HOUSE OF ASSEMBLY

Tuesday, 11 April 2017

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

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

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament this morning residents of Crestview retirement village, who are guests of the member for Torrens.

Bills

CHILDREN AND YOUNG PEOPLE (SAFETY) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 14 February 2017.)

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) (11:03): I wish to thank members for their contributions to the debate. I would like to confirm that, since the bill was last debated, the Attorney-General's Department has conducted extensive briefings and provided to the opposition copies of all public submissions made during the consultation on the draft bill; a table of changes made to the bill as a result of feedback received during the public consultation, which also compares relevant provisions in the current act; and a comprehensive document that addresses a number of questions that were asked at these briefings and were taken on notice.

Furthermore, in recent weeks the government has met extensively with a range of not-for-profit agencies and organisations that are directly involved in advocating for vulnerable children and young people. These meetings have proven invaluable for the government to obtain further understanding of the concerns raised by these groups. In addition, they have enabled the government to work collaboratively to reach an outcome in the form of amendments to the bill and I look forward to elaborating further on this during the committee stage of the bill.

At this point, I also wish to thank various organisations, agencies and groups that have given their time to attend meetings with the government over the last few weeks. On behalf of the government, I am confident that the amendments satisfy most of the concerns raised for the betterment of children and young people that will be the focus of the act. The government will continue to discuss other issues of early intervention and prevention with these groups as this is not the focus of this bill. Indeed, I think minister Close has indicated to those groups that she is looking at that as a separate and distinct project.

Finally, before this bill is progressed to the committee stage, I would seek to clarify two matters. Firstly, I seek to confirm that, in relation to clause 29 of the bill, which concerns the power of the chief executive to refer a matter to a state authority and, where appropriate, give directions and guidance, it is intended to exempt the Guardian for Children and Young People; this will be achieved by regulation.

I also seek to clarify my reference in the second reading to the royal commission recommendations that have been either given effect to or implemented in full or in part in this bill, specifically recommendations 56, 93, 135, 160 and 198. I seek to clarify that there are no specific

provisions in this bill that address these royal commission recommendations but, instead, that these are being implemented in accordance with the South Australian government's response to the Child Protection Systems Royal Commission Report.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr PEDERICK: Is the Statutes Amendment (Rights of Foster Parents, Guardians and Kinship Carers) Act 2016 being incorporated into this bill? I did have a discussion with the Minister for Education about the Children and Young People (Safety) Bill and I note that part 9—Miscellaneous, clause 103—Agreement for funeral arrangements of children and young people in care is in there but that the previous clauses are not. I am seeking clarity because, after a couple of years of getting that piece of legislation through, I do not want to lose it.

The Hon. J.R. RAU: I am advised that is not being touched at all; it remains.

Mr PEDERICK: For clarity and to help me legally, if it is not being touched, why is there a need to put clause 103—Agreement for funeral arrangements of children and young people in care into the Children and Young People (Safety) Bill 2017?

The Hon. J.R. RAU: I am advised that it was thought, in drafting, that it sat more comfortably in this than where it was. The balance of the other act to which the member for Hammond refers has not been disturbed and will not be disturbed. As I am advised, this provision has simply been moved from there to here and that is it. It was just thought that it sat more comfortably in this bill than in that act, but otherwise that act is undisturbed and there is no intention to disturb it.

Mr PEDERICK: For final clarity, does that mean it will come out of the Statutes Amendment (Rights of Foster Parents, Guardians and Kinship Carers) Act and just be in this legislation alone?

The Hon. J.R. RAU: That is right, otherwise it would be in two places.

Clause passed.

Clauses 2 and 3 passed.

Clause 4.

Ms SANDERSON: I move:

Amendment No 1 [Sanderson–2]—

Page 9, line 2 [clause 4(3)]—Delete 'traditionally' and substitute 'historically'

This is just a word change. The word 'traditionally' has connotations in Aboriginal and Torres Strait Islander culture and they would prefer that word to be 'historically', which I believe was the intention anyway.

The CHAIR: Is there only one spot in the whole bill where this occurs?

Ms SANDERSON: Yes.

The Hon. J.R. RAU: I have no problem with that; that is fine.

Amendment carried; clause as amended passed.

Clauses 5 and 6 passed.

Clause 7.

The CHAIR: This is the beginning of our tricky bits. The member for Adelaide's amendment [Sanderson-1] 1 seeks to delete all words after the word 'The' in clause 7, page 9, lines 24 to 26. The minister seeks to delete words in the same clause, but later in the paragraph at line 25. To safeguard the minister's amendment, I propose to put the member for Adelaide's amendment in a truncated form as follows. I believe we have spoken to you about this.

Ms SANDERSON: No.

The CHAIR: In which case, you need to listen carefully; I will say this only once. I propose to put the member for Adelaide's amendment in the following truncated form:

to delete all the words after the word 'The' on line 24 up to words 'so far as' on line 25 and substitute the deleted words with the following words:

'best interests of children and young people must always be the paramount consideration in the administration, operation and enforcement of this Act'.

If the member's amendment is agreed to, I will put the remainder of the member for Adelaide's amendment to delete the remaining words in clause 7. If the member for Adelaide's amendment is negatived, I will invite the minister to move his amendment [ChildProRef-5] 1 to delete the words 'so far as is reasonably practicable' on line 25.

What we are looking at initially is for the member for Adelaide to move her amendment [Sanderson-1] 1, but only to delete all the words up to where the minister's proposed amendment will take effect. I am sorry this is all so complicated.

Ms CHAPMAN: Can I ask, Madam Chair, why it is necessary to do that? Why are we not just moving the member for Adelaide's amendment?

The CHAIR: Because it cuts across.

Ms CHAPMAN: Quite clearly, the rules require that any amendments, in order, be presented. If the member for Adelaide wants to move her motion and subsequently the parliament determines in the committee considerations that some other worthy amendment needs to be considered then it would do so in that order.

The CHAIR: I am advised that, because the member for Adelaide's amendment would change the whole clause, it would negate the minister's ability to put his amendment in anywhere.

Ms SANDERSON: My understanding is that the government amendment is to only remove 'so far as is reasonably practicable', so why could that not just be added on to the end of mine? Why can we not move mine and then—

The CHAIR: Because once you do what you do, you finish everything. The reason that the table suggested that we do it this way is that you get to consider both parts.

Ms SANDERSON: Are you suggesting that we now say, instead of the paramount consideration being safety, that the paramount consideration will actually be the best interests of the child, where it is reasonably practicable?

The CHAIR: Let us look at your amendment. Your amendment on schedule (2) to clause 7 deletes the words 'paramount consideration' up to the end of 'harm' and substitutes 'best interests of children and young people must always be the paramount consideration in the administration, operation and enforcement of the act'. So, your problem is with 'so far as is reasonably practicable'?

Ms SANDERSON: Correct.

The Hon. J.R. RAU: Madam Chair, can I just indicate—

The CHAIR: Are you pretending you are superior to my Clerk, who is giving me advice?

The Hon. J.R. RAU: Quite the contrary, I am laying myself at the feet of your esteemed Clerk and saying we all know what we want to do and he knows everything about this matter. We are in his hands as long as, at the end, what is achieved is the will of the parliament.

The CHAIR: Yes, but the way that we get there is the problem. We are looking at amendment 1 on schedule (2), which is to clause 7. If the member for Adelaide moves her amendment, she takes out the whole clause. The minister is happy to keep part of that clause.

The Hon. J.R. RAU: Most of that clause.

The CHAIR: Most of it, in fact.

The Hon. J.R. RAU: So, there is no point in omitting something if you are going to succeed in taking it out.

Members interjecting:

The CHAIR: Order! What the table is trying to assist with is that it is done in segments so that everybody gets the chance to look at the whole clause, which, in the end, will either go up or down when it is amended or not.

Ms CHAPMAN: Can I just place this on the record, Madam Chair. There are a number of amendments tabled in this bill and as they are tabled they are available for the person interested in this bill to view them and identify if there is going to be some problem with further amendment. It is not a situation where we come into committee and are expected to try to salvage subsequent amendments because there has been a failure to convey a concern raised about the removal of a clause.

I appreciate the committee and the Chair and, of course, those advising trying to assist in the orderly management of amendments, but the Attorney and his wealth of advisers should have been alert to the fact that if there is a problem with the complete abolition of this clause then he should be able to salvage some semblance of what he wants in a latter area and convey that to the mover of the motion, who happens to be the member for Adelaide, and have this done in an orderly manner.

It is bad enough that this bill is a complete dog's breakfast as it is, and it is totally rude of the Attorney to come in here and rely on the goodwill of the table in trying to salvage his mess. I have made my point.

The Hon. J.R. RAU: I am not exactly sure what the member for Bragg is doing here because this is actually the member for Adelaide's bill, and the member for Adelaide can speak for herself. However—

Members interjecting:

The CHAIR: Order! I am on my feet. Everyone sit down and be quiet.

An honourable member interjecting:

The CHAIR: Order! I am on my feet. It may not appear that way, as my nose barely comes over the top of the table, but we have several sections and clauses of this bill where the same problem is going to occur, so we need to try to do this in an orderly manner at this point. The table and the Chair are trying to establish some method where all these clauses are done line by line and word for word, rather than en masse. Ultimately, we will vote on the amended clause in any case. We may want to come up and down stairs all morning—that is entirely up to everybody. We are always in your hands and led by you at that point. If you are particularly horrified by the idea of doing it in segments, that is up to you and we will test it, and then everyone will go up and down stairs all morning, or we—

Ms SANDERSON: It would have been good to have it in writing so that I knew what I was looking at.

The CHAIR: All we are trying to say is that when we look at the clause, your amendment takes everything away and the Attorney is trying to leave in almost the last few words of the clause. We can abolish everything and then maybe suspend everything and go away and have this discussion outside, but it is not going to make any great difference, from what I am being told, from doing it in order. It is important to the table to know that you are okay with that.

Ms SANDERSON: Yes, I am fine with that, thank you.

The CHAIR: In that case, we are looking at schedule (2), amendment No. 1 to clause 7 in your name, which you are moving, up to, as we suggested, deleting all the words after the word 'The' on line 24 up to 'so far as' on line 25 and then inserting:

best interests of children and young people must always be the paramount consideration in the administration, operation and enforcement of this Act.

Are you okay with that?

Ms SANDERSON: Yes.

The CHAIR: Do you want to say anything over and above the general purview of what is going to happen?

Ms SANDERSON: Yes, I would like to say why I want to change the paramount consideration to be not only safety but to be in the best interests of the child. This was quite strongly endorsed by many of the stakeholders, such as the Aboriginal Legal Rights Movement and the Law Society, which stated in its notes:

> Acting in the best interests of the child and determining what is the child's best interest was regularly noted in the Nyland Report as a key factor. However, the Children and Young People (Safety) Bill 2016 fails to identify 'acting in the best interests of the child' as the paramount consideration or guiding principle in the interpretation and application of the Bill.
>
> All new legislation and amendments to existing legislation under the Children's Rights and Child Protection Agenda should be by reference to the primary obligation of all persons and bodies dealing with children to act in accordance with their obligations under Article 3.1 of the United Nations Convention on the Rights of the Child…which specifies that:
>
> In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

This was also reiterated by the Law Society, which felt that the Family Law Act provided a suitable model for how the best interests of a child might be determined that considers the benefit of having a meaningful relationship with the parents and the need to protect children from physical and psychological harm, except in instances where the best interests of the child would be to have no direct contact with abusive parents. Article 18 of UNCRC acknowledges the importance of the meaningful relationship of parents, and that was the intention of this amendment.

The Hon. J.R. RAU: This is one of the points of significant remaining difference between the government and the opposition. This is one of those points which has cascading effects throughout the whole pile of amendments that are being offered, and I want to spend a little moment on it. Let us get a couple of things in context. First of all, what is this legislation about? This legislation is about the circumstances in which a child is in such an unsatisfactory position that the coercive power of the state is engaged to remove that child from their parents.

It is difficult to imagine a more intrusive act by the state than going in and taking a child away from their parent or parents. I guess a parallel intervention by the state is the coercive incarceration of an individual because of a conviction for a criminal offence (again, an exceptional interference in the liberty of the individual by the state). So, let us get really clear where we are starting from. This is the most severe interference by the state in what is otherwise an entirely private matter, being the relationship between a parent and/or parents and their children, and therefore it should be used only in the most limited and circumspect of cases.

