but persisted, both at the recommendation of her doctors and Employers Mutual.

By the end of 2015, she was, unfortunately, no longer able to cope and ceased working. She was suffering from severe symptoms of pain and discomfort in multiple parts and also panic attacks, anxiety and depression. Although Employers Mutual denied her claim, they have told her that they agree she has an entitlement to receive income support payments as of 1 January 2016. Because of the way the law has been written, however, she is currently precluded from accessing the support and care that she needs from the system.

She is outraged because she chose to stay at home between the date of her injury and 1 July 2015. She would not be in the position she is now in and she would be guaranteed access to medical expenses for the next two years. She suggested that the Attorney may look to investigate an amendment that could be introduced to fix the small part of the Return to Work Act that sees those who tried to return to work.

The Australian Lawyers Alliance has recently called on the Minister for Industrial Relations to conduct an urgent review of these transitional provisions of the act that have led to this unfair result, such as my constituent has faced, but also to take steps to correct this unfairness. The question has been asked whether the Attorney should also consider a review by the Attorney-General's Department of aspects of the Return to Work Act 2014.

I hope the review brings to light whether there is a small part of the act that sees individuals in need of income support who at the moment seem to be cut off from the system. One may look at the recent case of Ms Pennington as an example, which was covered in the recent media. Weekly payments to Ms Pennington were discontinued as she was not receiving payments for her injuries on the designated day, 1 July 2015.

A review may also consider amendments to the act, with the intention of providing coverage of the act (income support payments) to workers who have an existing injury but who were not in receipt of payments immediately before the designated date. As it stands, clause 37(1) of schedule 9 lists that a series of categories of workers are all predicated on having an entitlement to a weekly payment immediately before the designated day.

Again, an added transitional clause could be considered in a review to deal with the people who are affected by this wording and in genuine need of income support to assist in their return to work. I encourage the Attorney-General to consider these recommendations and to provide and consider changes, if necessary, for the purpose of effectively returning injured workers to work and giving them the provision of income support that they deserve.

TOUCHED BY OLIVIA FOUNDATION

Ms DIGANCE (Elder) (15:35): Today, I want to talk about an amazing concept in playgrounds. These playgrounds accommodate all levels of ability, and they also accommodate children who are in wheelchairs and those with disabilities and different levels of mobility. I am talking about play spaces courtesy of the Touched by Olivia Foundation. It was some time ago that the City of Marion flagged with me their intention to build one of these playgrounds to facilitate a truly inclusive

play space. The idea instantly captured my imagination. This will be the first inclusive play space to be built in South Australia.

The Hon. T.R. Kenyon interjecting:

Ms DIGANCE: I do like a good playground, you're right. Already in Australia there are 19 Livvi's Places, as they are commonly known, with many more in the planning. The home for Livvi's play space will be Hendrie Reserve, just behind the Marion Outdoor Swimming Centre.

The City of Marion is a progressive council driven by passionate and dedicated staff always looking for ways and solutions to accommodate, include and improve the lives of all its residents. I applaud their efforts. Just recently, along with the mayor, I opened a nature play space that includes water play, sand play, experiential play, and a drawing wall with many other attributes. It is favourable not only to children but also to the adults who gather there.

This play area has become so popular, and the word has travelled well past the immediate neighbourhood of how exciting and engaging it is for children and their accompanying adults. In coming months, we will see in the local area another innovative play space and open space built for the community in Jervois Street. This has been long awaited by the community, who have for such a long time not had any close proximity to open space where they can meet and where their children can play. I welcome that as well.

The Touched by Olivia Foundation was founded by two very brave and resilient parents. In November 2006, John and Justine Perkins tragically lost their baby daughter, Olivia, at just eight months of age to a very rare illness. In their darkness and in their grief, these two inspiring parents decided that their daughter's death would indeed become a legacy, so the Touched by Olivia Foundation was founded and came to fruition. The ultimate goal of the foundation is to provide and create healthier and happier lives for children, and it is driven by the core platform of creating inclusive play spaces for everyone. The foundation has plans to see these playgrounds available right across Australia.

In one of my previous lives, I was a professional working and intervening with babies and children, and I know the importance of play. Play is important, and it is through play that children learn how to be part of society. It shapes their sense of self and it helps them to form meaning. Play is a fundamental part of childhood. It is important, and it is recognised by the United Nations, and in the UNCROC is written the child's right to enjoyment and play and simply to be a child.

It is also recognised that for children to grow up emotionally stable they must not be denied space and freedom, they must be encouraged to overcome risks, and they also must be provided with the opportunity to make friends with children of their own age and with others. Inclusive play is primarily about children and young people having equal access to and equal participation in local play and leisure opportunities, and this is where Livvi's Place, as the play space is called, addresses this and provides a unique environment for children of all ages and abilities to play side by side.

The extensive research that the Touched by Olivia Foundation has been through has actually created this truly inspirational world-class facility. There are six principles that guide this inclusive play space, and they are that everyone can play, everyone has access to nature, everyone has access to the total experience, is connected with community, can play independently and form friendships. I really welcome this particular space to my local electorate, and I know those with children with all ranges of abilities and disabilities will certainly welcome this as well, as we see children on roundabouts and children in cubby houses and children really experiencing what they most deserve.

Time expired.

Bills

POLICE COMPLAINTS AND DISCIPLINE BILL

Introduction and First 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) (15:41): Obtained leave and introduced a bill for an act to provide for the resolution of complaints made in respect of police officers and certain other persons, to make provision in relation to disciplinary proceedings in respect of police officers and other persons, to repeal the Police (Complaints and Disciplinary Proceedings) Act 1985, to make related amendments to other acts and for other purposes. Read a first time.

Second Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (15:42): I move:

That this bill be now read a second time.

This bill is a response to the recommendations in the report of the Hon Bruce Lander QC, 'Review of legislative schemes: the oversight and management of complaints about police; the receipt and assessment of complaints and reports about public administration'. When the Independent Commissioner Against Corruption Act 2012 was enacted, it was always envisaged that a review of the state's integrity system would be necessary to determine and address duplication and inefficiencies in existing complaints systems.

The review highlighted the unnecessary complexity of the system established under the Police Act 1998 and the Police (Complaints and Disciplinary Proceedings Act) 1985 for the receipt, assessment and investigation of complaints about police. The Police Complaints and Discipline Bill 2016 will repeal the Police Complaints and Disciplinary Proceedings Act, abolishing the Office of Police Ombudsman, and establish a streamlined complaints system in which SAPOL retains primary responsibility for the assessment of complaints and reports about police, with independent oversight by the Office for Public Integrity.

The bill provides for the Office for Public Integrity to have general oversight of the police complaints scheme. Under the current legislation, this role is undertaken by the Police Ombudsman. The OPI will have 24-hour access to a complaints management system set up under this bill, which will remove duplication, increase efficiency and ensure that the resolution of a complaint is appropriate and audited. The ICAC will report annually on the types of sanctions imposed at the outcome of a complaints process.

The bill provides for OPI to give directions to the Internal Investigations Section, to reassess complaints and reports entered onto the complaints management system established under the bill and, after consultation with the officer in charge of the IIS, substitute the IIS assessment of the complaint or report with another assessment. The OPI will continue to refer matters to the ICAC if satisfied that the complaint or report related to matters that should be dealt with by the ICAC under the ICAC Act. The bill also provides for an informal process of dealing with complaints about police conduct.

Management resolution is intended to be an informal and much simpler resolution process for complaints about conduct that the police commissioner determines is suitable for such resolution. The OPI must approve of a determination. It is envisaged that largely conduct that can and should be addressed through education, training, counselling or conciliation, imposition of restrictions relating to duties, authorities or ability to attend courses will be dealt with through this process. The result of a management resolution will be recorded on an electronic management system which will allow the outcomes to be audited by ICAC.

In accordance with recommendations, the scheme established by this bill uses language which is more appropriate to a complaints and disciplinary scheme. Under the current legislation, the police commissioner may charge a designated officer with a breach of discipline. Where a charge is laid and the officer subject of the charge does not make an admission of guilt, proceedings on the charge are heard and determined by the Police Disciplinary Tribunal.

The bill allows for the commissioner to issue a notice of allegation. If the officer does not admit an allegation contained in the notice, the allegation will be heard and determined by the Police Disciplinary Tribunal. Proceedings of the tribunal remain largely unchanged by this bill, except

that provisions allowing the use of evidentiary aids and information if to do so would be consistent with the principles of equity and conscience and appropriate in all of the circumstances of the matter.

The introduction of this bill is another important step towards ensuring an efficient, cohesive integrity system for this state. The proposed scheme is welcomed by SA Police. The transition will require considerable effort and time, and I look forward to the passage of this bill and the commencement of the implementation of the new scheme. I commend the bill to members. I seek leave to insert the explanation of clauses in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

These clauses are formal.

3—Interpretation

This clause defines terms used throughout the measure.

4—Application of Act

This clause clarifies that the measure is in addition to, and does not derogate from, the specified Acts.

5—Separate Internal Investigation Section to be constituted

This clause requires the Commissioner of Police to constitute a separate Internal Investigation Section.

6—Complaint management system

This clause requires the Commissioner of Police to establish a system of recording and managing information for the purposes of the measure, and to ensure the ICAC and the OPI have direct and unrestricted access to the complaint management system for the purposes of the measure and the *Independent Commissioner Against Corruption Act 2012*.

7—Code of conduct

This clause provides for the establishment of a code of conduct for police officers by regulation.