The Family Court, when it is considering the position of children, is not, as a general rule, considering the circumstances of children where one or both of the alternatives available to that child involves that child being placed in circumstances where that child's future, in terms of their being safe from immediate acute risk of injury or harm, is weighing in the balance. Happily, in most cases where the Family Court is involved, the best interests of the child is probably not an unreasonable criterion, because we are dealing with the court balancing up alternative A, which is not unsafe, and alternative B, which is not unsafe, and the court is asking which of these two broadly satisfactory alternatives is the best offer from the perspective of the child.

That is light years away from what we are talking about here. What we are talking about here is where what is best for the child is a dream. These kids would love to be in a position where what is best for them is what is being argued about. These kids are way past 'what is best for me'; these kids are in a situation where, if the state does not intervene, they are at risk of serious harm, perhaps death. Let us get it clear: this is last resort—absolute last resort, break the glass, press the red button—legislation, and it needs to have that perspective fair and square from the beginning.

In the brief remarks made by the member for Adelaide, she mentioned something about the role of parents. In general terms, I agree that a parent or parents should be very important people when considering what happens to a child, but if that parent or parents have got to the point where they are so derelict in their responsibilities to that child that it is necessary for the state to interfere and get a court order to remove that child, the government takes the view that thereafter that parent or those parents have put themselves in a position where they should not be given special consideration over and above the consideration of the child, and the child should be the complete centre of any further consideration of that matter, including future connection with that parent or those parents, because they have put that child in such an extreme circumstance of disadvantage and risk.

The principle of the best interests of the child is set out in the United Nations Convention on the Rights of the Child. That makes the best interests of the child at least a primary consideration—not necessarily the paramount one—in actions and decisions concerning children. Of course, this UN convention is meant to have general application. It is not a convention specifically about children who are placed in these circumstances.

In the government's view, the bill is absolutely consistent with this on the basis that clause 8 expressly details a range of needs concerning children and young people that are characterised as being in the best interests of the child or young person. Furthermore, clause 8 of the bill is given sufficient status in terms of priorities in the operation, administration and enforcement of the legislation, which is consistent with the convention.

The phrase 'best interests' has been removed, in effect, from the Family Law Act, and there is an attempt to migrate it into this legislation, legislation which, incidentally, is dealing with a completely different set of issues. I also make the point that the amendments sought to be made by the opposition provide no clarification or guidance about what 'best interests of the child' is meant to mean. I have to say that 'best interests of the child' is one of those phrases that in the hands of 50 people will almost certainly receive at least 50 different interpretations and perhaps more. There will be some who will say that the 'best interests of the child' has a particular thing as the main point, whilst others will have a completely different point of view.

What this seeks to do is to introduce massive ambiguity and opportunity for special pleading into the critical decision about whether children will be taken away from their parents. Quite frankly, we should be restricting that removal power of the state to situations where the children are at risk of being harmed, and 'at risk of being harmed' is defined in this legislation. It is not a matter for interpretation. It is not a matter of what one person thinks or another person thinks. This is a highly subjective amendment and I feel strongly about it.

The CHAIR: I can tell, but we are only on clause 7, and the way I see it we have a long way to go.

The Hon. J.R. RAU: Yes, but I am going to be able to say later, 'I refer to what I just said a while ago.' You are not going to have to put up with this again, I promise you, unless it keeps coming. The bill is about child protection, and I think I have made the point that we are trying to be really specific about this. It has nothing to do with the Family Law Act, and the government has indicated that there is an amendment, which was causing us a little bit of anxiety a minute ago, in which we will make it even clearer, by removing the words 'so far as is reasonably practicable'. Those potentially create a bit of ambiguity, so let's take them out. That is where we are going, we want to take them out. That is meant to be—

The CHAIR: You are talking to your own amendment now. Let's just concentrate on the first bit.

The Hon. J.R. RAU: I see. That's a warm-up, Madam Chair.

The CHAIR: No, keep yourself warm and do it in a minute.

The Hon. J.R. RAU: Okay, fair enough. Here is another very interesting point, and this is one I am going to say slowly because I want to emphasise this it. Safety being the paramount consideration in the operation of child protection legislation was introduced into the existing legislation by government amendments in 2015—and here is the bit I want to say very slowly—as a

direct response to a recommendation of the Coroner (Mr Johns) arising from the inquest into the death of Chloe Valentine.

The words the opposition are trying to take out right now are the words that they supported putting in. In fact, they demanded that we put them in because those words were recommended by the Coroner. We put them in in 2015 in response to the Valentine case. The opposition are very happy to be seen standing next to Chloe Valentine's grandmother from time to time, endorsing her views on things. Have they asked Belinda Valentine whether she thinks it is a good idea that the Coroner's recommendations about what happened to her granddaughter should be ignored and nullified by the parliament? I do not think so.

Just to make it clear to members opposite, if you vote for the member for Adelaide's amendment, you are voting to say the Chloe Valentine recommendations, which you endorsed two years ago, are no longer relevant. You are saying the Coroner got it wrong in Chloe Valentine when the Coroner reported that the primary consideration must be the safety of the child. Let's get that really clear. It is a pretty simple vote this one.

Do we agree that everything that has happened in child protection since the Chloe Valentine inquest and those recommendations is right? Do we accept that all of the conversation that has occurred around Chloe Valentine's case and the recommendations of the Coroner are right? Do we accept that all of the standing next to Belinda Valentine and other supporters of this initiative over the last two years is right? Or do we say they are all rubbish, we are going to tear them up and we are going to go for some waffle that somebody has tried to graft onto this from the Family Law Act?

That is contrary to the recommendations of the Coroner. It is contrary to what this parliament itself did virtually unanimously two years ago. 'Unanimously', by the way, includes everybody over there. That is what is going on here. The Coroner's recommendation was clear: it was to amend the act:

> …to make it plain that the paramount consideration is to keep children safe from harm. Maintaining the child in her or his family must give way to the child's safety.

The member for Bragg, seldom wrong, on 2 June 2015, not quite two years ago, said, 'Let us hope that in another 10 years' time,' this is two years' time, not quite, but let me stay with it, 'when someone is reading back on this debate,' this is the debate about Chloe Valentine, 'if they are a member of Families SA (or whatever the name of the department is by then)' and these are the important words of the member for Bragg, it is:

> …crystal clear to them that safety and protection of the child against harm is the paramount consideration.

Is that me speaking? No. It sounds a lot like the Coroner, but, no, it is not the Coroner: it is the member for Bragg less than two years ago in this place in the debate about endorsing the Coroner's recommendations. Let me read that again:

> …it is crystal clear to them that safety and protection of the child against harm is the paramount consideration. No matter whether it is severance from a cultural background, a mother no longer being able to live with them, a change of diet, a change of school, you name it, all of the disruption that otherwise comes to their environment, it is secondary to protection against harm.

I confess that I do not always agree with the member for Bragg, but my goodness she got it right then. She got it dead right—less than two years ago she got it dead right.

All I am saying to the opposition is: if it was good enough for your deputy leader to say that in this place less than two years ago, if that is what we have in this bill, if that is what the act says now because we amended the act in response to Chloe Valentine, with the enthusiastic support of the Deputy Leader of the Opposition, what has changed? What has changed? The answer is that nothing has changed, and that remains the paramount consideration.

It may be that the opposition now no longer considers that the safety and protection of children against harm is the paramount consideration. If so, let's have details, chapter and verse, as to what has changed so much since then. Or is it the case—and I cannot believe this; this would be not possible (well, it is theoretically possible, but it would not have happened)—that the deputy leader could have come in here and said what she said so clearly in June 2015 without the approval of her party room? I cannot imagine that would have happened. That could not have happened.

Or it could be that the Deputy Leader of the Opposition said what she did and still holds that view but has been overruled by the member for Adelaide? Perhaps that is why she was sitting in here a while ago—because she was worried about that. Who knows? Either way, the parliament and the public of South Australia need an explanation, if they intend to pursue this, as to why in the last two years those pretty robust and unequivocal words of the Deputy Leader of the Opposition, speaking in relation to the Valentine amendments, have changed. What has changed?

On this side, we are pretty damn clear about it. The paramount consideration is keeping children safe from harm, full stop, and, to make it even clearer—I know I should not foreshadow an amendment—I will just say that something might be coming. That is all I am going to say. I am not going to go into detail because I do not want to ruin it for people.

I absolutely oppose this amendment. The government completely opposes this amendment, and it is completely inconsistent with all the conversation about this since the Coroner's report in the Valentine case. We will absolutely oppose this and anything of this ilk that is lying ahead of us.

Ms SANDERSON: I would like to respond to that absolute barrage. What has changed in two years? We have had a $6 million royal commission that took two years, with 260 recommendations that this government is choosing to ignore. The government put out a bill late last year in response to the royal commission to which it received 62 submissions. They might as well have received none from the amendments they made after having a fake consultation.

Hardly any amendments were made, so much so that when the final bill came in earlier this year, in February, on the first day of parliament, it was so important that we had to suspend standing orders in order to get this through. So, we were all ready. We were forced to debate a bill we had not even read, that had not even taken into consideration the 62 submissions received by the government. The community was so outraged that it formed groups: the Law Society, SACOSS, the Aboriginal Legal Rights Movement.

Groups of people were forming together to fight this inferior bill because they were concerned about the safety of children and they were concerned that this bill is clearly the ambulance at the bottom of the cliff. This bill does not have any early intervention or prevention. They were so concerned that they are still recommending that we just get rid of the whole bill because we are better off keeping the bill we have from 1993. This bill, in the minds of the stakeholders and the community, is more about protecting the government than protecting children.

To say nothing has changed in two years, after you have spent $6 million on a royal commission that took two years and had 260 recommendations; yes, things have changed, and you have the feedback from the Law Society to say that they have changed. Not only is it implicit for safety, obviously, to be in the best interests of the child, but for you to think that my changing this to be in line with the United Nations Convention on the Rights of the Child and the recommendations of the Law Society, the Aboriginal Legal Rights Movement and other stakeholders, is ridiculous. Of course safety is important, but the paramount consideration should be what is in the best interests of the child—and, of course, safety is in the best interests of the child.

You are being ridiculous in your description to think that I would go against the safety of the child. My amendment is about putting the best interests of the child first and paramount, in line with the United Nations, in line with stakeholder feedback and in line with the Family Law Act. It is very easy to get a determination of what the best interests of a child means, and it certainly includes safety within that, so I stand by my amendment.

The Hon. J.R. RAU: I will not repeat all I said, but I ask the member for Adelaide, at her leisure, to read back what I had to say about the UN convention; this is consistent with that. As for stakeholders in this area—or 'interested groups', as I prefer to call them—all of them have a point of view and all those points of view are legitimate, but just because they come forward with a point of view does not mean they are right. The Law Society, for example, does a lot of good work in providing advice and recommendations about a great many things, but it is not always right either. The Law Society is not the oracle at Delphi and never has been.

The Law Society is a group of individuals who are lawyers who work together. They have subcommittees of lawyers who work together and some of those subcommittees are really well populated by people who know what they are doing and some of them are not quite as good, and

some of them have particular agendas they are interested in. That is fine, that is life, but it does not mean they are right, and in this instance they are not. We disagree with them. We agree with the Coroner, we agree with the member for Bragg and we agree that the safety of the child is paramount and should be paramount, full stop, end of story.

If you want to start dealing with other issues, like whether or not children are better at one point or another point when they have the luxury of being able to have that conversation, because the children are not at risk of harm, that is some of the work we are talking about doing in the context of the early intervention legislation, which minister Close has been discussing with these people for some time.

If the member for Adelaide wants to insert, in that conversation, stuff about the best interests of kids and all that sort of stuff, I am not going to complain about that because that is not an unreasonable place for it to be, just like the Family Law Act is not an unreasonable place for it to be. However, we are not dealing here with kids who have a series of alternative, 'reasonable' choices; we are dealing with kids who have no choice at all.

Mr PEDERICK: This is a very serious matter and children and their safety must be absolutely paramount. I do not want to be tricky around this because it is not something to be tricky about, but this bill will relate to both foster children and natural children. The reason I am making this statement is because I am aware of a loving family with three foster children who have recently had them taken away because of a single bruise on one boy's leg.

As a parent, I do not know how many times my kids went to school with bruises because they fell out of trees or fell off a bike, and they were not taken away from me. I stress my point that the safety of children is absolutely paramount. Is it standard practice that one bruise destroys a loving family? I acknowledge that we need to look at the best interests of the child, but I need some clarification around that because, if every child gets taken away for every single bruise, you will need to hire every hotel room in the state.

The Hon. J.R. RAU: The member for Hammond is actually being quite helpful. First of all, I am not going to canvass an individual case because I do not know the circumstances. The member for Hammond is concerned about the power of the state being used to interfere in a relationship between a foster parent, or a natural parent, and the child. The member for Hammond is rightly concerned about the state barging in and disturbing those arrangements. I understand exactly what the member for Hammond is saying; I totally get it, and that is the government's position, too. We are saying that the bar for actually coming in and the state dragging a child out of a house should be high.

There should be another piece of legislation that deals with early intervention and tries to stop it ever getting to that position. The department should be focusing all its energy on trying to stop things ever getting to that position but, if they do get to that position—a last resort, 'hope you never get there' position, which unfortunately does happen all too frequently—then the government has to intervene. The member for Hammond and I are in the same space here, in that the bar for the government going in and intervening should be high.

If we compare the paramount consideration, being safety of the child, with the best interests of the child, guess which one is the higher bar? Member for Hammond, have a guess which one is the higher bar, the paramount consideration being the safety of the child or the best interests of the child. Which one is higher?

Mr Pederick: The best interests of the child.

The Hon. J.R. RAU: Wrong. Go back to square one. If you were on that program on Channel 7, you would not have won your money.

Members interjecting:

The CHAIR: Order!

The Hon. J.R. RAU: Maybe it is as simple as this: the members opposite do not understand what we are talking about here. It is pretty simple.

Members interjecting:

The CHAIR: Order! I am on my feet. Let's try to conduct the debate in perhaps a less inflammatory fashion.

The Hon. J.R. RAU: The highest bar or the paramount consideration is the safety of the child, as defined—(1) it is a high bar and (2) it is a clear bar. Everybody knows where it is because it is defined. The alternative is some waffly concept of the best interests of the child, which can mean anything to anybody. There is no universal view about this and it is a lower bar.

It might be argued that the best interests of the child gets down to whether or not the child gets to do their favourite recreational activities, for instance. I am not saying that is insignificant. It might be very important to the child, but that is not about whether the child lives or dies, or is fundamentally scarred from a physical or psychological point of view; that is about whether the child has optimum or not optimum enjoyment of life. That is a legitimate conversation about the best interests of the child; it is not a conversation about 'safe from harm'.

The CHAIR: The member for Hammond has a further question.

Mr PEDERICK: It is more of a statement. I concur with the member for Adelaide that it is in the best interests of the child that their safety is taken as a priority. I make that statement—and the point I was trying to make earlier—because under the current legislation there is obviously something wrong with the interpretation of what happens out in the field.

The Hon. J.R. RAU: We are dealing here with what I think is called the fallacy of composition: all crows are black, but that does not mean all black things are crows. The situation is that, yes, the physical or emotional harm of children is not in the best interests of a child. Agreed. All crows are black. That does not mean that the best interests of the child finish and are identical with and equivalent to physical or mental harm. One is a very broad, amorphous, undefined proposition and the other is quite specific. What I am saying is that the specific is a little bit of the very, very general. We are saying that the definition should be specific, and the specific deals with harm to children.

In relation to the general proposition, if the member for Hammond is saying, 'If you are looking at the best interests of the child, will it include not hurting the child?' then I agree with him—of course it will. However, it will include a hundred other things as well, things that are no doubt of interest to the child. For example, do they get to participate in team sport? Do they get to participate in the sport of their choosing? That may or may not be in the best interests of the child, but that is at a level of significance in terms of the child's future long-term prospects and far less significant than whether or not the child is immediately likely to suffer physical or emotional harm.

This is where there appears to be a confusion. We are trying to target this at those kids who are really at serious risk of harm. This is child protection legislation; it is not child welfare legislation. This is about children who are in a most dire circumstance.

The CHAIR: So, really, we are debating the use of the words 'best' and 'paramount'?

The Hon. J.R. RAU: No.

Ms Sanderson: Either 'best interests' or 'safety'—

The Hon. J.R. RAU: 'Safe from harm' or 'best interests'. That is really the proposition.

The CHAIR: But the word 'safe' does not appear in here anywhere. We are looking at 'best' or 'paramount'. 'Safe' is not in here.

Ms Sanderson: It must be 'safe from harm' or 'best interests'.

The CHAIR: Yes, but 'paramount' is the word the Attorney is saying supersedes 'best interests'.

The Hon. J.R. RAU: No, the critical words are 'paramount consideration' must always be to ensure that children are 'protected from harm'. The member for Adelaide wants to say 'must be in the best interests of the child'. 'Protected from harm' is one proposition and 'best interests of the child' is the other. The rest is sort of decoration.

The CHAIR: So, the word 'paramount' is not part of the discussion then?

The Hon. J.R. RAU: That is not the main point of the argument.

Ms SANDERSON: In saying that, the Attorney-General has been talking about 'safety', not 'safe from harm'. The definition of 'harm' could be as wide as the definition of 'best interests', because 'harm' could be—

The Hon. J.R. Rau: But it is in the act. You don't have a definition of 'best interests.'

Ms SANDERSON: There is a definition under the Family Court Act.

The Hon. J.R. Rau: Yes, but you don't have that in your amendments.

Ms SANDERSON: Well, we could put it in.

The Hon. J.R. Rau: You haven't done that. You have had plenty of time.

Ms SANDERSON: You have amended your amendments; we could amend it now. I move the amendment standing in my name, as altered.

The CHAIR: We are on clause 7 and looking at [Sanderson-2] 1. We are proposing to move the member for Adelaide's amendment up to the words 'so far as'.

The committee divided on the amendment:

Ayes.....19
Noes 23
Majority 4

AYES

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

NOES

Atkinson, M.J.	Bettison, Z.L.	Bignell, L.W.K.
Brock, G.G.	Caica, P.	Close, S.E.
Cook, N.F.	Digance, A.F.C. (teller)	Gee, J.P.
Hamilton-Smith, M.L.J.	Hildyard, K.	Hughes, E.J.
Kenyon, T.R.	Key, S.W.	Koutsantonis, A.
Mullighan, S.C.	Piccolo, A.	Picton, C.J.
Rankine, J.M.	Rau, J.R.	Snelling, J.J.
Vlahos, L.A.	Wortley, D.	

PAIRS

Marshall, S.S.	Weatherill, J.W.	Pengilly, M.R.
Odenwalder, L.K.		

Amendment thus negatived.

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

Amendment No 1 [ChildProRef–2]—

Page 9, lines 25 and 26—Delete ', so far as is reasonably practicable,'

Ms SANDERSON: I will just quote directly the Council for the Care of Children:

'The Bill continues to place safety above the best interests and wellbeing of children and young people, perpetuating a system which makes the removal of more children and young people inevitable. This is unconscionable at a time when our State is struggling to provide adequate care for an increasing number of children and young people entering and remaining in out of home care' Mr Schrapel said.

Amendment carried; clause as amended passed.

Clause 8 passed.

The CHAIR: We need to draw the Attorney's attention to his schedule (3) and ask whether that has been superseded by his schedule (5). Had you thought of that?

The Hon. J.R. RAU: I am advised that set 1 is withdrawn and we are now proceeding with set 2. Set 1 is gone and set 2 is now what we are going ahead with.

The CHAIR: So, you are withdrawing schedule (3).

The Hon. J.R. RAU: I guess so.

The CHAIR: To say set 2 is another number we do not need up here.

The Hon. J.R. RAU: I am trying to insert new clause 8A.

The CHAIR: Your schedule (3) would be set 1. We do not need another number, so schedule (3) is going. You are withdrawing schedule (3) and now looking at schedule (5) to supersede that.

The Hon. J.R. RAU: That is what they are telling me.

The CHAIR: Everyone is happy with that, so we are now looking at your amendment on schedule (5) at No. 2, which inserts new clause 8A.

New clause 8A.

The Hon. J.R. RAU: Yes, it does. I move:

Amendment No 2 [ChildProRef–2]—

Page 9, after line 35—Insert:

8A—Wellbeing and early intervention

Without limiting a provision of this or any other Act or law, State authorities whose functions and powers include matters relating to the safety and welfare of children and young people must have regard to the fact that early intervention in matters where children and young people may be at risk is a priority.

This is really in response to some of the feedback we had. We were attempting to make it clear that, yes, early intervention is a priority for the state. We want to make it clear that this bill is not intended to be a substitute for or a remedy for or an answer to the needs of early intervention. Indeed, as I said, minister Close has already opened up the conversation with all the concerned groups about having a specific piece of legislation which deals with that space.

However, just to make it abundantly clear, because some people who were looking at the bill somehow misunderstood or were confused or whatever, we want to make it very clear that early intervention is absolutely a terrific thing but that this bill is not the primary place where early intervention is being governed. That is another matter, but a very important matter, and we wanted to formally acknowledge that.

Ms SANDERSON: I would like to make the point that the Attorney-General asked what has changed in two years, in reference to the former clause, yet he is amending his own amendments to a bill that was put out for consultation and amended, only briefly, and then he submitted amendments on 1 March and then amended his own amendments on 28 March. So, things do change —and he is changing his own amendments, so of course things change—that is my only point.

The CHAIR: Any further comment?

The Hon. J.R. RAU: It is a condition of life.

The CHAIR: No further comment really.

New clause inserted.

Clauses 9 and 10 passed.

Clause 11.

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

Amendment No 3 [ChildProRef–2]—

Page 11, lines 9 and 10 [clause 11(2)(b)]—Delete 'with as much self-determination as is reasonable in the circumstances'

I am moving this because we received some feedback from groups indicating some concern about this wording and, rather than have an argument about something that was really by way of explanation rather than anything else, we have decided that we would remove it, so that concern has been satisfied.

Ms SANDERSON: I expect that would mean that my amendment No. 2 to delete subclause (5) would therefore no longer be needed because I believe it has the same intent and that was in response to the complete outrage that was expressed, particularly by Aboriginal groups, and I will read it directly:

This completely undermines the Aboriginal Torres Strait Islander Child Placement Principle as it allows for the child to decide such serious matters of cultural identity before the child has become an adult, thus not being able to truly consider the consequences of such an important decision.

So, I welcome the government's amendment.

Amendment carried.

Ms SANDERSON: I move:

Amendment No 2 [Sanderson–2]—

Page 11, lines 36 to 38 [clause 11(5)]—Delete subclause (5)

Amendment carried; clause as amended passed.

New clause 11A.

Ms SANDERSON: I move:

Amendment No 3 [Sanderson–2]—

Page 12, after line 15—Insert:

11A—State authorities to seek to give effect to United Nations Convention on the Rights of the Child etc.

Each State authority must, in carrying out its functions or exercising its powers, protect, respect and seek to give effect to the rights set out from time to time in the *United Nations Convention on the Rights of the Child* and any other relevant international human rights instruments affecting children and young people.

Given that it has the same intent, I believe, as what we have just debated at length regarding the definition and what should be paramount—whether it should be risk of harm or the best interests of the child—I move it and know that I am going to lose.

The Hon. J.R. RAU: The member for Adelaide is right. There is a number of her amendments here which are all part and parcel of a similar proposition, and to the extent that we have dealt with the main issue once, there is probably not much point in either of us spending a lot of time in doing it again. I agree with her that this is another example of the original thing so we oppose it.

New clause negatived.

Clause 12.

Ms SANDERSON: I move:

Amendment No 2 [Sanderson-1]—

Page 12, line 27 [clause 12(3)]—Delete 'or the Chief Executive'

The Hon. J.R. RAU: This is the first in a series of amendments that are about another topic. The other topic is about whether in fact the children who are the subject of this legislation should be termed to be 'guardianship of the minister children' or whether they should be 'guardianship of the chief executive children'. Put quite simply, the government's position is that, consistent with every other state, we should have 'guardianship of the chief executive'. The amendment the member for Adelaide is moving presently is to revert that to the present circumstance, which is guardianship of the minister, which is, around Australia, an anomalous position.

We disagree with the member for Adelaide about this, and so this particular conversation is one that will repeat itself because there are a number of places in the legislation where reference to the minister or reference to the chief executive is picked up. If the government's position is maintained, a whole bunch of amendments the member for Adelaide has put forward basically fall away. If the member for Adelaide's position is maintained, a whole bunch of the government's positions are varied, and all her amendments are basically consequential.

In relation to this, I simply say that we disagree with the fundamental proposition, so we will be opposing this. Likewise, this is, from our point of view, a tester for the broader proposition about guardianship of the minister or guardianship of the chief executive.

Ms SANDERSON: Firstly, the Children and Young People (Safety) Bill was in response to the Nyland royal commission. Can the Attorney-General tell me which recommendation refers to the changing from the minister to the CE?