8—Functions of OPI under Act

This clause sets out the functions of the Office for Public Integrity under the measure.

9—Complainant to be kept informed of progress of complaint

This clause requires the Commissioner of Police to keep people who make complaints about police officers informed of the progress of the complaint.

Part 2—Making complaints and reports

Division 1—Complaints and reports about conduct of police officers

10—Making a complaint about conduct of police officer

This clause sets out how a person may make a complaint against a police officer.

11—Right of persons in custody to make complaint

This clause makes procedural provision about the making of complaints under the measure by prisoners.

12—Police officers to report certain conduct of other police officers

This clause requires police officers who suspect other police officers of engaging in certain conduct to report the suspicion.

13—Action to be taken on receipt of complaint or report

This clause sets out what a person to whom a complaint is made must do on receipt of it. In particular, the person is generally required to refer the complaint to the Internal Investigation Section within 48 hours.

Division 2—Assessment of complaints and reports

14—Assessment of complaints and reports by IIS

This clause requires each complaint or report under the measure to be assessed to determine whether it raises issues relating to corruption, misconduct or maladministration in public office.

15—Commissioner may decline to act in relation to certain complaints

This clause sets out circumstances in which the Commissioner may decline to take further action in respect of a particular complaint or report.

Part 3—Certain matters to be resolved by management resolution

16—Application of Part

This clause sets out the kinds of matter to which the Part applies.

17—Commissioner and OPI may enter arrangement for purposes of Part

This clause allows the Commissioner of Police and the OPI to enter an arrangement in respect of dealing with matters under the proposed Part, and sets out principals to which the Commissioner must have regard when dealing with such matters.

18—Dealing with matters by way of management resolution

This clause sets out how matters to which the proposed part applies are to be resolved. These are minor matters, and are to be dealt with by way of management resolution rather than in formal proceedings before the Tribunal.

19—Reporting results of management resolution of matter

This clause requires the resolution officer in respect of a matter dealt with under the proposed Part to report on the resolution of the matter.

20—Monitoring of management resolutions under Part

This clause requires the Commissioner to cause all matters dealt with under this Part to be monitored and reviewed with a view to maintaining proper and consistent practices.

Part 4—Formal proceedings for breach of discipline

21—Investigations of complaints and reports by IIS

This clause requires each complaint or report under the measure to be investigated by the Internal Investigation Section, other than those specified in proposed subsection (2). The clause sets out how matters are to be investigated and confers powers, obligations and protections on police officers.

22—Notice of allegation to be issued in respect of breaches of discipline

This clause sets out how proceedings for a breach of discipline are to be commenced by the Commissioner of Police.

23—Suspension where charge of offence or alleged breach of discipline

This clause provides the Commissioner of Police with the power to suspend the appointment of a police officer in the circumstances specified. The clause also sets out procedural matters in respect of such a suspension.

24—Police officer may admit or deny allegations

This clause enables a police officer to admit or deny allegations contained in a notice of allegation, to be done in accordance with the regulations.

25—Allegations to be heard and determined by Tribunal

This clause provides that allegations contained in a notice of allegation and not admitted by the police officer concerned are to be heard and determined by the Police Disciplinary Tribunal in accordance with the proposed section.

26—Commissioner may sanction police officer following offence or breach of discipline

This clause provides that the Commissioner of Police may impose certain sanctions on a police officer who admits, or is found to have committed, a breach of discipline.

Part 5—Oversight of complaints and reports by OPI etc

27—OPI may direct Commissioner etc in relation to handling of complaints and reports

This clause provides that the Officer for Public Integrity may direct the Commissioner of Police and other police officers in respect of complaints or reports under the measure. Such a direction must be complied without undue delay.

28—Reassessment of certain complaints and reports by OPI

This clause provides that the Officer for Public Integrity may reassess a complaint or report under the measure (and such an assessment will then be taken to be the assessment of the Internal Investigation Section).

29—OPI may refer complaints and reports to ICAC

This clause enables the Office for Public Integrity to refer complaints and reports under the measure to the Independent Commissioner Against Corruption to be dealt with under the *Independent Commissioner Against Corruption Act 2012*.

30—ICAC may investigate matters under section

This clause enables the Independent Commissioner Against Corruption to investigate complaints and reports under the measure if he or she considers it appropriate to do so, and in doing so has all the powers of a member of the Internal Investigation Section.

31—Annual report on sanctions imposed for breaches of discipline

This clause requires the Independent Commissioner Against Corruption to prepare an annual report in respect of the number and general nature of sanctions imposed under proposed section 26 in relation to breaches of discipline in the preceding financial year.

Part 6—Appeals

32—Appeals

This clause confers a right of appeal to the Administrative and Disciplinary Division of the District Court against a decision of the Tribunal, or certain decisions of the Commissioner in respect of management resolutions and the imposition of sanctions.

Part 7—Police Disciplinary Tribunal

33—Constitution of Police Disciplinary Tribunal

This clause provides for a Police Disciplinary Tribunal, constituted of a magistrate.

34—Registrar and deputy registrar

This clause requires the Registrar and Deputy Registrar of the Tribunal to be public servants.

35—Proceedings before Tribunal

This clause makes procedural provision in respect of proceedings before the Tribunal.

36—Powers of Tribunal

This clause sets out the powers of the Tribunal in respect of proceedings and witnesses etc.

37—Protection of Tribunal, counsel and witnesses

This clause confers protections on specified persons appearing before the tribunal consistent with those in court proceedings.

38—Reference of question of law

This clause enables the Tribunal to refer questions of law to the Supreme Court.

39—Costs

This clause provides for the awarding of costs by the Tribunal.

40—Reasons for decision

This clause requires the Tribunal to give reasons for its decisions at the request of the specified persons.

Part 8—Miscellaneous

41—Obstruction of complaint or report

This clause creates an offence for a person to prevent or hinder a person from making a complaint or report under the measure.

42—False or misleading statements

This clause creates an offence for a person to make a false or misleading statement in information provided under the measure, and to make a false complaint or report under the measure.

43—Use of evidentiary aids

This clause enables evidentiary aids under other Acts to be used in proceedings before the Tribunal.

44—Use of evidence or information obtained under other Acts etc

This clause enables evidence and information obtained under this measure or any other Act to be used in relation to management resolutions or proceedings before the Tribunal under this measure.

45—Limitation on requirement to divulge information

This clause provides that a person who is, or who has been, engaged in the administration or enforcement of this measure or the repealed Act cannot be required to divulge information disclosed or obtained in the course of an investigation except in the specified circumstances.

46—Confidentiality

This clause creates an offence for a person engaged in the administration of the measure to disclose certain information, and makes provision for when information can be disclosed.

47—Publication of information and evidence

This clause prevents a person from publishing certain information without the authorisation of the Commissioner of Police, the ICAC or the OPI or a court.

48—Service

This clause sets out how notices and documents are to be served under the measure.

49—Regulations

This clause is a standard regulation making power.

Schedule 1—Related amendments, repeal and transitional provisions

Parts 1 to 14

These Parts make related amendments to numerous Acts to replace provisions relating to the Police Ombudsman, a position abolished under the measure.

The Parts also make consequential amendments to the *Police Act 1998* and the *Protective Security Act 2007* consequent upon the repeal of the *Police (Complaints and Disciplinary Proceedings) Act 1985*.

Part 15—Repeal of *Police (Complaints and Disciplinary Proceedings) Act 1985*

53—Repeal of *Police (Complaints and Disciplinary Proceedings) Act 1985*

This clause repeals the *Police (Complaints and Disciplinary Proceedings) Act 1985*.

Part 16—Transitional provisions

54—Certain orders of Commissioner etc under repealed Act taken to be valid

This clause validates certain actions purportedly taken under section 40 of the repealed Act and over which some doubt exists as to their validity.

55—Complaints, reports and proceedings under *Police (Complaints and Disciplinary Proceedings) Act 1985*

This clause deems certain complaints or reports made under the repealed Act to be complaints or reports under this measure or the *Protective Security Act 2007* (as the case requires).

Debate adjourned on motion of Ms Chapman.

PUBLIC INTOXICATION (REVIEW RECOMMENDATIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 23 June 2016.)

Dr McFETRIDGE (Morphett) (15:48): I can indicate to the house that the opposition will be supporting this legislation but does reserve the right to look at amendments between the houses, as all the feedback we had expected to receive from stakeholders has not arrived because of, I understand, the very tight timetable that this bill has been put under, including briefings as recently as yesterday for the shadow minister in the other place.

However, this piece of legislation is updating a 1984 bill. The 1984 Public Intoxication Act repealed the Alcohol and Drug Addicts (Treatment) Act 1961 and it has not been looked at since then. In June 2012, the Minister for Mental Health and Substance Abuse commissioned a review of the Public Intoxication Act 1984 in response to the Deputy State Coroner's findings in the inquest into the deaths of six Aboriginal persons who died between 2004 and 2009.

The review, by independent reviewer Dr Chris Reynolds, was published in December 2012 and made 22 recommendations. There was a three-year gap, and in 2015 the government responded to Dr Reynolds' review and accepted nine of the recommendations, and 13 others were accepted in principle. Of the nine recommendations that the government accepted, two have not been directly implemented into the bill as they are covered by already existing legislation. These include recommendation 3, relating to initiatives to reduce access to alcohol as regulated by the Liquor Licensing Act 1997, and recommendation 22, which relates to the possible application of guardianship orders for people who are chronically intoxicated and whose mental incapacity qualifies them for such an order, which is sufficiently covered in the Guardianship and Administration Act 1993.