The Hon. J.R. RAU: As far as I know, there was no particular recommendation from the Nyland royal commission pertinent to this point. With all due respect to commissioner Nyland, commissioner Nyland is not the parliament. Commissioner Nyland is not even the drafting committee of the parliament. Commissioner Nyland was a respected royal commissioner who made certain recommendations. That does not mean that the government is confined only to matters raised by her in seeking to put a new bill before the parliament. Nor does it mean that, necessarily, every proposition she puts up we have to bring before the parliament. Overwhelmingly, the government has agreed with the recommendations from commissioner Nyland. We are not saying that this is a product of any recommendation she has specifically put forward about this matter.

Ms SANDERSON: I disagree with the idea that the responsibility of looking after guardianship children should move from the minister to the chief executive. Also, many of the stakeholders were against it. The Guardian for Children and Young People stated:

> [There was a] lack of developed rationale for this proposed change...The Guardian is unaware of evidence that substantiates an assertion that designating the Chief Executive as a child's legal guardian achieves better outcomes for children and young people in out of home care.

It continues:

> The removal of the Minster as the primary focus for responsibility and accountability leaves them with residual capacities and duties in the Bill.

The Law Society said, and I quote:

> The shifting of the responsibility in the Bill for child protection from the Minister to the Chief Executive of Child Protection is a retrograde step...Child protection is far too important for it not to be clearly the responsibility of a Minister in the Bill.

As the future minister, hopefully, in less than a year, I would be more than happy to have the responsibility on my shoulders. I can see that moving it to the CE would be a good way of removing this risk, and I can see why the Labor government might want to do that after 15 years of failing our children.

Just because other states do something, it does not mean it is the right thing to do. We have an ice epidemic in Adelaide; it does not mean that we should all join it. There is no proof. What is the statistical proof that it is better for the child or the young person to be under the guardianship of the CE rather than of the minister, other than risk aversion and moving away from the responsibility of the government, which the Westminster system is built on? The minister must take responsibility for

the department. This removes that responsibility, which I believe is in contravention of the Westminster system, and I oppose it.

The Hon. J.R. RAU: Very briefly, if this is contrary to the Westminster system of government, then every other state of the commonwealth is in serious trouble because they have been ignoring Westminster for quite a while. The other thing is that on a day-to-day, practical level, to be completely realistic about it, the chief executive of the department is obviously in more immediate and continuous contact with the agency than the minister.

The minister has all sorts of other duties as well. The minister is not sitting in a position administratively where they are the recipient of all information feeding up through the department as a primary point of contact. The minister is not actually, in any administrative set-up, in the quickest place that information gets to. The minister will ultimately be briefed, I guess, and certainly in these matters, but if you are looking at something that is timely and direct the chief executive is closer to the action than the minister is in a day-to-day, moment-by-moment sense.

We think it is far more consistent with providing that sort of nimble response to circumstances to have the chief executive in this particular frame, and legally so, but it is a point of difference between the government and the opposition. I do not think I can take it much further than that.

Mr GRIFFITHS: I have a further question along this line, minister. I understand the practicalities associated with management and the need to be responsive quickly, but accountability has certainly been a big issue for me, and we have also had the discussion as part of the planning legislation. There have been some modifications there that have gone both ways where I have talked about accountability that requires responsibility.

You referred to other states within the commonwealth and the change they have made by making it the responsibility of the CE. I presume that that has evolved over some time. What evidence, in a practical way, are you able to provide to this committee's discussion about the change in the implication and, I presume, benefits, which is why you have done it, brought by doing this in other states? Have we found a lower incidence of children who have been in harmful places because of the ability of the CE to be responsive immediately and the minister not involved, or is it more some form of a philosophical decision that has been made, seemingly individually but now collectively, to reach that position?

The Hon. J.R. RAU: It is a very good question, and the answer to the question is essentially this. I do not offer the example of other states to prove that there are statistics behind that where you can say, without any question, that those statistics prove that moving it from minister to chief executive improves outcomes. I am not saying that. All I am saying, in response to the proposition that the Westminster system is somehow being destroyed by doing this, is that it is not. That is all I am saying.

In terms of the outcomes, I do not think there is any comparative data of the sort the member for Goyder raises. All I am saying is that it is a matter of common sense. Having the decision-making closer to the action, where the chief executive would be, means that there is potential for a more timely response. Given that that possibility arises from this change, and given the fact that elsewhere around the country it has been done without any serious apparent detriment, although I am not able to point to any massive bonus either—I do not want to overcook it—we think it is an appropriate change.

Amendment negatived; clause passed.

New clause 12A.

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

Amendment No 5 [ChildProRef–2]—

Page 13, after line 18—Insert:

Part 5—Additional functions of Minister

12A—Additional functions of Minister

(1) In addition to any other functions the Minister may have under this Act, the Minister must, in order to promote the wellbeing of children and young people and early intervention where they may be at risk of harm—

(a) promote a partnership approach between the Government, local government, non-government agencies and families; and

(b) promote and assist in the development of co-ordinated strategies for early intervention in cases where children and young people may be at risk of harm; and

(c) promote and support evidence-based programs delivering preventative and support services directed towards strengthening and supporting families and maximising the wellbeing of children and young people; and

(d) promote, encourage or undertake research into matters affecting children and young people; and

(e) generally do such other things as the Minister believes will promote the wellbeing of children and young people, and promote and support early intervention where they may be at risk of harm.

(2) Without limiting a provision of any other Act or law, the Minister must, in relation to the operation of this Act—

(a) collaborate with and assist Aboriginal and Torres Strait Islander communities to develop and implement strategies to ensure that Aboriginal and Torres Strait Islander children and young people are, so far as is reasonably practicable, protected from harm; and

(b) ensure that education relating to the operation of section 28 is made available to persons who are required under that section to report a suspicion that a child or young person is, or may be, at risk; and

(c) promote and support the provision of courses of instruction relating to the prevention of child abuse and neglect by tertiary institutions in this State; and

(d) collect and publish statistical data in relation to the protection of children and young people in this State.

(3) Without limiting a preceding subsection, the Minister must also ensure that—

(a) assistance is provided to evidence-based programs delivering services directed towards strengthening and supporting families and maximising the wellbeing of children and young people; and

(b) those services are offered to children and young people and their families; and

(c) genuine efforts are made to encourage children and young people and their families to avail themselves of the services.

This introduces additional functions to the minister and, broadly speaking, this amendment is responsive to some of the feedback we received about early intervention. Again, I emphasise that the early intervention aspect of things that the minister has already undertaken will be the subject of a separate piece of work in terms of the framework. Just to make it crystal clear that this is not meant to be a substitute for early intervention and that early intervention necessarily should occur before we ever have recourse to this piece of legislation, we are explicitly adding in additional functions of the minister, which essentially go to that early intervention concern.

New clause inserted.

Clause 13.

Ms SANDERSON: I believe my amendment to clause 13 is consequential, so it is no longer required.

Clause passed.

Clause 14 passed.

Clause 15.

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

Amendment No 6 [ChildProRef–2]—

Page 16, after line 15 [clause 15(1)]—Insert:

(ba) there is a likelihood that the child or young person will be removed from the State (whether by their parent or guardian or by some other person) for the purpose of—

(i) being subjected to a medical or other procedure that would be unlawful if performed in this State (including, to avoid doubt, female genital mutilation); or

(ii) taking part in a marriage ceremony (however described) that would be a void marriage, or would otherwise be an invalid marriage, under the *Marriage Act 1972* of the Commonwealth; or

(iii) enabling the child or young person to take part in an activity, or an action to be taken in respect of the child or young person, that would, if it occurred in this State, constitute an offence against the *Criminal Law Consolidation Act 1935* or the *Criminal Code* of the Commonwealth.

Ms SANDERSON: I believe we are now discussing putting back in what was in the original 1993 bill in relation to the female genital mutilation. That was then removed and now we are putting a back in.

The CHAIR: We are talking about 'medical or other procedure' at (i).

Ms SANDERSON: Yes, paragraph (ba)(i), and marriage. Marriage was my private member's bill that was rejected last year, but it is now inserted here. I have amendments also drafted, but not in the definition section. I am told that they would do a similar thing. I had the issues of female genital mutilation and child marriage later in the bill. This is under the definition of 'harm', which certainly is one place where it could be put. I believe that it will have the same effect as my amendments were trying to achieve, just not with the extra practical outcomes, such as giving the police the power to go onto a property, to search a property and to remove a passport.

The CHAIR: According to this information at the table, schedule (5) amendment 6 is different from schedule (5) amendment 7 and schedule (2) amendment 4. Schedule (5) amendment 7 and schedule (2) amendment 4 are basically the same. Schedule (5) amendment 6, I am advised, is different from those two. We would be looking at schedule (5) amendment 6 first. Schedule (5) amendment 6 to clause 15 is different from the next two—that is, Attorney's amendment 7 on schedule (5) and your amendment 4 in schedule (2), which, I am told, are the same.

The Hon. J.R. RAU: I think, either way, the gist of it is, we agree on this.

The CHAIR: Yes, but as far as my procedure here, I am looking at schedule (5) amendment 6 first in isolation and then schedule (5) amendment 7 and schedule (2) amendment 4 are the same. You will let the member for Adelaide move her schedule (2) amendment 4, since you have been so chivalrous to do that the first time, and then we will move on to schedule (5) and your amendment 8.

The Hon. J.R. RAU: We are moving this amendment 6 to paragraph (ba), which picks up child marriage. In respect of the offence of mutilating a child, this has always been illegal. Under the Criminal Law Consolidation Act, it is illegal. By definition, somebody who commits an assault or is about to commit an assault on a child would be about to commit harm—by any definition—to the child. This particular amendment is completely unnecessary because it was already covered, but it was something people wanted to see. We are actually restating what, in effect, is the obvious and is already there, but it does no harm because it is only restating what is already the case. With respect to the marriage issue, I think that is something new.

Ms SANDERSON: I think the main difference between something that is illegal being in another act and putting it here is the ability to prevent it from happening. So, whilst it might be illegal to, say, remove a child for a marriage, you cannot prosecute them until it has actually happened and they have actually broken the law, whereas this enables you to prevent it, which I believe is far, far better and definitely required.

The Hon. A. PICCOLO: I have a couple of questions on this clause, but they also relate to subsequent clauses around this topic, in particular paragraph (ba)(i). I would disagree with the member for Adelaide on her interpretation of the existing law. I think the existing law does cover this

area quite satisfactorily, even in terms of prevention. That is certainly my understanding from the advice I have in terms of how the existing criminal law is worded.

However, putting that aside, the minister and the member for Adelaide have similar, if not identical, provisions in both clauses in regard to mutilation of a child—amendment 4 of the minister and amendment 14 of the member for Adelaide. My question to both the minister and the member for Adelaide is: do these provisions and subsequent provisions protect boys and children of intersex?

The CHAIR: Who?

The Hon. A. PICCOLO: Protect boys—

The CHAIR: And?

The Hon. A. PICCOLO: —and intersex children.

The Hon. J.R. RAU: I think the member asks a very important question. There does appear to be some difference in the way in which the law presently treats certain cultural practices that affect female children compared with not grossly dissimilar cultural practices that affect male children or, potentially, intersex children. It is actually a very interesting question, and one that perhaps the parliament should look at, because I imagine there are number of people out there who have views about this; in fact, I know there are. I know some in the medical profession have views about this, which they express very stridently.

The CHAIR: It is fair to say that you are speechless.

The Hon. J.R. RAU: I am speechless. A select committee almost recommends itself, Madam Chair.

The CHAIR: What are we going to do, then?

The Hon. J.R. RAU: I think I would like this to go through—

The CHAIR: We will plough on?

The Hon. J.R. RAU: —but I am absolutely speechless about this and I am going to have to reflect on it.

The CHAIR: Between the houses.

The Hon. J.R. RAU: Yes. I cannot guarantee I can solve all the member's problems between the houses, but it certainly requires thinking.

The Hon. A. PICCOLO: The reason I raise this matter in all seriousness is that I think boys and intersex children are discriminated against in this provision and other provisions. People from both sides of the house spent quite a bit of time last year lecturing me and a few other people about the inappropriateness of discrimination, etc., yet this bill and the amendments proposed by the member for Adelaide clearly discriminate against boys and intersex children.

One can only assume—and I can be corrected—that the only reason these provisions are being discussed in this bill, when they are clearly covered in existing law, is a bit of dog whistling. The member for Adelaide went to great lengths in her earlier speeches today to talk about how children's safety is paramount, yet her own amendments allow the non-medical mutilation of boys and intersex children. That is what her amendments do. That is the practical application of what she is proposing today.