The bill is focused on controlling and minimising harm caused by already intoxicated persons and proposes to make the following amendments. It proposes to expressly state the objects and principles of the act, and that is in section (2). Secondly, it proposes to expand the definition of drugs to include alcohol and any other substance. The number of new synthetic drugs that are being developed, the chase that is on between the health department and those who are concocting these new drugs, is never-ending and, unfortunately, the effects of a lot of these illicit drugs are unpredictable. They may, in some cases, be within the law and quite legal, but they are still causing profound health effects.

I remind the house that this bill is not about changing the criminal law, it is about changing the public health law because this is a serious public health issue. The harm caused by alcohol is massive in our society, and I think everybody has to have some responsibility for that. I have some serious issues with people turning up at our EDs who are absolutely drunk and are then abusing and, in some cases, attacking our hospital staff. That is absolutely despicable. How you control that, how you make these people accountable for their actions, and how you even perhaps make them pay for the cost of this self-inflicted harm that they are doing and their behaviour as a result, I do not know.

The need to make sure that we make people accountable for their outcomes is vital though. I know that in 2004 we abolished the drunk's defence as a defence under the criminal code. That changed most of the legislation so you could not use being intoxicated, whether it is through alcohol or through other drugs, as a defence when being charged with the vast majority of offences. I think the only exception was that if you actually killed somebody, you could then have that charge laid as manslaughter and not murder.

The drunk's defence is something that we have abolished in this place, and I think the vast majority of people out there would say, 'Well, you are the one who goes out and takes the drugs or drinks the drink. You should be aware of the outcomes of your indulgences. You should still be held responsible for those outcomes, even though at that particular time you might have been affected by those drugs or the other things you have been taking.' I think everybody out there would think that that is a reasonable thing to have put in place. I would remind the house that this is not about criminal convictions or arresting people, it is about detaining people quite differently and it is a public health issue.

The other thing that the bill is focusing on is to insert a broader definition of a public place, similar to that in the Summary Offences Act and the tobacco control act. Interestingly, the definitions of a public place are quite different in the Tobacco Products Regulation Act 1997 where the definition of a public area or public place means:

...an area or place that the public, or a section of the public, is entitled to use or that is open to, or used by, the public or a section of the public (whether access is unrestricted or subject to payment of money, membership of a body or otherwise);

That is in the Tobacco Products Regulation Act. In the Public Intoxication Act, which is using the same definition as in the Summary Offences Act, a public place includes:

- (a) a place to which free access is permitted to the public, with the express or tacit consent of the owner or occupier of that place; and
- (b) a place to which the public are admitted on payment of money, the test of admittance being the payment of money only; and

- (c) a road, street, footway, court, alley or thoroughfare which the public are allowed to use, [despite the fact that the] road, street, footway, court, alley or thoroughfare is on private property;

With two definitions of the same thing, no wonder we have the Acts Interpretation Act. We need to perhaps sort out those definitions across our legislation but, for this particular piece of legislation, that definition I think is more than suitable.

The bill also then goes on to extend the maximum period of detention by police from 10 hours to 12 hours but retains the 18-hour maximum period of detention for declared sobering up centres. If the minister can give us a list of those declared sobering up centres in her response to this speech, that would be good. If the minister can also tell us the number of men, the number of women and the number of children who are being detained by police in these sobering up centres or in police cells, I think those figures would be alarming for anybody. The time and the effort, never mind the cost, of detaining these people is something we all have to be aware of. If this legislation helps us do that, all the better.

Perhaps the minister could also tell us if there are any cross-payments between the police and the Department for Health because the police cells are being used or the watch house is being used. I think, in other places, there are private facilities, but perhaps we could get some information on that. The increased detention time is something we need to be aware of. If somebody needs to be detained that long, the level of intoxication in the first place perhaps needs to be assessed. Do people need to be transferred to a medical facility rather than a police facility? What is the cost involved with that?

We were up in Coober Pedy with the Aboriginal Lands Parliamentary Standing Committee not long ago. The mobile assistance patrols were out there. They had been particularly helping Aboriginal people who were getting intoxicated. They were picking them up and taking them back to their sobering up centre for a minimal cost. There was a very small cost. The alternative was, if the police came across these people, they were arrested, in some cases, then taken to the police station. In other cases, an ambulance was called, and they were taken to the hospital at massive cost.

I congratulate the mobile assistance patrols—the Aboriginal patrols—not only in Coober Pedy but also in Adelaide. In Adelaide, the mobile assistance patrols work Monday to Thursday from 4pm to 3.30am the following morning. From Friday to Saturday, they work from 4pm to 3.30am and, on Sunday, they work from 7.30pm to 3.30am. They (DASSA) are funded by SA Health and the Adelaide City Council. They do a terrific job of picking up people and making sure they are not only not harming others and causing problems but also not harming themselves, which is very important.

It is important to have these mobile assistance patrols and the ability to pick these people up, whether or not it is the police. Certainly, with the numbers of dry areas we have around the place now, I think there is a real need to make sure that people who are intoxicated are not then inadvertently or deliberately, in some cases, going into dry areas and compounding their own problems. I know that, in recommendation 5, Dr Reynolds talks about dry areas. He says:

Dry areas and the expiation notices associated with them compound the problems of chronically intoxicated persons. While they are important strategies for reducing violence and preserving local amenity, there is a need to consider diversion programs as an option to prosecution where considered appropriate.

That is where the MAPS programs really come to the fore. I understand that some of the NGOs, particularly Anglicare, are looking at providing extra facilities where people can go if they have problems with substance abuse, particularly with intoxication. We need to make sure we try to not only deal with the immediate incident but also educate the people who are involved about the consequences of their actions. There are long-term health effects not only for themselves but also, in some cases, for pregnant women when foetal alcohol syndrome and other health consequences can be extremely severe and life shattering not only for those who are intoxicated but, perhaps in some cases, for their offspring.

The need to make sure we use dry zones to preserve our local amenity I think is very important. Certainly, we have dry areas down at Glenelg, and they work very well. I congratulate the police in Glenelg on the work they do. I hope that their police station does not have their hours cut back, because we do need them. We need them down there, and we need them on the foot patrols

to enforce the dry areas. They do a terrific job, and I think they do it very well. They do it in a balanced way and a very fair way.

Another issue in relation to mobile assistance patrols and police picking up people is: what happens with the repeat offenders? If someone is an alcoholic or addicted to drugs, they are obviously going to be repeat offenders. It would be interesting to find out what the plans are to refer these people off to agencies, to NGOs, and perhaps even to compel them to undertake some sort of detox or some sort of rehab. Is there a plan in place for that?

The cost to the health system of drunks and drug-intoxicated people turning up at the EDs is extreme, not only in financial terms but also in physical terms. My son is an RMO at the Royal Adelaide Hospital, and he has told me some of the stories about the things he has had to put up with—and security guards down there are vital. It is a shame that we have to do that, with the cost to the taxpayer of providing those security guards, and the threat that our doctors and nurses are under is completely unacceptable. That is where I think there has to be some fallback onto the people who are presenting as either drunk or on drugs.

The legislation is relatively straightforward, and the last issue I need to talk about is new section 13, which will protect people involved in the administration of the act from civil liability, provided their actions are in good faith. It is reasonable legislation. Intoxication, drug use, drug abuse, alcohol abuse—never mind smoking ordinary tobacco on top of that—are costing the community billions and billions of dollars every year, so we need to do something about it. This is an update of an act that has been around for over 20 years now.

All 22 of the Reynolds recommendations are fairly straightforward. The government has, in principle, accepted a number of those and others, and we look forward to seeing them being implemented as soon as we possibly can. Certainly, we are doing all we can to make sure that people are not getting into this state in the first place and that, if they are in this state, they are not causing a hazard to themselves or to the rest of society. With that, I commend the bill to the house, but I say that the shadow minister in the other place will be seeking some further feedback from stakeholders and that some changes may be needed to represent those views.

Mr ODENWALDER (Little Para) (16:02): I rise to support this bill. As the member for Morphett has said quite eloquently, this is not a law and order crime-busting bill—this is a bill about public health. However, I want to reflect a little bit on its impact on police operations.

Data from South Australia Police shows that about 3,000 people are apprehended under the act each year. I do not know whether that is rising or falling, or whatever. I know that it was an act I used a lot when I was on patrols, and it is used to protect people from themselves. It is also used as a method of protecting people from others, to be quite frank, so the police do use it in an operational sense in that way. Obviously, we have come a long way from the far distant regime of the drunk and disorderly offence, when people were brought before the court simply for being intoxicated—which is a good thing.

Fifty per cent of those apprehended identify as Aboriginal, and 50 per cent are discharged from police custody to home or into the care of a friend or relative. As the member for Morphett has said, it does provide an expanded definition of a drug for the purposes of the act. The Reynolds review did recommend 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. Again, as the member for Morphett said, this does cover the proliferation of different types of synthetic drugs we see, which are impossible to keep up with by way of regulation if, indeed, we wanted to.

Persons intoxicated in a public place who are unable to care for themselves should be protected from harm, and others should be protected from harm, regardless of the intoxicating substance. The bill does amend 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. It is simply unnecessary and, I think, a much more workable approach if we are going to consider this a public health matter, rather than a law and order matter.

The other thing this bill does is to extend the maximum period of detention by police to 12 hours, but to continue retaining the 18-hour maximum period of detention for declared sobering up centres. 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. This is in response to recommendation 8 of the Reynolds review.