The minister has actually responded. The member for Adelaide has chosen not to respond, so I can only assume that either she does not care or it is a case of, 'Well, we are going to jump on the bandwagon and do a bit of dog whistling.' I would like her to explain why her amendments exclude these provisions as well.

Ms SANDERSON: I ask that you withdraw those comments. I allowed the Attorney-General to speak first because it is his amendment. I have every intention of speaking and I was seeking advice from parliamentary counsel. I would ask that you withdraw that I clearly do not care about this and that I have no intention of speaking.

Ms Redmond: And apologise.

Ms SANDERSON: And apologise, yes.

The Hon. A. PICCOLO: Sorry, I have no intention, Madam Chair. In her response she can castigate me.

The CHAIR: Why not withdraw and apologise and you can reserve your right to say it again afterwards if you are not happy? Withdraw and apologise what you are saying now because the member for Adelaide has not spoken—

The Hon. A. PICCOLO: So, it is a conditional withdrawal then?

The CHAIR: No. You are withdrawing it now and you can do something else later on if you do not believe her explanation is satisfactory.

The Hon. A. PICCOLO: I will withdraw until I hear further.

The CHAIR: And apologise.

The Hon. A. PICCOLO: And apologise.

Ms SANDERSON: Firstly, I would like to say that you obviously misheard the whole debate. I was asking that the best interests of a child be paramount and it was your party that wanted 'safety'; 'best interests' was mine. The female genital mutilation was in the original 1993 bill. The government then removed it from this new bill. There was outcry from many of the stakeholders and it has been put back in. I put it back in, along with child marriage, because that was a private member's bill of mine.

Anything that is illegal is still illegal, as the Attorney-General said. This bill and my amendments are all about stopping the removal of a child, so being able to take a passport. FGM really refers mainly to females. However, under law, if it is illegal, it is illegal anyway. What we are addressing is that there are thousands of children still in danger of FGM and child marriage, and they are being removed out of our country to where our laws do not hold any weight. The ability to remove the passport and stop them from leaving was the intent of my amendments.

The Hon. A. PICCOLO: At least the Attorney-General had the courtesy to address the issue I actually asked about. What the member for Adelaide has done in her response is skirt the issue altogether and tiptoe around it. She either did not understand the question or chose to ignore the question. The question remains. I am not disputing that best interest. I am not sure how the mutilation of boys and intersex children is in the best interests of the child, because there is a lack of consent. I do not understand why, if she believed her own bill did not go far enough last time, she did not extend that provision.

As I said, at least the Attorney-General had the courtesy to provide a direct response and actually respond to the question I asked. The member for Adelaide has chosen to ignore the question entirely.

Ms SANDERSON: I would like to respond to that. The amendments that I put in do not relate to what you asked for. If you want those amendments, why not go to the effort of drafting the amendments yourself? This has been in your party room a lot longer than it has been in mine, and you have had plenty of time to speak to your own party, your own Attorney-General. Why not draft the amendments if you have a problem? This not my bill. I am talking to my own amendments. You have asked a legitimate question, you have a legitimate concern—get an amendment drafted. Speak to parliamentary counsel and they will tell you whether it fits in here or not. I am not a lawyer, I am not an SC, I am not the Attorney-General. I have answered to the best of my ability.

The Hon. J.R. RAU: I want to thank the member for Light for his question. I hope I have answered the question, from my point of view, as best as I can. Can I say that in relation to this, though, there was just then a disturbing example of what I am concerned about: that in response to the member for Light, the member for Adelaide said, 'My proposal was that we were talking about the best interests of the child, and that would have picked this up.' If members of the house think about that for a minute—if that is what the member for Adelaide thinks her amendment would achieve—are we really in the business of saying to every Jewish family and every Muslim family that

the people from the child protection department should be heading around to their place and knocking on the door because of a cultural practice that is required of those people?

That is a classic example of the elasticity and uncertainty of the concept of 'best interests of the child'. Some people—possibly the member for Light, and a whole bunch of other people, I think, many doctors—would say that particular practice is unsound, unsatisfactory and not in the best interests of the child. We have immediately had bracket creep or net widening—

The CHAIR: Parenthesis creep.

The Hon. J.R. RAU: Parenthesis creep, net widening. So, everybody whose religious orientation requires that particular procedure is by reason of it being now in the 'best interests of the child'—and this, by definition, not being in the bests interests of the child, at least from the point of view of the member for Adelaide—

Ms Sanderson interjecting:

The Hon. J.R. RAU: I am just trying to illustrate the vagaries of that particular phrase, but I commend this anyway.

Amendment carried.

Ms SANDERSON: I move:

Amendment No 4 [Sanderson–1]—

Page 16, line 24 [clause 15(1)(e)]—Delete 'is under 15 years of age and'

This was particularly to have regard to children up to the age of under 18, rather than under 15, as it is at the moment, which is definitely too young.

Amendment carried.

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

Amendment No 8 [ChildProRef–2]—

Page 16, after line 33—Insert:

(4) In this section—

female genital mutilation means—

(a) clitoridectomy; or

(b) excision of any other part of the female genital organs; or

(c) a procedure to narrow or close the vaginal opening; or

(d) any other mutilation of the female genital organs,

but does not include a sexual reassignment procedure or a medical procedure that has a genuine therapeutic purpose;

sexual reassignment procedure means a surgical procedure to give a female, or a person whose sex is ambivalent, genital characteristics, or ostensible genital characteristics, of a male.

(5) A medical procedure has a genuine therapeutic purpose only if directed at curing or alleviating a physiological disability or physical abnormality.

I emphasise again that this is not necessary, but it does no harm because all it does is restate the obvious. If restating it makes people feel better, I am all for that.

Amendment carried; clause as amended passed.

Clauses 16 to 19 passed.

Clause 20.

Ms SANDERSON: I move:

Amendment No 5 [Sanderson–1]—

Page 18, after line 28 [clause 20(1)]—Insert:

(ha) if the child or young person is a member of a particular ethnic, cultural or religious community—a person who is a member of the relevant community and who, in the opinion of the co-ordinator, would be of assistance to the conference;

This is in regard to who may attend a family group conference. I believe, given that Australia is a very multicultural society where we have many religions and many cultural backgrounds, it should be inherent that if there is an appropriate person and the coordinator is of the opinion that they would add value, just as they add value for Aboriginal and Torres Strait Islanders, that should also be offered to other nationalities, ethnicities and religions.

The Hon. J.R. RAU: I oppose the amendment. What this seeks to do is to expand the scope of people entitled to attend a family group conference in respect of a child. Remember that the context of the family group conference in the scheme of the bill is: here are the people who are, for want of a better term, the extended family of the child. What this seeks to do is require, in some circumstances, a person who may not be a member of that group to be included in that group.

I do not particularly see that that is necessary, given that if they are a member of any particular group by definition their extended family will include people who are members of that group. If, for example, the child is an Aboriginal child, that means that members of their extended family, by definition, include Aboriginal people. That is necessary, and a necessary implication of being in a cultural group is that you are part of a cultural group, and therefore those people who are your extended family include members of the group and so on.

The basis for the opposition by the government is that the category of persons would already fall under clause 20(1)(j) which states:

any other person (not being a legal practitioner) who the child or young person, or their parents or guardians, wish to support them at the conference and who, in the opinion of the coordinator, would be of assistance in that role;

Remember that the recommendations of the royal commission are very clear on this child-centric view on how these things should work. If the child is of the view that they need somebody else there, then they can have somebody else there. We already have a tick in the cultural box because the child, if they are of that group, by definition, has extended family who are of that group.

Ms SANDERSON: Can the Attorney-General then please explain paragraph (h) and why that would not also be implicit and why it is different from what I am amending? The intent of my amendment is to do the same thing, just for other cultures.

The Hon. J.R. RAU: I have to say, to be perfectly frank, there are some provisions in this legislation which, a bit like the ones we have had lifted from the Criminal Law Consolidation Act, are there because there is an expectation on the part of some members of the community that those things are there. This is a piece of legislation that a lot of people identify with, and they feel they need to have familiar artefacts in it.

It is not unreasonable, I would have thought, for the Aboriginal community, which is a disproportionately large section of the people who come into interaction with this legislation, to have a strong view about the Aboriginal and Torres Strait Islander placement principles being reflected in some place in the act. So, that is a recognition of the fact that they in particular have a very significant interaction with this. It is something about which they feel strongly; it is therefore in there for that reason.

But I can say to the parliament that even if it were not there, the general principles that are in the act would deliver pretty much the same outcome for those children as they do for any other child. I want to be clear: I do not think that provision being in there actually delivers more to these children than they would have had were it not there, but I recognise that that community is very anxious that a reference to that be in there. In order to satisfy that concern, it is in there. I think it is covered off anyway. It is one of those things where the explicit statement of something gives people more comfort than them being assured the thing is covered.

Ms SANDERSON: Just to be clear then, you believe that paragraph (ha), which I was recommending, is covered adequately in paragraph (j), and you also believe that (h) is also covered in paragraph (j), but it is there because it is a familiar artefact?

The Hon. J.R. RAU: Quite frankly, yes. If you apply the reference 'ethnic, cultural or religious community' to Aboriginal people and then you apply the rules to them, I think you do capture the fact that their family, their extended family and whatever, would be brought into arrangements.

As the member for Adelaide would know from consultations that have gone on, members of the Aboriginal community have very strong views about particular forms of language with which they have become familiar, and the placement principles are one such proposition with which they are familiar and to which they have significant attachment. I am saying that it does no damage and it does no harm, to have it there. I am just saying that, as a matter of law, it probably does not add much but it is a recognition, and that is all.

Amendment negatived; clause passed.

Clauses 21 to 28 passed.

New heading, part 2.

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

Amendment No 9 [ChildProRef–2]—

Page 24, line 3—Delete the heading and substitute:

Part 2—Responding to reports etc that child or young person may be at risk

Ms SANDERSON: My question is whether this has been assessed by stakeholders and their considerations added into it, or whether the government just made it up.

The Hon. J.R. RAU: I guess we made it up, to a point. This is a consequential technical amendment which arises from amendment No. 10, which is the one we are about to come to, the new clause 28A. It is describing the new clause 28A, and it did actually come from community concern regarding action to be taken by the chief executive with regard to reports received by the department. It is describing what follows it, in effect, and that was a response to some feedback.

Ms SANDERSON: Just to be clear, was this where it was changed from 'may cause' to 'must cause' an investigation? You still have 'must assess', but you still have—

The Hon. J.R. RAU: The answer is yes. It is around that conversation, and that is really where we are coming to with the next amendment on 28A—

The CHAIR: Which is your amendment No. 10 on schedule (5).

The Hon. J.R. RAU: —which is amendment No. 10.

The CHAIR: No, we are looking at amendment No. 9, schedule (5), which is putting the heading to allow the next bit to happen. This adds a new heading under clause 28.

New heading inserted.

New clause 28A.

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

Amendment No 10 [ChildProRef–2]—

Page 24, after line 3—Insert:

28A—Chief Executive must assess and take action on each report indicating child or young person may be at risk

(1) The Chief Executive must cause—

(a) each report under section 28; and

(b) any other report or notification made to the Department that a child or young person may be at risk (however described and whether or not received under this Act),

to be assessed in accordance with any requirements set out in the regulations.

(2) The Chief Executive may, in the course of an assessment under this section, make use of or rely on such systems of information gathering, collating or reporting as the Chief

Executive thinks fit (whether or not the system is operated or provided by a State authority).

(3) Without limiting any other action that may be taken by the Chief Executive, the Chief Executive must, on completion of an assessment under this section, cause at least 1 the following actions to be taken:

(a) an investigation into the circumstances of the child must be carried out under section 30;

(b) if the Chief Executive is satisfied that an investigation under section 30 is unnecessary, having regard to such of the circumstances of the child as may already be known to the Chief Executive, an alternative response that, in the opinion of the Chief Executive, more appropriately addresses the risk to the child or young person must be implemented;

(c) the matter must be referred to an appropriate State authority under section 29;

(d) if the Chief Executive is satisfied that—

(i) the matter has previously been dealt with under this or any other Act and there is no reason to re-examine the matter; or

(ii) the matter is trivial, vexatious or frivolous; or

(iii) there is good reason why no action should be taken in respect of the matter,

the Chief Executive may decline to take further action.

(4) The Chief Executive must, in accordance with any requirements set out in the regulations—

(a) cause a record of each action taken under this section, and the reasons for the action, to be kept in relation to each report or notification made to the Department; and

(b) include statistical information relating to action taken under this section to be included in the annual report of the Chief Executive under the *Public Sector Act 2009*.

This amendment is moved in response to feedback received by the government. The amendment will make it clear that the chief executive must assess and take action in relation to either a report received by the department under clause 28 of the bill or by any other means. This is the government's solution to implementing recommendation 63, which is in a way acknowledging the practical realities of work undertaken by the department. It also enhances the ability of the department to provide an alternative response which is better addressed to the particular risk; for example, it might be to refer to another state government agency.

This supports the government's reforms establishing a child safety pathway and child and family assessment and referral networks. The most significant aspect of this is subclause (3), which sets out what options are available to the chief executive once an assessment has been completed. Specifically, the amendment states that at least one of a following list of actions must be undertaken. It is also important to note that the government has imposed transparency measures in this amendment by means of a mandatory requirement on the chief executive to maintain a formal record in relation to each action undertaken. Secondly, the amendment requires the annual report from the department to include statistical information relating to clause 28 of the bill.

In terms of the concerns that have been raised in consultation, people were concerned that there might be a matter raised and the department would simply not even turn its mind to it. We accept that is not okay; that is what the government is saying. The government is saying, 'Yes, that is unacceptable.' However, what we do think is that what is done about the particular matter once it is assessed is not a matter for the parliament to dictate. It is a matter for the people on the ground, who have intimate knowledge of the circumstances and facts pertinent to the particular case, to make a judgement, and we have given them a menu of options from which they can make a selection.

So, the government has listened to the feedback about where these complaints are made they should be the subject of some consideration by the department; they cannot simply not be actioned. However, what we are resisting is the notion that it is for the parliament to determine a sort

of one-size-fits-all approach, that a particular action will be the response of every complaint. We are saying, 'Fair enough, have everything dealt with, have everything examined, but, ultimately, for goodness sake let the people on the ground, who are familiar with the particular circumstances, make the decision as to which particular action is appropriate in that case.'

They have to record what they have done. It is not good enough just to say, 'Yes, we got the report, we had a look at it and we decided to do nothing.' You actually have to record, 'Got the report, considered what action to take, decided to do nothing,' if that is what you decide to do, or, 'Decided to refer to SAPOL,' or, 'Decided to do whatever.' So, there will be an audit line that can be filed in the future about how these complaints are being managed within the department and how they fall into the various classes of action, because there will be a written record of that.

Ms SANDERSON: How will the chief executive assess the thousands of calls that do not get answered, and where is that being taken into account? How will that be addressed, the thousands of reports that are not getting through the Child Abuse Report Line? It is good that you must assess the ones that get through, but there are thousands that do not get through. Is there any way of assessing those or addressing those?

The Hon. J.R. RAU: That is a very important point, obviously. The department is taking steps to improve the way in which the CARL and other mechanisms of complaint are functioning. We are not running away from the findings of the royal commission, that those mechanisms have in the past been choked, basically. There is a challenge for the department to work out practical administrative ways of chugging through that amount of information, and that is a work in progress. The government accepts that is a priority for the department. I can assure the member for Adelaide that it is a priority for the department, but the solution to that problem lies in a series of practical, on-the-ground administrative arrangements to be implemented by the department, not in this bill.

New clause inserted.

Progress reported; committee to sit again.

Sitting suspended from 13:01 to 14:00.

ELECTRONIC TRANSACTIONS (LEGAL PROCEEDINGS) AMENDMENT BILL

Assent

His Excellency the Governor assented to the bill.

STATUTES AMENDMENT (JUDICIAL REGISTRARS) BILL

Assent

His Excellency the Governor assented to the bill.

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today a distinguished former member and former Speaker the Hon. John Oswald.

Petitions

FISHING REGULATIONS

Mr VAN HOLST PELLEKAAN (Stuart): Presented a petition signed by 397 residents of Port Augusta and greater South Australia requesting the house to urge the government to change the size limit of King George whiting from 32 centimetres to 30 centimetres from Douglas Bank to Port Augusta.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—Consolidated Financial Report review Supplementary Report March 2017 [Ordered to be published]
Local Government Annual Report—City of Mitcham

By the Minister for Consumer and Business Services (Hon. J.R. Rau)—

Ubet SA Pty Ltd—Approved Licensing Agreement between the Minister for Consumer and Business Services and Ubet SA Pty Ltd—Variation Agreement 16 March 2017

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

Review of the Assisted Reproductive Treatment Act 1988—Report

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

Regulations made under the following Acts—
Historic Shipwrecks—General

Ministerial Statement

ASSISTED REPRODUCTIVE TREATMENT ACT REVIEW

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (14:07): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.J. SNELLING: Today, I have tabled the report of the review of the Assisted Reproductive Treatment Act 1988. The act specifies that amendments made in 2010 must be evaluated for their operation and effectiveness after five years. These amendments included the replacement of the licensing scheme with a registration scheme for clinics, the dissolution of the SA Council on Reproductive Technology and its code of ethical conduct, the requirement that the welfare of any child born as a consequence of assisted reproductive treatment is to be treated as being of paramount importance and accepted as a fundamental principle in respect of the operation of the act as well as the provisions of ART, allowing for the establishment of a donor conception register and amending eligibility practices to ART services.

The review was undertaken by Dr Sonia Allan, an expert in assisted reproductive treatment who has an international reputation in this field. Dr Allan has consulted extensively with clinics and groups interested in ART to understand their concerns and experiences. She adopted a practical and intellectually rigorous perspective on the regulation of ART. I know that Dr Allan is in the gallery today and I extend my thanks to her for her work.

ART is a complex social topic. A different ethos has prevailed in the past with an emphasis on secrecy and anonymity. Many people now appreciate the importance of the welfare of the child in knowing who they are and what their background is. Dr Allan reports on this and the need for a donor conception register to match up information about donors and donor-conceived people. This is receiving consideration by the government.

It is clear from Dr Allan's report there are some past practices of ART clinics that have led to people being unable to obtain information about their donor. I refer here to the practice of clinics destroying the records of their donors, which has been noted in Dr Allan's report, and ART records being spread across different sites because of changes to clinical ownership and management. The destruction of records has naturally created much uncertainty and distress for some people. I intend to make sure it cannot happen in the future by amending the conditions of registration to prohibit the destruction of ART records, including donor records created prior to 1988.

ART clinics are likely to have a mixed response to the recommendations. While I expect they will welcome some of the regulatory changes, Dr Allan recommends that clinics contribute to the cost of a register if established. I know that Dr Allen met with the clinics today, and I expect more discussions around this to take place. Dr Allan's report provides a blueprint for a system of regulation that recognises that all parties to ART have rights which at times have to be weighed against each other, recognises that clinics sometimes need assistance to operationalise the welfare of the child principle and that clinics should not be subject to an unnecessary regulatory burden.

Dr Allan's report is comprehensive, and I know that there will be pockets of our community with strong opinions on the issues she has raised. I urge a fruitful and respectful discussion in the community as the government considers the recommendations of the report.

NORTHERN ADELAIDE IRRIGATION SCHEME

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) (14:10): I seek leave to make a ministerial statement.

Leave granted.

The Hon. L.W.K. BIGNELL: South Australia's economy is changing. While traditional manufacturing is in decline, food production continues to thrive. Today, one in five working South Australians is employed in the agribusiness sector. The Northern Adelaide Plains are home to one of the largest covered vegetable cropping regions in Australia. The state government recognises investment in the region is needed now to ensure the horticulture industry has access to the large volumes of affordable, high security water it needs to increase production and attract new investment.

Yesterday morning, at the Adelaide produce markets, I joined the Premier and the Minister for Water (Hon. Ian Hunter), local members of parliament (the member for Napier and the member for Light) and the Hon. Tung Ngo from the upper house, as well as horticulture industry representatives Angelo Demasi, Susie Green, Bryan Robertson, Jordan Brooke-Barnett and Craig Katz, and Anthony Penney from Business SA, to announce the state government's commitment to invest $110 million in the Northern Adelaide Irrigation Scheme, should our bid to the National Water Infrastructure Development Fund be successful.

The state government recently submitted an application to the Australian government's National Water Infrastructure Development Fund for $45.6 million to help fund the major irrigation project and expand the Northern Adelaide Plains irrigated food production area. I have a good working relationship with the federal Minister for Agriculture and Water Resources, Barnaby Joyce, and the assistant minister, Anne Ruston, whom I would like to thank for her cooperation across so many different areas in South Australia. I am hopeful that the federal government will make a valuable contribution to the scheme.

We are now one step closer to being able to implement this exciting scheme, which will deliver large volumes of affordable recycled water to the Northern Adelaide Plains to support increased horticulture production and exports, transforming the region into the national leader in intensive, high-tech food production. The combined investment of $155.6 million would be used to upgrade the Bolivar wastewater treatment plant to produce an additional 12 gigalitres of recycled water a year suitable for irrigation, an increase of 60 per cent. It would build a recycled water distribution infrastructure to the area north of the Gawler River and enable a major new irrigation area to be constructed, including high-tech, high-value, intensive food production.

The infrastructure would be designed and built to enable future expansion as demand increases and access to export markets continues to grow. Additional investment in time would enable the development of infrastructure to deliver a total of 20 gigalitres of recycled water a year from the Bolivar wastewater treatment plant, expanding the region's horticulture industry and piping irrigation water to the Barossa.

There is strong industry interest in purchasing recycled water through the Northern Adelaide Irrigation Scheme. Primary Industries and Regions SA and SA Water will continue to work with proponents, industry groups and growers to determine how they can participate in the scheme, ensuring delivery of the greatest state benefit through the water allocation.

As fisheries minister, I am thrilled that we are making an investment that will also reduce impacts on Gulf St Vincent's marine environment by making better use of recycled wastewater. A decision on the Australian government's funding support is expected to be announced mid-2017. Subject to receiving the funding, construction will begin later this year, with the aim of recycled water flowing to irrigators from December 2018. An independent economic assessment has identified that 12 gigalitres of recycled water a year would create 3,700 jobs, attract $1.1 billion in private investment and add $578 million a year to the state's economy.

At full expansion, 20 gigalitres of recycled water a year would create up to 6,000 jobs, attract $2 billion in private investment and add more than $1 billion a year to the state economy. The Northern Adelaide Irrigation Scheme supports the Northern Economic Plan by creating jobs for the Northern Adelaide Plains and outer northern suburbs of Adelaide, and it aligns with the state government's economic priorities of premium food and wine produced in our clean environment and exported to the world, growth through innovation and unlocking our resources, energy and renewables. The project has been developed by Primary Industries and Regions South Australia in partnership with SA Water who are working constructively with the horticultural sector.

Congratulations to everyone who has been involved in getting it to this point. The success of the Northern Adelaide Irrigation Scheme will be a game-changer for modern horticulture in South Australia. It will support existing industry to expand and become more competitive, as well as driving employment growth and attracting new skills and talent into South Australia.

QUEENSLAND CYCLONE RECOVERY ASSISTANCE

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) (14:15): I seek leave to make a ministerial statement.

Leave granted.

The Hon. Z.L. BETTISON: Following the destruction and damage of Tropical Cyclone Debbie on 28 March this year, the Queensland government made a request for my department to provide assistance with the ongoing community recovery efforts in the aftermath of the cyclone. Accordingly, commencing from Saturday 8 April, a Department for Communities and Social Inclusion employee with experience in emergency relief and recovery has been deployed to Queensland to act as the national deployment coordinator.

An additional 17 South Australian government recovery workers, including 15 from Housing SA and DCSI and two from the Department of Environment, Water and Natural Resources, have also been briefed and deployed for two weeks to Cannonvale, Queensland, from Sunday 9 April. Depending on the scale and speed of Queensland's recovery efforts, it is possible that further contingents may follow in the coming weeks.

In addition to giving respite to Queensland's workers, the deployment will be of some benefit to South Australia in the longer term by providing enhanced institutional knowledge and capabilities in the management of a very large-scale disaster. It is wonderful to see many people volunteer to assist others in their time of need, and it serves to remind us of the strong and resilient spirit of our community when faced with the enormous tasks of recovering from a disaster such as Cyclone Debbie.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Ms DIGANCE (Elder) (14:18): I bring up the 565th report of the committee, entitled Enhancement to Pityarilla (Park 19) in the South-East Parklands.

Report received and ordered to be published.

Ms DIGANCE: I bring up the 566th report of the committee, entitled Port Pirie Regional Sports Precinct.

Report received and ordered to be published.