The bill does extend the maximum period of detention by police to 12 hours, but it does, as I said, retain the 18-hour maximum period. This is in line also with advice from SA Health addiction medicine clinicians that a person should be sufficiently recovered after 12 hours to take proper care of themselves. I think it just gives that extra little bit of time so that we do not create more of the problems we are trying to solve. There are currently five sobering up units. I think this might answer one of the member for Morphett's questions.

There are currently five sobering up units approved by the minister and gazetted as places for the purposes of section 7(3)(b) of the Public Intoxication Act. These approved facilities are located in Adelaide at the Salvation Army sobering up unit, in Ceduna at the sobering up unit, in Port Augusta at the Port Augusta Substance Misuse Service, in Coober Pedy and in Stepney at the Integrated Youth Specialist Substance Misuse Service, which is operated by Centacare Catholic Family Services. These sobering up services are funded under the SA Health Specialist Drug and Alcohol Assessment and Treatment Services program for the provision of services up to 30 June 2020. With those few words I commend the bill and look forward to its speedy passage through the house.

The DEPUTY SPEAKER: The member for Stuart.

Mr VAN HOLST PELLEKAAN (Stuart) (16:06): Thank you, Deputy Speaker, for my opportunity to speak on the Public Intoxication (Review Recommendations) Amendment Bill 2016. I will obviously reiterate a little of what the member for Morphett said, but certainly not most of it. The opposition agrees with this bill in principle. There is a lot in it that we are very supportive of, but we do reserve our right to suggest some improvements, and that will happen, as the member for Morphett said, between the houses once we get all the responses back from the consultation we have sought and we have had another opportunity to discuss it together.

Interestingly, this is very much about trying to find a workable cross-section between places and actions. It is not about a dry zone. It is not about locking up areas of the city or anywhere else and saying, 'You just cannot drink there.' It is about saying that, in certain designated public places, if you are inappropriately under the influence of drugs or alcohol, essentially you are committing a crime and you could face some consequences. Dry zones do work very well, and I would like to refer briefly to the city of Port Augusta.

Several years ago (and I would guess it might well be seven or eight years ago), the Port Augusta City Council asked to have a dry zone for all of the CBD area of Port Augusta—and, in fact, beyond the CBD area—so that no-one was allowed to consume alcohol or have open containers of alcohol in public places, footpaths, parks or anywhere like that. It was very difficult to get majority public support. Certainly, a lot of people opposed it and a lot of people were in favour, and it took quite a while to get people to really understand the process. Former mayor, Joy Baluch, led the charge on this issue.

While there are still certainly people who do not support the concept, as time has gone by support overall has grown and it has worked very well. A lot of effort in Port Augusta, and in many other places of course, goes into trying to address inappropriate behaviour by people due to intoxication. The dry zone supports that a lot. We have a mobile assistance patrol in Port Augusta that works incredibly well. The member for Morphett was talking about how good a job it does down at Glenelg, but it does a tremendous job at Port Augusta too.

We have a very active drug and alcohol management group in Port Augusta which puts a lot of time and effort into addressing these issues. People with a broad range of skills from a cross-section of the community come together to do that. We have the Special Operations Group working in Port Augusta. Special Operations Group is the name of the company. The colloquial name for the Special Operations Group is the K9 Patrol.

I would like to just take this opportunity to say that, of course, K9 does not sound very good, but the reality is that that extremely highly trained dog, under the control of one of the locally highly trained and very responsible and respected handlers, rarely leaves the vehicle. In fact, I can tell you that if people want to see the canine at the centre of the K9 Patrol, they actually need to go to one of the ovals in Port Augusta to see it being exercised and playing ball with a handler.

They will have a much higher chance of seeing the dog out of the vehicle than when it is at work anywhere. While the name might seem a bit scary, the Special Operations Group actually does do a good job in Port Augusta. Of course, it is important to point out that council is the glue that holds all of this together. It is never perfect. We certainly still have problems. There is no doubt about that, but people locally are working very hard to try to address these issues.

We also have temporary dry zones in many other places in Stuart, such as, I think the main street of Wilmington, where I live. On the night of the rodeo, which is the biggest event of the year, typically about 2,000 people from the surrounding district and much further afield come to Wilmington. Usually, the council, at the request of the Rodeo Club, agrees to make the whole main street of Wilmington a dry zone. There is a wide range of different ways of dealing with this sort of thing.

Coming back to the bill that we are discussing at the moment, to my mind one of the key things that I have not mentioned already is the expansion of the definition of 'drug' to include alcohol or any other substance that is capable of influencing mental functions. That seems pretty straightforward to me. Another one is a broader definition of public place. The member for Morphett has gone into a fair bit of detail describing how that would be done under this bill if it is passed.

The last of the key things that I want to touch on is the extension of the maximum period of detention by police from 10 to 12 hours. That is not without its unintended consequences. As the member for Little Para said, this is primarily a health bill. This is primarily about trying to help people. It is very much about trying to reduce drug- and alcohol-fuelled violence or the potential for it. It is about trying to reduce self-harm through the use of drugs and alcohol. By self-harm, I am not talking about slashing wrists, necessarily, but negative health effects, which are very real.

It is also about trying to reduce the cost to taxpayers. There is an enormously high cost through a wide range of government services, from police on the spot all the way through to long-term health impacts, which taxpayers bear, when people harm themselves or others through the consumption of drugs or alcohol. A couple of the unintended consequences that I want to just touch on are the impacts on police. I say this as shadow minister for police: there will be a cost upon police.

Our prisons are already outrageously overcrowded, so police cells are from time to time used as prison overflow and remand overflow in a way that was never intended. The city watch house, obviously comes to mind. Largely, that is a correctional facility these days. It is very regularly treated exactly that way. Other suburban police cells at Holden Hill, Port Adelaide and other places are used as overflow for prison capacity, people who should be in the Correctional Services system not being held by police.

Keeping in mind my support for the principle of the bill, which is to try to stop people from overimbibing, it is very likely that this would put extra unintended pressure on our police. Because they are already under pressure from the overcrowded prison system, this will give them extra work and quite likely extra people they are holding, if nothing else, for potentially a longer period of time. Deputy Speaker, you might know that when people are held in police cells they must have nonstop 24-hour police officer attention on them.

It is not like going to a correctional facility, where there are Correctional Services officers and there is a system in place and an extra person does not necessarily mean extra work; it means work that people are there to do already, unless you are pushed up right against the margin, as we often are in our state. But in a police context, if somebody is to be held in a police cell, a police officer must be there the whole while that person is being held there. It means that that police officer is not out on the street and that they are not doing other duties that they need to be doing.

Let me wind up by saying that, yes, while we are broadly supportive of the principle of this bill and that, yes, while we reserve our right to propose changes between the houses, I take extensions to the deprivation of liberty extremely seriously. It is not something that I would entertain,

and it is not something that my colleagues would entertain lightly. We think that is very serious and we will consider this bill very closely and very responsibly in the context of those things that I have said in my contribution.

Ms DIGANCE (Elder) (16:16): I also rise to speak in support of the Public Intoxication (Review Recommendations) Amendment Bill 2016, which seeks to amend the Public Intoxication Act 1984 to implement recommendations from the review of South Australia's Public Intoxication Act 1984. In June 2012, the government committed to reviewing the Public Intoxication Act 1984 in response to recommendations made in the 2011 Deputy Coroner's findings following concurrent inquests into the death of six Aboriginal persons who died between 2004 and 2009 and also in the findings delivered in November 2011 following the inquest into the death of a young Aboriginal man known as Kunmanara Brown.

The government engaged the expertise of the public health law academic, Dr Chris Reynolds, who in 2015 handed down the findings of his review. His findings were consistent with the government's policy that public intoxication is in itself not a criminal offence and should be managed accordingly. Dr Reynolds is regarded as a leader in the field of public health law in Australasia and has advised the Australian government and state governments on various aspects of public health law and policy. He is indeed well published on a number of topics and specialises in community engagement and consultation.

I understand Dr Reynolds consulted widely, including visiting Ceduna and Port Augusta, where he met with local agencies, communities and service providers and visited facilities and had the opportunity to see the problems of the public intoxication issue firsthand. The government has accepted nine of Dr Reynolds recommendations, and 13 recommendations were accepted in principle. Of the 22 recommendations made by Dr Reynolds, none were rejected. While Dr Reynolds in his report noted:

In many ways the changes anticipated to the Act will not greatly change current practice, since the day to day administration of public intoxication has anticipated a number of my recommendations...

I would suggest, however, that from his review and the determination there will be the ability to protect people involved in the administration of the act from civil liability, providing their actions are in good faith. 'In good faith' means that as health professionals, for instance, you are dealing with the interaction between people in a fair and open way and that there is honesty, sincerity and best endeavours no matter the outcome.

The Reynolds review recommended that the act protect those involved in its administration, such as police and centre staff, from civil or criminal liability provided their actions are in good faith and done for the purpose of complying with it. This is recommendation 12. In reference to the Reynolds review and protection from liability, the government has undertaken to look at civil matters, and rightly so.

This provision is designed to protect health professionals who are administering the act, to give them extra assurance that they can conduct their work without fear of prosecution; that is, using that in good faith. Whilst those at the coalface, such as persons working in the sobering up units, will be direct beneficiaries of this clause, I would also suggest that many health workers will be beneficiaries of these changes. These include nurses, midwives and ambulance officers, to name just a few. I know they will be grateful that they can act in good faith, as they manage their charges for the best possible outcome.

These situations can be quite precarious. I have been part of fractious situations, when faced with intoxicated patients in emergency services, as they struggle and lash out, for instance, and it can be a powder keg situation. As a serving officer in SA Ambulance, I am experienced and know all too well the confrontation and unpredictability that alcohol-fuelled situations can bring, for instance at a multiple vehicle accident, where triage and quick first-aid attention is necessary but which can turn into a situation of high emotion and violent eruptions as a result of skewed behaviour at the hands of alcohol. It can also occur in sadder situations of squalid living conditions, where infants are at risk. It is a challenging situation, as I know firsthand, when you are faced with another layer of unreasonable behaviour due to alcohol.

To have the flexibility and the backup of this law, to act in good faith, inspires confidence in professionals and their duties. To now look at treating public intoxication as a public health issue is certainly refreshing because, as those who work in the health industry would know, this is a situation that can be dealt with in many ways to be mitigated as far as addressing the health issues that these people may face. Alcohol works as a toxin in the body, and it can damage every organ. Chronic drinkers can develop liver disease, they can end up with mental health problems and depression, and there can also be alcohol induced suicide or, in reverse, suicide which then brings on public intoxication issues. It is a situation that can also give rise to domestic violence, which is something I know this house is intent on dealing with, and rightly so.

To have this change viewed as a public health issue and to have those protections so that health professionals and those working in this area who deal with people and public intoxication can deal with them without fear or favour and in good faith is certainly refreshing. With those comments, I support the bill.

Mr WHETSTONE (Chaffey) (16:23): I would like to make a small contribution to the debate on the Public Intoxication (Review Recommendations) Amendment Bill. By way of background, in 2012 the Minister for Mental Health and Substance Abuse commissioned a review by Dr Chris Reynolds, which was published in December 2012; but it has taken such a long time. Why has it taken so long for these recommendations to come to this place?

Mr Duluk: Incompetent.

Mr WHETSTONE: Incompetent, someone said. I feel that it has taken way too long for these recommendations to be brought forward. Nevertheless, the bill is focused on controlling and minimising harm caused by already intoxicated persons and its purpose is to make the following amendments: to expressly state the objects and principles of the act, and to expand the definition of 'drug' to include alcohol or any other substances that are capable of influencing mental functioning.

It is sad that in today's world we do not just live with intoxication in public places, but we are dealing with an ever-increasing use of crystal methamphetamine that is making people more violent and having an impact on people's behaviour that is much more noted in public places. That is, I guess, a sign of the times, but it is also a sign that we need to do more and we need to actually help those people. From what I have seen over a short period of time in this place, my awareness has become much more particular in noticing irrational behaviour, particularly in public places, because I am obviously myself constantly under the watchful eye of both my constituents and anyone who is in a public place. You do have to be mindful of just what risks can potentially be posed.

The bill is also to insert a broader definition of 'public place', similar to that of the Summary Offences Act, and to extend the maximum period of detention by police from 10 hours to 12 hours but retain the 18-hour maximum period of detention for declared sobering up centres. Again, as the member for Stuart was saying, this is putting extra pressure on our prisons and holding cells. It is putting added pressure on police; they are already overstretched. Our corrections facilities are at capacity, and that does concern me.

Particularly, being on the Public Works Committee has really opened my eyes up to how full our corrections centres are and the ever-increasing number of people who are offending and being put into prisons, particularly for this type of offence: committing criminal acts in public places due to intoxication and drug inducement. That leads to, again, as other members have said, irrational behaviour and violent behaviour that, in this day, is totally unacceptable. This place is a very strong and loud advocate for domestic violence prevention through some great initiatives, and White Ribbon is one that I do take note of and am an ambassador for.

We need to be much more proactive when it comes to public nuisance, and particularly the definition of 'intoxication' or 'drug induced'. Sometimes I wish that my electorate office was a dry zone because many of us here would understand that we are visited regularly by people who do have social issues and alcohol and drug issues. Sometimes they come to the electorate office as a way to let off steam.

I know just recently I have had an increased number of people who have come to my office and let off steam. It is a great thing that we have had upgraded security in recent times in the offices, because I know, after we have had a visit by people who are intoxicated, there is a lathering of spit

over those glass panels when they vent their anger and frustration that the current government is not addressing their needs.

Mr Duluk: My office is like that every day.

Mr WHETSTONE: Every day. I would like to take the opportunity to speak about some of the impacts of dry zones in the electorate of Chaffey, particularly in the Riverland. There are no dry zones, as I understand, in my Mallee region, but what we do see is that dry zones are being put in place primarily on riverbanks and public spaces. We are very fortunate to have nice gardens and grassed areas, lots of shade, benches, shelter and protection, but these have also historically been a bit of a gathering centre for those who do, on some certain days, collect a cheque and decide that they are going to make a bit of a nuisance of themselves in consuming the brown bag, if you like, under the arm.

What it means is that I am a supporter of these dry zones, particularly in the Berri Barmera Council area. I am a supporter, and I write letters of recommendation so that they can get those dry zones implemented or continued. Berri Barmera, in particular, has a beautiful riverbank and beautiful grassed and lawned areas, and they need to protect them. People, including locals, can go into those areas confident that they will be safe. We need tourists to be unaware of potential risks from people who are intoxicated in those public spaces, particularly in the tourism areas. The Riverland is a great tourism destination, and we want to make sure that those people remain safe and unapproached by people who are socially challenged through alcohol or drugs.

Berri Barmera has dry zones that I think are there because there are some areas of that council area that are a little tucked away—nice, grassy, green shaded areas that are a bit of a haven for people to come along and make a nuisance of themselves. I notice that in Renmark Paringa they have the town centre dry zone. It is a beautiful riverbank, a beautiful riverfront, and it is probably the best vantage point in the Murray-Darling Basin. To make sure that everyone is safe and that tourists enjoy a great uninterrupted experience, that dry zone is there for the good of our region.

The Darnley Taylor dry zone, behind the rec centre at Renmark, is another area that has been preserved as a dry zone to make sure that it is safe, particularly the thoroughfare with the sporting grounds, the rec centres and the like, and that it protects those people. Of course, the Paringa dry zone is a beautiful little spot on Murtho Road which has been made a dry zone for a very good reason—that is, it is outside the Paringa Hotel. The Red Dog bar has produced a lot of good times, but historically there were a few nuisances who would endure a great time at the front bar but then go out and make a nuisance of themselves on the lawned garden area at the front of the hotel.

The implementation of dry areas should reduce the incidence of public drinking and antisocial and petty criminal behaviour by those public drinkers and drug takers, with the consequence of increased safety for the general public—and I think that is what it is about. It is about ensuring that the general public can go into those beautiful areas of the Riverland towns. Loxton Waikerie is another council area that has dry zones for the protection of their people, but it also ensures that when visitors come they do not have a great experience tarnished by antisocial behaviour.

I think that these recommendations are overdue, I will continue to support them. When my councils come to me looking for extensions of dry zones, I always look at them very carefully and the impacts they will have. I want to make sure that we have public safety, primarily on riverbanks, and that people continue to have a great experience.

Ms COOK (Fisher) (16:34): I rise in support of the government's Public Intoxication (Review Recommendations) Amendment Bill. It is no secret that my 17-year-old son lost his life to a one-punch incident on a public street in the inner south of Adelaide. I have made it my life's work to ensure that I do all I can to ensure that no other family goes through the same pain that my family and I, in particular my husband, Neil Davis, have gone through. Neil has since spoken with nearly 70,000 young South Australians about our loss under the banner of the Sammy D Foundation and in our son's name. He has done this as a way of highlighting the consequences of alcohol and substance misuse and abuse and, in particular, the consequences of violence.

It is also no secret that alcohol is a prime cause of violence in South Australia. In 2013-14, the victim reported rate of the influence of alcohol or, less frequently, another substance being a

factor in assaults was 57 per cent. Preventing alcohol-related antisocial behaviours and assault or other serious consequences takes a concerted and coordinated response, addressing behaviours and choices across the lifespan. I feel that our parliament is united in the desire to ensure a safe community and works cooperatively in the main to achieve this end.

It is vital to provide education regarding the consequences of antisocial or violent behaviours as well as to provide information regarding the effects of drugs and alcohol. Also proven to be effective in challenging the culture of alcohol-related violence is positive role modelling of respectful and nonviolent behaviours to our youth. The government must take control in regulating the sale and supply of alcohol as well as regulating and enforcing internal and external environments. Much work has been done in this regard over the past five years with social awareness programs and liquor licensing reforms being front and centre.

People for many reasons become affected by substances to a degree that they are unable to look after themselves. They are at risk of injury and even death as a consequence of their own, or combined with someone else's, behaviour. Incredibly, approximately 3,000 people are apprehended under the Public Intoxication Act each year as a way of preventing harm. Of those people, 50 per cent identify as Aboriginal. This is a huge over-representation and is another aspect of this problem that needs to be addressed.

Public health expert Chris Reynolds conducted a review of the act in response to Coroner's findings from a 2011 inquest and made several key recommendations, two of which I would like talk further to: firstly, to adopt a definition of a public place similar to that in the Summary Offences Act 1953. The Reynolds 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 government accepted this recommendation. 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; and
- a road, street, footway, court, alley or thoroughfare which the public are allowed to use.

The second recommendation was to amend the act to expressly state its objects and principles. 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.

It is important that we pay close attention to this part of the act as many people, particularly young and inexperienced visitors to an entertainment area or those who are seriously impaired by the influence of a substance, are unable to care for themselves. They are at enormous risk if moved on and ignored rather than cared for.