Question Time

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:19): My question is to the Minister for Mental Health. Has the minister received the report of the Chief Psychiatrist's review of the Older Persons Mental Health Services facility at Oakden?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:20): I believe the department received the report late yesterday.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20): Can the minister inform the chamber as to the reason for the delay in receiving this report?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:20): The Chief Psychiatrist has undertaken extensive interviews with people at Oakden and workers on that site and I believe he has been writing it up.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20): Can the minister inform the house whether she has in fact been briefed on the contents of that report and whether she has received that report?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:20): I haven't received the report as yet. The department is looking at the report, reading it and preparing recommendations for me.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20): Can minister inform the house whether she has in fact been briefed by the Chief Psychiatrist at this point?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:20): No, I have not, on the finished report.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20): Will the minister advise the house when she is likely to receive the report and when she is likely to provide a briefing to this house on the contents of that report?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:21): As I have updated the house on two previous occasions, I have made it very clear to the department that I take this report—the independent review by the Office of the Chief Psychiatrist—incredibly seriously and that they are to act as speedily as possible.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:21): Can the minister inform the house when the report was actually received by the department?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:21): I would have to make inquiries about that, but I believe it was late yesterday.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:21): Can the minister inform the house whether the Chief Psychiatrist's report will be tabled and made public, as well as being tabled in full in this house, and what the process for that will be?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:21): I have made it clear that it will be available to the families of people who are living at Oakden and will be made public.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:21): Can the minister assure the house that in fact this report will be tabled before the end of this sitting week?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:22): Until I see the report, I can't make any commitments.

Ms Chapman: Why haven't you even read it?

The SPEAKER: The deputy leader—who seems, judging from her apparel, to have some affiliation with a hussar's regiment—will not charge at the minister out of order.

Ms CHAPMAN: Point of order: I ask the Speaker to withdraw that disgusting comment.

The SPEAKER: It's not meant to be disgusting, but I withdraw it if the deputy leader asks. The leader.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:22): My question is to the Minister for Mental Health. Given the minister's assurance that the review was independent, can the minister advise whether the chief executive of the Northern Adelaide Local Health Network was consulted in the drafting of the report and, in particular, did the CEO receive a draft copy of this report?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:23): I will have to seek advice about that.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23): My question is to the Minister for Mental Health. Can the minister advise the house on the implications of the three financial sanctions, which she has previously advised the house have been imposed on this facility?

Mr Knoll interjecting:

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

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:23): The commonwealth has advised us, as I have stated previously in ministerial statements, that there were 15 or 14 accreditation standards that were deemed not met by Makk and McLeay and three sanctions would be imposed. These related to limiting commonwealth subsidies for the new residents, the appointment of a nurse adviser over the period of time and the requirement to provide training in safe medication management.

Prior to the sanctions being received, medication safety training and staff education were already underway as part of a number of measures that were introduced after initial awareness of this situation, and we have continued to work closely with the commonwealth to ensure all the accreditation standards are met. I note that Clements is not subject to these sanctions because it is state run.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:24): Supplementary: can the minister advise the house what the total cost of these financial implications or sanctions has been to date?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:24): If I remember correctly and I am advised by my team, we had already put a cap on any new entrants coming into the site when we initially had concerns. I would have to seek the exact figure from the department, but I think it is going to be limited.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:25): What sanctions still remain in place? Do all three original sanctions from the follow-up report remain current?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:25): I wasn't briefed on that yesterday but, as I said, we are waiting for the Office of the Chief Psychiatrist and the department to give me a fulsome report, and I will act promptly on that report. This is a serious matter. We will not be rushed in addressing the concerns.

OAKDEN MENTAL HEALTH FACILITY

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:25): Supplementary: can the minister outline to this house what actions she has taken to immediately address the cause of the sanctions and the rectification of those causes at the Oakden facility?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:25): I refer the opposition to my previous ministerial statements on this matter.

Mr Marshall interjecting:

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

The Hon. L.A. VLAHOS: When I was made aware—

Mr Marshall interjecting:

The SPEAKER: Has the leader heard my warning?

Mr Marshall: Yes, sir, I have.

The SPEAKER: Good.

The Hon. L.A. VLAHOS: When I was made aware of care concerns in Oakden late last year, I immediately established an independent review of the mental health services facility, led by the Office of the Chief Psychiatrist, and he has been writing a report. The report became available late yesterday. The department is reviewing it and preparing recommendations for me to act upon. The government will not be rushed. We need to do this in an appropriate and seemly way. These are frail people. We have stepped in to improve some of the care standards and continue to work cooperatively and collaboratively with the commonwealth to address all serious concerns, and we will continue to do this.

STATE ENERGY PLAN

Ms DIGANCE (Elder) (14:27): My question is to the Premier. Could he update the house on what the response has been from everyday South Australians to the government's energy plan?

The Hon. J.W. WEATHERILL (Cheltenham—Premier) (14:27): It is four weeks since we released the energy plan, and the opposition have hauled up the white flag in opposition to the energy plan. Here it is: the energy plan. They haven't got a question left to ask about it four weeks in. Members on our side of the chamber have been busy going out to their electorates over the last four weeks, telling constituents about our plan to take charge of our energy future. My office has been inundated with calls, letters, emails—people giving us positive feedback about this plan.

We have had more than 45,000 visitors to the Our Energy Plan website, and our video explaining the plan has reached an audience of 534,000 people. Most importantly, we have been out there speaking to everyday South Australians about our plan—hundreds of conversations. It has been undertaken by every member of this government. I was taking the Outer Harbor line train just the other day, chatting to people, and also handing out leaflets at the Adelaide Railway Station. There were lots of people coming up. Yesterday, I joined the member for Light at the Gawler Railway Station, and we also went and saw parents and teachers at Hewett Primary School.

Members interjecting:

The SPEAKER: Premier, would you be seated. We have had a rollicking good time in the last minute. I now would like the Premier's answer to be heard in silence, provided he does not unduly provoke the opposition.

The Hon. J.W. WEATHERILL: I spoke with residents in Whyalla, Clare and Port Pirie and the surrounding regions, courtesy of the member for Frome and the country cabinet we held there.

We were at the Grange train station with the member there, at Henley Square in my old neighbourhood and also at Fulham Gardens Primary School.

The feedback we have received from ordinary South Australians has been overwhelmingly positive. People have been saying to me unprompted that they want South Australia to stand on its own two feet. They want to be less reliant on the Eastern States. They don't want to be at the mercy of a broken National Electricity Market. They are also telling me that they are sick to death of being screwed by large power companies with these extortionate prices that are being charged. They also understand that renewable energy is the future and they want us to invest in the nation's largest battery. They want us to invest in ultra high-speed gas turbines which permit us to provide peaking power but also stability services.

They have also told me that they believe electricity is a public good and should never have been privatised in the first place by those opposite. They also want us to make sure that we have the capacity for us to unlock our rich gas resources here in South Australia and they don't want it shipped off overseas. They want it to be used principally and first to secure our electricity security needs.

Members interjecting:

The Hon. J.W. WEATHERILL: They understand many of them are vulnerable and they are scared when the lights go out.

They are worried about making sure that there is energy security, and they want a government that is prepared to step up and take affirmative action on their part to secure their future. Just imagine somebody who is relying on oxygen and through the transmission of that, through an electricity network. Those disabled people at home are very fearful of their energy security, and it is with those ordinary South Australians this government stands up and protects.

The SPEAKER: I call to order the Treasurer, the member for Newland and the members for Chaffey, Adelaide, Mount Gambier, Hammond, Davenport and the deputy leader. I warn for the first time the members for Chaffey and Adelaide.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:31): My question is to the Minister for Mental Health. How many incidents at Oakden have been referred to the police for investigation since the minister became the Minister for Mental Health and Substance Abuse in January 2016?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:31): I believe I answered that question last sitting week.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:32): A supplementary, sir: could you please repeat the answer then from last sitting?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:32): I rely on the department to action all appropriate care and concern requirements. That is the appropriate course for the head of NALHN, who is the head of that unit, to undertake all critical incidents in a most serious matter, and if that involves reporting it to SAPOL, they will do that.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:32): My question is again to the Minister for Mental Health. How many times has the minister visited the Makk and McLeay wards at Oakden?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:32): I have attended that site once and visited all three wards.

Ms Chapman: Did you ask any questions?

The SPEAKER: The deputy leader is warned.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:32): Of that one visit to the Makk and McLeay site, was the minister the minister or was she the parliamentary secretary at the time?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:33): I was the minister when I attended, and they are wards.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:33): When you visited the site as the minister, did any of those visits raise concerns with you as to the quality of care elderly South Australians were receiving at the Makk and McLeay wards?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:33): Could you repeat the first part of that question? There was too much noise.

Mr DULUK: When you visited the Makk and McLeay wards, did you feel there were any concerns about the providing of care to older South Australians in those wards?

The Hon. L.A. VLAHOS: I don't think that is what you said the first time.

Mr DULUK: Did any of those visits raise concerns for you as to the quality of care elderly South Australians receive in the Makk and McLeay ward?

The Hon. T.R. Kenyon interjecting:

The SPEAKER: Okay, that's clear. The member for Newland is warned.

The Hon. L.A. VLAHOS: When I attend mental health sites across the state, I am constantly looking to make sure that our consumers, our patients, are receiving the highest quality of care. I ask a variety of questions at a variety of sites, whether they vary from, are these safe ligature points? Are there any risks involved in a number of things? Are people getting adequate social and psychosocial supports? Are there adequate activities? What are the ways we can improve care? What are the needs of the families and loved ones who are visiting people, particularly people in forensic facilities?

Mr Knoll interjecting:

The SPEAKER: The member for Schubert is warned.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:34): Supplementary: having visited the facility once, is the minister comfortable with the level of care being provided to South Australians in that facility?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:34): I am not a clinician. The correct mix of clinical services and psychosocial supports are important and are to be done with the local area health network. I do ask a variety of questions, as I stated answering the last question, about having the right balance of all these things in place. I regularly visit sites around the state, a number of sites.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:35): Another supplementary: when the minister was at the Makk and McLeay wards, did she have clinicians with her? Did they raise any concerns to her, as the minister, about the standard of care in those wards?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:35): The day I attended I walked through all three sites and we talked about steps that had been undertaken to improve the quality and safety frameworks for people in this facility. I observed people going about their average day in these wards. They talked about a number of procedures they were putting in place to improve caring concerns and about their practices, about a variety of things, from allowing people to go out into the sunshine, having garden

space, psychosocial, adequate OT support. I asked about dietary issues, we talked about families and consumers coming on site. We talked about a number of issues that day.

Ms Chapman interjecting:

The SPEAKER: The deputy leader is called to order.

OAKDEN MENTAL HEALTH FACILITY

Mr DULUK (Davenport) (14:36): Could the minister please confirm the date she visited the Makk and McLeay wards?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:36): I will have to refer to my diary.

BORDERLINE PERSONALITY DISORDER

Mr DULUK (Davenport) (14:36): My question is to the Minister for Mental Health. When will the minister release the Action Plan for People Living with Borderline Personality Disorder 2017-2020, given that it was provided to the minister more than six months ago and that as of today the Mental Health Commission's website states that the report will be released late 2016?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:37): It is my absolute pleasure to discuss this. It is something I am very passionate about, and I really enjoyed my time—

Members interjecting:

The SPEAKER: The minister will be seated. The minister has not offered any provocation to the opposition. The minister is providing the house with information well within the standing orders, so I ask the opposition to listen to the minister's answers in silence. Minister.

The Hon. L.A. VLAHOS: It is an area I am very passionate about and something I have been concerned about since I have been the parliamentary secretary. It is one of the reasons the Mental Health Commission was asked to write this report and continues to liaise with carers and consumers in this poorly understood area of psychiatry, one which has a significant morbidity and mortality rate.

I recently spent over two hours, I believe, with the Sanctuary group at Wayville, talking to family members who are bereaved and also consumers and carers. There were a variety of age groups in that room with whom I spent time that day, and they talked about their care and concerns for case management. We talked about the report and the significance it will have in helping them receive treatment for their loved ones and in changing their lives. At the end of that time they talked to me constructively, and I will talk to them again very shortly, about how this plan can be implemented in our state for the betterment of all of them.

DRUG AND ALCOHOL SERVICES

Mr DULUK (Davenport) (14:38): Again, a further question to the Minister for Mental Health and Substance Abuse: does Drug and Alcohol Services SA (DASSA) have a policy or rule that if you have not taken drugs in the last five days you are not eligible to access treatment services?

Mr Bell interjecting:

The SPEAKER: The member for Mount Gambier is warned.

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:39): Drug and Alcohol Services SA provides triage and support for people facing addiction and substance abuse issues across the state, from regional and remote locations through to the city. We also have phone triage.