There is actually a lot of work focusing on public safety that has been and continues to be done in this regard. Non-government organisations and local, state and federal governments link arms with the private sector and citizens to provide solutions to supporting and assisting at risk individuals in public places. Some of the important work being done centres on the presence of trained youth workers and volunteers in public spaces providing assistance and advice, facilitating safe passage out of entertainment precincts such as accessible and affordable public transport, and well-lit taxi waiting areas or NGO-supported minibuses. Sobering up units are also vital as an adjunct to harm minimisation principles.

The Reynolds review recommended that the act should expressly state the objects and principles that articulate its scope and intentions. In its response, the government accepted this recommendation. The bill introduces objects and guiding principles explaining that harm minimisation and protecting public health is the primary goal of the act. This is important. These objects and guiding principles include that the primary concern is to be given to the health and wellbeing 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 majority of states, and all territories, have decriminalised public intoxication. However, public intoxication remains a criminal offence in Victoria and a partial offence in Queensland. Consideration of decriminalisation of public intoxication in Victoria was undertaken with an extensive inquiry into public drunkenness, conducted by the Drugs and Crime Prevention Committee. This review recommended delaying decriminalisation of public intoxication until adequate services were established and did not recommend that powers of detention be applicable to sobering up units.

It is interesting to note that South Australia is the only Australian state or territory, where the legislation provides staff at declared sobering up centres, or an equivalent, the authority to detain intoxicated clients. There is no single fix to address alcohol-related harm, including antisocial behaviours or violence. Sadly, too many people's lives are ruined forever across a range of situations—be it domestic violence, public misadventure, or assault. There is a saying that you cannot legislate against stupidity. Interestingly, I think this is one piece of legislation that can contribute to just that—the prevention of stupidity, or at least the minimising of the consequences of.

I am keen to watch the progress of this bill and support further work in this space, which will always be deeply personal to me and my family. I am pleased to offer my support to the minister on this and I commend the bill to the house.

Mr DULUK (Davenport) (16:41): I would also like to make a contribution on this bill and note my support, and that of this side of the house, on the main aspects of the proposed bill. Firstly, I would like to make a brief comment on the length of time it has taken for this legislation to come before the house.

It was back in November 2011 that the Deputy Coroner delivered his findings on the concurrent inquests into the death of six Aboriginal persons who sadly died between 2004 and 2009. In response to those findings, in June 2012 the government committed to a review of the Public Intoxication Act 1984. The independent review was completed by Dr Chris Reynolds, and his report was delivered in December 2012. It was not until 2015 that the government finally released its response to the Reynolds review, so who knows what it was sitting on for a couple of years.

Draft legislation followed in February 2016, with the bill before us today introduced to the house just a couple of weeks ago, on 23 June. It is almost five years since the Deputy Coroner delivered his findings which initiated the review of the Public Intoxication Act and only now, in July 2016, do we finally have an opportunity to consider legislative change. For me, it is a very sad reflection on this government's commitment to legislative reform and efforts to improve the wellbeing of South Australians.

Notwithstanding the tardiness of the government on this issue, as I have already stated, I am generally supportive of this bill. The Public Intoxication Act is critical to helping protect a person who is found to be under the influence of alcohol or other drugs and, as a result, cannot take proper care of themselves. Importantly, it provides for their apprehension and care if they are found in a public place. The amendments provide an opportunity to modernise the act, which has operated without material amendment since its inception.

In particular, I welcome the expanded definition of 'a drug' for the purposes of this act. The bill makes an important catch-all amendment by expanding the definition of 'a drug' to include:

...alcohol or any other substance that is capable, either alone, or in combination with other substances, of influencing mental functioning.

The strengthening of protection for people involved in the administration of the act from civil liability, providing their intentions are in good faith and done for the purposes of complying with the act, is also a positive step, and I am supportive of the government's position not to provide broader immunity from criminal liability.

Under the act, police officers are required to discharge a detained person when they have recovered and can take proper care of themselves, but before the expiration of 10 hours. The bill extends the maximum period of detention by police to 12 hours, but it retains the 18-hour maximum period of detention for declared sobering up centres. However, the Reynolds review recommended:

The existing period for detention should be replaced with a general sobriety test requiring the release of a person as soon as they are sufficiently sober as to no longer present a risk of harm to themselves or others, though with a new specified maximum limit of 24 hours.

During his review, Dr Reynolds found:

...a number of people raised concerns about instances where detained persons were released at the expiry of the specified period though still quite intoxicated. This presents a dilemma for workers etc conscious of their duty of care but also aware of the rights of the person detained.

I understand that SA Health addiction clinicians do not believe a period of 24 hours is necessary. They consider that a person should be sufficiently recovered after 12 hours to take proper care of themselves. Indeed, Dr Carolyn Edmonds, an addiction medicine specialist at the Drug and Alcohol Services South Australia, was on radio just last week endorsing this view. Dr Edmonds emphasised the value of a shift from 10 hours to 12 hours, saying that 'an extra two hours...can make a difference in terms of metabolism of alcohol'. Hopefully, an extra two hours is sufficient to address these concerns, but it is an area that will need to be closely monitored to ensure we do have the balance right.

The overriding principle of the Public Intoxication Act is harm minimisation. The bill introduces objects and guiding principles to clearly articulate its scope and intentions. Whilst I consider this a worthwhile amendment, the SAPOL numbers that the minister outlined in her second reading speech are a cause of concern. Inserting a clause to better describe the intention of the act will not help deliver tangible results to the South Australian community.

As the minister stated, and we all know, the data from SAPOL shows that approximately 3,000 people are apprehended under the act each year, and half of those apprehended identify as Indigenous South Australians. Around 3,000 apprehensions each year, every year. I believe this figure has been fairly stable year after year. Of course, that 3,000 figure is a marked over-representation of Indigenous South Australians who, as I said, constitute about 50 per cent of those apprehended.

We know Indigenous South Australians make up about 2 per cent of our population, so they are quite clearly over-represented in the 3,000 persons who are apprehended every year. I do appreciate, as we all do in this house, that the over-representation of Indigenous Australians within our criminal justice system, our social and wellbeing centres and statistics is all too high and has long been an issue for many years, but it does provide some insight into the issue of alcohol and the use of other substances amongst Indigenous Australians and the effectiveness of the government's South Australian Alcohol and Other Drug Strategy 2011-2016.

The 2014 progress report on the strategy, which is the most recent publicly available report, noted:

The estimated number and rate of alcohol-related hospitalisations among the Aboriginal population increased slightly between 2007-08 and 2009-10, and decreased over the remainder of the reporting period, with 2012-13 rates similar to those in 2007-08.

Essentially, there has been no substantial change in hospitalisation rates over a five-year period. I would be very interested to see if the figures in the 2015 progress report are more promising, but unfortunately we are still waiting for this report to be released. The 2014 report was released at the end of 2015 and, given this government's track record, I can only assume we will once again be left waiting until Christmas. Recommendation 5 of the Reynolds review states:

Dry areas and the expiation notices associated with them compound the problems of chronically intoxicated persons. While they are important strategies for reducing violence and preserving local [areas], there is a need to consider diversion programmes as an option to prosecution where considered appropriate.

The review found:

When breached, the dry area laws also have the effect of further impoverishing drinkers (in so many cases indigenous drinkers) or further complicating their lives if they do not pay the expiation fee. The significance of this is illustrated by the fact that Ceduna Council (for example) estimates receipts of around \$40,000 annually in relation to dry area expiations. This is over 90% of its total expiation fee income.

These findings are also supported by the Aboriginal Legal Rights Movement. In its submission to the liquor licensing review, the ALRM notes that its workers found that, in October 2014, there were a

total of 25 community members with unpaid fines totalling \$90,000, and in July 2015 there were 28 community members with a total of \$299,000 of outstanding fines. Whilst these figures include expiation notices for sleeping rough and other offences—not just public intoxication—it does highlight the limitation of issuing fines. The ALRM submission supports proposals that:

...people in the grip of grog be treated under a medical model of intervention and diversion through the Public Intoxication Act and detoxification in public hospitals and alcohol rehabilitation centres...

I appreciate that expiation notices have an important role in acting as a deterrent in maintaining dry areas. However, I also believe it may not be the most effective approach in all circumstances, particularly for those offenders with chronic alcohol issues. I note with interest the government's response to recommendation 5 of the Reynolds review:

SA Health with South Australia Police will consider the practicalities and the resource implications of diversionary programs for breach of dry area controls in the circumstances.

I look forward to the outcome of those considerations. It is important that legislative frameworks are well supported by effective policy and programs. Achieving this balance is critical to delivering on the principles of the Public Intoxication Act. Without effective community support and a government committed to preventative health measures, we will continue to fail our most vulnerable.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (16:51): I rise to speak on the Public Intoxication (Review Recommendations) Amendment Bill 2016. I will not traverse the comprehensive matters covered by the member for Morphett, who is our representative covering health matters in this place. I am impressed to have heard the contribution of the member for Davenport because he does certainly look at the matter more broadly. I want to raise two things.

First, this is an act without any purpose stated in its legislation. That is a little unusual. In following the previous acts that have covered intoxication in a public place, addiction and more old-fashioned words that are displayed in the previous legislation, it appears largely to do two things; one is to protect an individual who is under the influence of alcohol or drugs who is in a drunken or intoxicated state, and the other is to protect other people who are in a location in a public place from offence, noise, smell and general unacceptable behaviour that might make their presence in that location unpleasant or unbearable, etc.

Let us remember what we are trying to deal with here: first, removing the inconvenience and unpleasantness for other people in a public area, and second, hopefully, giving some consideration to the person who is intoxicated. However one might consider in a subjective way that that person is creating their own intoxication, the reality is that, in that state, they are vulnerable obviously to the approach and predatory nature of others. They might be robbed, they might be assaulted and, not surprisingly, they might hurt themselves and injure themselves if they were to get into a fracas or even just fall into a gutter.

All of these things make them a vulnerable party and sometimes put everyone else around them in an unpleasant position. How do we deal with it? The police come along and take the person into care under the Public Intoxication Act, as it will now be, and they hold them in care. In a limited way, governments make provision for the facility that they are to be held in and, if they are full, they go to a prison. They are held in a watch house or in cells attached to a police area, where there are other people being taken into custody and charged and where people are visiting and the like.

My concern with this legislation is that extending the period from 10 to 12 hours only leaves these people in prisons in unacceptable accommodation while they sober up. It relieves the police from having to make arrangements, if the person is seriously intoxicated, to transfer them from a cell to a place at which they can get some supervision; supervision if they vomit, supervision if they convulse, supervision if they need to have health interventions to protect themselves against their own self-inflicted harm.

I am a bit concerned about that because it seems to me an avoidance of what the government should be doing. Instead of keeping people longer in prison cells, what they should be doing is two things; one is making sure they have enough facilities at night, and we are talking 3,000 a year that they take into care under this act. They may only keep some for a short time but let us assume a 10 to 12-hour stint is needed for a large portion of them.

We are still not talking about many a year across the state, so surely this is something that could be accommodated by the government, and if they are not prepared to do that then do not leave these people in a prison, sometimes in an environment which is quite revolting. That is not a reflection on the prison guards or on the police, if they are in a police cell; it is a fact that this person may be intoxicated, drunk, vomiting, smelly, urinating, defecating, all of these things which are unpleasant for the people who work there and any other person who might be held in custody with them. I think they are not addressing the serious problem and holding them in a prison cell is not going to make it any better.

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (16:56): I would like to thank all members for their comments and contributions, particularly the member for Fisher and the other members who have outlined their personal connection to the story of why this act is an important piece of legislation to bring before the house. The Public Intoxication (Review Recommendations) Amendment Bill 2016 seeks to amend the Public Intoxication Act 1984 to implement recommendations of the review of the South Australian Public Intoxication Act 1984.

This act provides for the apprehension and care of persons in a public place who are under the influence of a drug or alcohol and are unable to take proper care of him or herself. To say the act does not have a purpose is, I think, not true. It is to protect the general public when unfortunately they cannot protect themselves when they are so under the influence of a substance, and it has operated largely unamended since its introduction in 1984.

Data from South Australia Police shows that approximately 3,000 people are apprehended under the act each year and that about 50 per cent, as the rest of the chamber has canvassed, who are apprehended are identified as Aboriginal, and about 50 per cent are discharged from police custody to home or the care of a friend or relative. The government released its response to the Reynolds review in 2015, which included a commitment to make a legislative change to include all of these facts in the bill.

The bill amends the Public Intoxication Act to expressly state the objects and principles of the act, provide an expanded definition of 'drug' for the purposes of the act, adopt a definition of a 'public place' similar to 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 the declared sobering up centres, and protect people involved in the administration of the act from civil liability providing their actions are in good faith.

In relation to some of the matters that have been raised in the chamber during speeches, I would like to talk about the declared sobering up centres. There are currently no sobering up centres under section 5(1)(a) of the act. The passage of this bill would be a precondition of declaring of sobering up centres, specifically the protection from civil liability. This may be revisited following the passage of the bill. However, South Australia Police concerns about the detention of a person must be addressed as well as other concerns from stakeholders. There are five sobering up units approved and gazetted under section 7(3)(b) of the act, and these are Adelaide, Ceduna, Port Augusta, Coober Pedy, and Stepney.

In relation to the question about the number of people apprehended, I cannot at this time provide the gender and age profile of those people, but I will seek advice from police about that and provide additional information as it becomes available. Additionally, people apprehended under the act are not held in prison; they are detained by police until they are sober. I would like to conclude my remarks by again thanking everyone for their contributions.

Bill read a second time.

Third Reading

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (17:00): I move:

That this bill be now read a third time.

Bill read a third time and passed.

DOG AND CAT MANAGEMENT (MISCELLANEOUS) AMENDMENT BILL*Conference*

The Legislative Council, having considered the recommendations of the conference, agreed to the same.

*Adjournment Debate***LIGHT ELECTORATE**

The Hon. A. PICCOLO (Light) (17:02): I wish to speak to the adjournment debate and to draw to the house's attention to some of the matters relating to my electorate. First of all, I would like to talk about an event to be held on Saturday. The Hewett Centre, a community-based organisation in my electorate, in association with Relationships Australia, is hosting an important event to raise awareness of gambling issues in our community and to assist people who have a problem with gambling.

Gambling Awareness Day includes a range of speakers, the screening of a highly awarded documentary, a panel discussion and some insights into mindfulness to help people deal with their gambling problem. I think this is a great event. It is very important that we increase our understanding of issues of problem gambling in our community. It is one of many addictions, unfortunately, we have in our society that have a major impact on not only the individuals involved but also their family members. Some estimates say that for every problem gambler seven other people are directly affected by that gambling. That could include a partner, children, or people at work, etc.

Last week, I met with both people from the Hewett Centre and one of the counsellors from Relationships Australia, the South Australian branch. With them was a lady I will call Carol for the purposes of this debate. Carol has had a problem with gambling. She has had a number of failed relationships and she has had huge debts because of her gambling problem. What started off as, as she put it, 'just some plain fun playing the pokies' with her husband in 1996 spiralled out of control after a while. There were issues with her relationship, and as a result she took on gambling as one of the ways to deal with the pressures in her life.

She now has her gambling under control, but she says that it is like any other addiction: you just have to be very mindful of where your life is at because the addiction is constantly in your life. She has to work very hard to keep her issues under control. The reason she is coming to speak on the day, which I think is a very brave act, is to do two things; one is to raise awareness about how quickly what can be a social activity can become a problem, and the second is also to let people know that there is hope and help out there available to assist people who have a problem with gambling. She actually did a program for gambling problems, she also joined Gambling Anonymous, and today she works with Relationships Australia and does other work to assist people with gambling problems.

The other part of this day is the award-winning documentary, *Ka-Ching!: Pokie Nation*, which I think is going to be shown in this place, too, sometime this month. It has been advertised by another member of parliament. It talks about how gambling is established, how the gambling industry works on vulnerable people and also about the issue of problem gambling. I would recommend people attend this session in my electorate. It is a free event. I commend the Hewett Centre and also commend the work they are doing with Relationships Australia to help problem gamblers in our community.

Last week, I also had the opportunity to meet with people in Hillier Park, which is one of the residential parks in my electorate. It was one of my regular meetings with the people in the park. On this occasion, we had a conversation regarding the discussion paper about the government's review of the Residential Parks Act 2007. They were provided a briefing about a month ago by the Commissioner for Consumer Affairs and, as a result of that briefing, I caught up with them again just to get some feedback on what their concerns were. During those discussions, I think the major issue raised by the residents was security of tenure of sites within the residential parks.

There was a bit of a discussion about whether you achieve security of tenure either through some sort of minimum fixed period of licence or actually having a system that means there is a certain

notification, prior notice and a right of appeal. In the end, the residents felt that, rather than having a hard and fixed rule regarding fixed-term contracts, which in themselves can create some anomalies, as long as you have proper notification about terminating a contract and there are appropriate appeal rights to make sure that the decisions are fair and reasonable externally, that was the way they would like to see the act go.

Another issue raised by residents was disclosure requirements by a park owner or park managers when entering into leases or licences, and not only entering into licences and leases but also the period of time they are there. They said they wanted to make sure they were aware of what the requirements are and to make sure it is in plain English so that they understand what the liability is when they enter a residential park. In that regard, they would like that tidied up.

They would also like to have what is the equivalent of a section 7 search when you actually buy a property. In other words, the park owner provides a section 7 search, where the council would make comment about the things happening in that community about proposed developments, etc. In essence, it was firstly the issue about security of tenure and, secondly, disclosure. They also want to ensure that increases in site fees are regulated to make sure that they are reasonable and that they get prior notice.

There is also an issue about termination of contracts, particularly when perhaps a person passes away. The issue there was, if they did have a fixed-term contract, what would happen with the expiry bit of the contract and who would have to actually pay for that time. There are a couple of other issues they raised, and we are now putting a submission together on their behalf to go to the commission.

Another matter I would like to raise is that last night the local Gawler Lions Club had their annual Youth of the Year awards, when there was the judging of young people in the community from three senior schools in the electorate, that is, Trinity College, Gawler and District B-12 College and Xavier College. The two students representing Trinity were Vin Nguyen and Cameron Green. Kahliah Lind and Emily Mann were from Xavier, and also Franke Agenbag from Gawler and District College. This award is designed to encourage young leadership in our communities, and I commend the Lions Club for this award.

I would also like to thank the judges, Ian Skewes, Patricia Dent and Ebony Steadman, who took time out from their lives to talk to the young people, who were all students. What I have been told is that all the students made themselves proud, their schools proud and also the community proud. Franke Agenbag won the John Hillier Memorial Award and young Vin from Trinity College won the public speaking award. The award gives them a chance not only to improve their public speaking but also to talk about and argue a case for issues that are dear to their hearts, so it is a very good and important program.

I would also like to mention and congratulate the Gawler BMX Club. The Gawler BMX Club is a very family-orientated intergenerational club, and by 'intergenerational' I mean that three generations of people actually race at the Gawler BMX Club. They have been very successful in getting a \$25,000 grant from the state government to improve both their track and their facilities. The \$25,000 is part of a \$110,000 budget for improvements to their facilities, and there are a number of important things about this track.

First of all, the track provides young people with the opportunity to play sport and it gives an opportunity for families to be involved. The club is also an open track, which means that members of the public can use the track, so the hard work by the members and their families is actually of benefit to the whole school and it is used out of hours as well. The club has a children's membership of around 200 but, when the various family members are added pm, it is more. In 2012, BMX became an Olympic sport, which has obviously increased its profile in our community. The club treasurer, Mr Tim Pengilly, said:

For children, BMX is a great pathway to other cycling disciplines and many great Australian cyclists (road and track) started their cycling careers in BMX racing.

In fact, two young local residents, Miles and Callum Scotson, who lived at Evanston Park and started at the Gawler BMX Club where their parents were involved, are now racing at an international level, so the BMX Club gives a lot of young people a chance to promote their sport.

In the minute I have left, another thing I would like to raise is that last week I also took the opportunity to visit some principals in my electorate to get a rundown on how things are going. Like other members of parliament, I regularly visit my principals to see how things are going and I have a couple of messages. Roseworthy Primary School has moved large leaps ahead in terms of literacy and numeracy. They have put a lot of effort and resources into that area, and they are expecting their NAPLAN results to go through the roof this year, and I support them. The principal, Matt Saunders, is an outstanding leader.

Another good thing in the community is Gawler and District College, which is making their middle school program very effective as well.

LIONS CLUBS

Mr WINGARD (Mitchell) (17:12): I rise today to speak about two wonderful Lions Clubs in my community that are doing great work helping in that area.

The Hon. A. Piccolo: Not as good as Gawler.

Mr WINGARD: The member for Light mentioned his group in Gawler, but I can assure him that these two groups are far better than the Gawler people. I am sure the Gawler people are great, but I know the people in my community would be far better.

The DEPUTY SPEAKER: Order! The Chair will decide, on the weight of your contributions, which are the best Lions Clubs. I am listening to the member for Mitchell. I shall adjudicate.

Mr WINGARD: It is great to share some fellowship in the chamber as we talk about the wonderful Lions groups right across the state, but again I still profess mine to be better than everywhere else because of the great people in my community.

The first arm I would like to talk about is the Hallett Cove and Districts Lions Club, which had their 30th anniversary at Flagstaff Hill in April. The people present did a marvellous job of putting this together. The new club president, Ian Chandler, and Dennis Connor, the immediate past president, and his wife, Cheryl, were both there, along with John Murray, the secretary, and Graham Botting, who does a really fantastic job in this community for Lions. Any time I go to a Lions function, he is working away tirelessly. It was great to see that he received the prestigious Lions Club International President's Medal at the 30th anniversary dinner, which made it even more special. Mick Allinson also played a very big role in putting together the 30th anniversary dinner. I would like to commend those people for their efforts. David Thomas, the C2 Lions District Governor, and his wife, Margie, were also there.

For those of you who do not know, Melvin Jones was the initiator in Chicago of the Lions movement, and he did a wonderful job. Next year, Lions Clubs International will celebrate 100 years of service to local communities across the globe. In a world of competing interests, it is quite remarkable to have an organisation that resonates with community members across every continent.

From my own observations of the wonderful work that the Lions clubs do, I believe there are two key elements to the success of Lions Clubs International: firstly, being part of a strong international community provides a unique opportunity to learn, to personally grow and to serve beyond what we know and beyond our own borders. Lions Clubs International conventions bring like-minded people together to share experiences. The international programs successfully address areas including health, youth volunteering, the environment and disaster relief.

Lions Clubs International's work to improve the lives of people who are blind or living with low vision around the world is also significant and has been a focus for the organisation on the international stage ever since Helen Keller addressed the Lions Clubs International convention back in 1925. My second observation is that, through Lions Clubs, there is a real grassroots approach to community service that is truly commendable. In any particular club, members are local residents. The programs are initiated and administered locally, and the community benefits are realised locally.

The Lions Club of Hallett Cove & Districts is no exception, nor is the Lions Club of Marion. The Lions Club of Hallett Cove & Districts provides services and volunteers hours and is a dedicated partner in addressing so many areas of concern in our local community. Through their leadership, friendship and wisdom, our community continues to benefit from Lions club projects including

'Books n Things' garage sales and the very popular annual Cove Fair which my colleague the member for Bright and I are very engaged with and thoroughly enjoy celebrating with our local community. There are also the Youth of the Year awards, carols by candlelight, emergency patient packs for the Flinders Medical Centre and many other community events and initiatives that they bring to our community.

The Lions Club of Hallett Cove & Districts' involvement in the establishment of a permanent war memorial and garden at the Hallett Cove foreshore is a major project of significance to our community. It must be mentioned how wonderful it is and how well that has been embraced by the local community. The large crowds that gather on ANZAC Day are testament to how wonderfully well this club has done to create this for our community. I was lucky enough to speak there on ANZAC Day this year. The feeling that is created in the cove gives you a Gallipoli chill. It is quite sensational.

I mentioned Melvin Jones who was the founder of Lions. He had a personal motto that said: 'You can't get very far until you start doing something for somebody else.' That is an attitude that has been wholeheartedly adopted by the Lions Club of Hallett Cove & Districts over their 30 years of community service, and it is also, I know, adopted by the Lions Club of Marion. As I wrap up my comments on the Lions Club of Hallett Cove & Districts, I would like to give a quote from Flora Arban, who said on social media:

I think the Lions Club of Hallett Cove do a fantastic job. Free Breakfast on the foreshore every Australia Day, organising the Cove Fair, Santa at Xmas driving around with cakes etc—all from volunteers. Thank you everyone involved.

That really does sum up how the people in the community feel about the wonderful work the Lions Clubs do. To say a little bit about the Lions Club of Marion, I went to their handover dinner just the other night. I came racing from a Rotary meeting as well, so I was a little bit late getting there, but it was great to go and catch up with some good friends.

One of the people I got to catch up with there was Bob Korotcoff, who is a great local representative of our community, really is very engaged with everything that is going on and works incredibly hard for the Lions. The new president was Rosemary Peacock, and it is great to have her on board. The first vice president is Graham Turner, and the second vice president is Carol Holt. The secretary is Kel Waters. Bob Korotcoff, who I mentioned, is the Treasurer, and the past president is Bill Jolley. That team works very hard. I know Solomon Wahome also does a great job working within that group.

The Marion Lions group are not large in number, but they do a marvellous job in raising funds and supporting the community. They do a marvellous barbecue at Harvey Norman on Marion Road every second weekend, and they are there tirelessly, cooking sausages and raising funds. They have the Lions Mints, and there are other projects they do around the community. Also present at the handover dinner was past district governor Bob Dewell, and it was great to see him as well.

The Lions Club of Marion ran through their donations for the year. Nearly \$15,000 worth of donations have been raised by a very small but highly active team in our community, and I would like to make mention of some of the charities to which they have donated funds. These include: the Daw House Hospice Foundation, \$500; the Lions Hearing Dogs Inc., another \$500; Foodbank SA, they put \$1,000 towards their pop-up kiosk; and Operation Flinders, they joined with me in helping fund a local chapter of Operation Flinders, and I really thank and appreciate them for that support.

They also talked about some of the work that they will do. The amount of money that they have raised is outstanding, and I have mentioned the figure of nearly \$15,000 in 12 months. What they have also done is to make me more aware of community groups that need help and support. As an example, they have drawn me into Operation Flinders and also Foodbank SA. That is what the Lions Club do—they make our community aware of what is out there and aware that people who contribute can help and support our local community.

Other charities that they donated to included the Royal Adelaide Hospital Burns Unit, the Royal Flying Doctor Service, Angel Flight Australia, St Vincent de Paul (both at Brighton and Seacombe Gardens), The Salvation Army at Marion, the list goes on. Meals on Wheels was another one that they have looked after. As I said, \$15,000 worth of donations is an outstanding effort, and I would really like to congratulate everyone not only for the money they donated but also for the time

they invest in putting back and giving back to our community in such a great way that all Lions members do.

The other project I should make people aware of is their plan to plant 10,000 trees in 10 years. They are up to 6,000 trees, and they want to plant another 2,000. So, on 5 August, that is where they are going: Braeside Reserve. This group does a marvellous job. I mention Solomon Wahome as well. He often brings people from his work to come along and help contribute to this project. I commend them for that, and I will get my boots on and come along and help. I went last year to help. I was busy in the morning and I thought I would get there and help in the afternoon, but they were so efficient they got the job done and there was no work left for me to do when I got there. They had packed up and gone to lunch. So, I will get there a bit earlier this year because they do get a great team together.

Again, a big congratulations and thankyou to the Lions Club in my local community. I would still argue with the member for Light that they are far better in my community than they are in his because my community does such a marvellous job. But I know that right across this state all the Lions Clubs do an outstanding job, and I would really like to take this opportunity to again commend the two Lions Clubs in my local area: the Lions Club of Marion and the Lions Club of Hallett Cove & Districts.

The DEPUTY SPEAKER: As you know, it is my role to prevent quarrels between members and I have declared the adjournment debates a dead heat this evening.

At 17:23 the house adjourned until Thursday 7 July 2016 at 10:30.