There are good protocols to ensure that people access the system and the services they need when appropriate. I would have to seek advice about the particular time lines, depending on the particular addictions and the particular condition that that consumer may be seeking at that time. I am not a clinician. I am led by their decision-making and I respect that.

JOB ACCELERATOR GRANT SCHEME

The Hon. P. CAICA (Colton) (14:40): My question is to the Treasurer. Can the Treasurer update the house on the Job Accelerator Grant Scheme?

Members interjecting:

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:40): It is. Yes, it confirms our budget; it was excellent. I thank the member for his question; I know he is a strong supporter of small to medium-size enterprises. He is someone who has been an advocate for the business community in this parliament and I thank him for his support.

The government fully appreciates that small to medium-size enterprises are the lifeblood of our state and our economy. Our state's property grows with their prosperity and success and that is why everyone in the government is focused, through our economic policies, on ensuring that these businesses thrive and that South Australia becomes the best place in Australia to do business. We make no apologies: this government is unashamedly pro business.

Despite the unprecedented challenges we face with the closure by the commonwealth government of the Australian car manufacturing industry in this country, the global decline in mineral commodity prices and the gaps the commonwealth has created in naval shipbuilding, there are many positive signs in our economy: 12,700 jobs have been added in the 12 months to February 2017. I can inform the house that as of yesterday 3,106 businesses have registered for the Job Accelerator Grant for a total of 7,639 positions out of our $109 million Job Accelerator Grant program for businesses to employ additional staff since the scheme was announced in the most recent budget.

The program grants up to $10,000 for each and every job created for eligible businesses with taxable payrolls of $5 million or less and up to $4,000 for each and every job created by small businesses, start-ups and other employers that are not liable for payroll tax. Businesses in this state are growing and they are hiring. We have seen recent announcements, with Boeing creating 250 highly skilled jobs, including roles for software engineers and researchers, through a five-year plan to set up a new Adelaide CBD hub.

The state government is also committing $110 million to help expand the Northern Adelaide Plains irrigated food production area, which will create 3,700 jobs in and around Adelaide's northern suburbs and add more than $500 million a year to the state's economy, which has broken the $100 billion mark.

Mr Williams interjecting:

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

The Hon. A. KOUTSANTONIS: The business community now sees an action plan by this state government. They understand that the 2015-16 state budget was about cutting taxes so that businesses were free to invest and grow. They have seen this government deliver the most comprehensive tax reform package in our state's history, which sees us abolishing business stamp duties and returning $670 million to businesses and families. Small and medium-size businesses are the backbone of our economy—

Ms Sanderson: Yes, and they're all leaving.

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

The Hon. A. KOUTSANTONIS: —and we want to reward those businesses for their efforts and help them grow, and help them grow faster. The small business community should be reassured that they have a friend in this government that is supporting them and that we have their back. These grants are designed to exactly help those small businesses go out and make that decision.

It is not the entire aspect of making that decision to hire a new employee, but it makes it that little bit easier. A $10,000 or a $4,000 grant makes it that little bit easier to make that decision to hire a new employee. Over 7,000 of our small businesses have applied to register for this grant. I think that is a comprehensive acceptance that this program is working and working well, despite members opposite criticising it.

JOB ACCELERATOR GRANT SCHEME

Mr BELL (Mount Gambier) (14:44): Supplementary: given the Treasurer's answer, why is it that the NAB Monthly Business Survey shows a downturn in business conditions and business confidence in South Australia?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:44): The same report shows that we had the second highest business confidence in the nation.

Members interjecting:

The SPEAKER: The Premier is called to order.

Members interjecting:

The Hon. A. KOUTSANTONIS: Well, criticising the NAB. Their survey has been doctored by me, has it? Yes, I can just imagine the phone call to Ken Henry: 'Ken, it's Tom. I want you to change the NAB business survey.' I have to say that the Liberal opposition pick and choose the stats they want to try to suit their narrative, but when you look at the actual stats, you're showing that we had the second highest jobs growth in the nation.

Ms Sanderson: A liability of $66 billion?

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

The Hon. A. KOUTSANTONIS: There were 4,000 jobs created.

Mr BELL: Point of order: relevance, sir. I asked about the downturn in business confidence and conditions. The minister is nowhere near that.

The SPEAKER: No, you asked about the NAB report and you're getting more than you bargained for.

The Hon. A. KOUTSANTONIS: Mr Speaker, I feel sorry for the member for Mount Gambier. He is actually a good member of parliament. He works hard for his local community. He is out there fighting for more exploration drill wells in the South-East for conventional gas, and I want to thank him personally for his support of conventional gas drilling in the South-East. The amount of support that the member for Mount Gambier is giving this government in our plan to extract more gas out of the South-East is unprecedented. Drill, baby, drill!

MENTAL HEALTH SERVICES

Mr KNOLL (Schubert) (14:45): My question is to the Minister for Mental Health. When will the minister release the report of the independent review of South Australia's forensic services which was conducted in 2014-15 and which the Principal Community Visitor recommended in September 2016 should be released to the public and the parliament?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:46): I am happy to seek an update from my department on that issue.

MENTAL HEALTH SERVICES

Mr KNOLL (Schubert) (14:46): My question is again to the Minister for Mental Health. As Minister for Mental Health, do you find it acceptable that people with mental health issues are restrained in health facilities by Correctional Services staff with hard restraints?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:46): As I have said to the house on a number of occasions, the Office of the Chief Psychiatrist has actually led modernisation of how we deal with restraint and seclusion information across the state and how we collect that data. I issued a press release on this last year and some of that trauma-informed training and care was actually run across the whole of government, including Corrections.

It is an important area and we will continue to work towards educating people to use the best and most contemporary method of trauma-informed restraint and seclusion. It was a US training

organisation that we partnered with last year, and I'm happy to continue to support our rolling that out across the system and to work with my ministerial colleagues collectively and supportively to continually improve how we deliver services to people who might have challenging behaviours.

MENTAL HEALTH SERVICES

Mr KNOLL (Schubert) (14:47): Is it the government's policy that, even in the clinical environment, the authority of a Correctional Services officer to restrain a person with hard restraints overrides the authority of clinicians providing care, even in instances where the patient is in labour or, for instance, on life support?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:48): Individual cases are a combination, I am sure, of decision-making protocols. I am not a clinician, as I have said multiple times today, and policies require a degree of flexibility. There are safety concerns, and I would have to understand the clinical circumstances around each unique decision made.

MENTAL HEALTH SERVICES

Mr KNOLL (Schubert) (14:48): Can the minister confirm that, where a clinician is overridden by Correctional Services staff, she is okay with hard restraints being placed on a patient who is in labour?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:49): I would have to consult with my colleague in the other house to discuss some of these protocols. However—

Members interjecting:

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

The Hon. L.A. VLAHOS: —you are giving me a theoretical case study and not referring to a particular instance.

Members interjecting:

The SPEAKER: The member for Wright is warned.

MENTAL HEALTH SERVICES

Mr KNOLL (Schubert) (14:49): Given that the Correctional Services department has rejected the prototypes on soft restraints as provided by the New South Wales Corrective Services department, is the government still pursuing the use of soft restraints in clinical settings?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (14:49): I am not the minister for corrections. As I said, I would have to have discussions with my ministerial colleague in the other place.

Ms Chapman interjecting:

The SPEAKER: Deputy leader, what do I have to do or say to have the deputy leader obey the standing orders?

An honourable member interjecting:

The SPEAKER: Please, deputy leader, please. The member for Morialta.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT EMPLOYEES

Mr GARDNER (Morialta) (14:50): My question is to the Minister for Education and Child Development. Are the three Department for Education and Child Development staff members, particularly identified by Magistrate Susan O'Connor in her reasons for dismissing the charges against Jemima Raymond, still in their positions at the school?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:50): The matter that the member is referring to is about a case that was taken through to the Magistrates Court recently. Not only was the person who

was charged found not guilty but the magistrate had some comments to make about the processes that led up to that case being brought forward and also some reflections on some of the staff who had been involved as witnesses, for want of a better term.

I have had a conversation with the chief executive of the department and he is well aware that he needs to review the comments in detail that were made by the magistrate and determine whether he needs to undertake any actions. You have asked specifically about whether they are in position. I don't have the detail on all three, so I will take that on notice, but I think the larger question is whether there will be any action resulting, and the chief executive will consider that and act accordingly.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT EMPLOYEES

Mr GARDNER (Morialta) (14:51): Supplementary: can I confirm from the minister's response that neither have the staff been disciplined in any way to this point?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:51): I am unaware of whether they have been disciplined at this point. I would be surprised, given the recent nature of the comments being made but I will seek advice from the chief executive who is properly the manager of staff in the department.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT EMPLOYEES

Mr GARDNER (Morialta) (14:52): Supplementary: are there any reviews being taken into this incident and, in particular, into the evidence that was described by the magistrate as being the result of collusion by the staff members of DECD? Are there any reviews of this taking place other than that she has just identified being done by the chief executive?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:52): I did try to forestall this question by explaining that the chief executive will undertake an examination of the comments that were made. I am unaware of whether there are any other and independent reviews being undertaken. I can determine if that is the case and provide the information to the parliament.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT EMPLOYEES

Mr GARDNER (Morialta) (14:52): Supplementary: will the minister provide the parliament with details of how this prosecution came to be put forward? Why weren't the police brought in immediately once it was felt that charges needed to be laid?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:53): There is a presumption there about an order of events that I am not sure the member is in a position to be so confident about. I will provide a briefing to the extent that it is possible to, without compromising the confidentiality of the student, the parent and the staff member involved. A statement can be provided to the house in order to clarify the situation. but I will not prejudice the employment of the individual who was charged and found not guilty, nor will I do anything that seeks to identify the child or the parents involved.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT EMPLOYEES

Mr GARDNER (Morialta) (14:53): Supplementary: how does the minister respond then to the statement of the magistrate in her reasons, and I quote point 11:

> Be this a lesson for every Government Department and school community to call in the police at the first possible opportunity before staff members engage in such complicity to marshal a prosecution.

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:54): I think that falls into the category of the comments that were made by the magistrate, that the chief executive will be reviewing and determining whether there is any action required.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT EMPLOYEES

Mr GARDNER (Morialta) (14:54): Will the minister ensure that Jemima Raymond is given the opportunity to get her job back?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:54): I will seek advice from the chief executive about the status of employment of that individual.

EDUCATION AND CHILD DEVELOPMENT DEPARTMENT EMPLOYEES

Mr GARDNER (Morialta) (14:54): Supplementary: will the minister now offer an apology to Jemima Raymond for what has happened to her?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (14:54): That is a reasonable question. I am never loath to offer apologies; however, I would prefer to have advice formally from the chief executive about the details of the procedures. You would be aware that it is not only one department that is involved when a prosecution is launched, so I will seek appropriate advice and act in accordance with that.

BOWERING HILL DAM

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:55): My question is to the Attorney-General. When will the Attorney respond as Minister for Planning to the correspondence from 12 January this year in respect of the Bowering Hill dam proposal together with the further correspondence forwarded to him by the local member, the member for Mawson?

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) (14:55): I thank the honourable member for her question. I'm trying to bring to mind the correspondence that she is speaking about, and I must say that I can't picture it in my mind. I might have a chat to the member for Mawson about this. The member for Mawson is probably grateful that you are raising this here.

The good news is that the member for Mawson and I are happy to have a chat about this, but at the moment I have no particular recollection of this correspondence. Can I say to the member for Mawson, through you, Mr Speaker, that I would like him to come up and have a cup of tea with me and we can talk about it.

BOWERING HILL DAM

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:56): Supplementary: is the Attorney-General aware of an off-market acquisition proposal that has been submitted to the Coordinator-General in respect of land owned by Renewal SA to accommodate the Bowering Hill dam proposal?

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) (14:57): No, I am not aware of that. I am happy, again, when the minister comes round for his cup of tea, to talk to him about that as well—very happy—and he can explain to me what that is. I don't have any recollection of anything about Bowering Hill that has come across my desk in recent times, or at any time that I can recall really, except going back perhaps five years or so.

We talked about Bowering Hill many years ago. In fact, there was quite a bit of discussion between the member for Mawson and myself about that in the context of the McLaren Vale protection area. Bowering Hill is one of those spots down south where the protection area meets the ocean, so it was a matter of some interest to the member for Mawson. As I said, I am very happy to sit down and have a chat with him and see what we can work out.

BOWERING HILL DAM

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:58): My question is to the Minister for Transport and Infrastructure. Is the minister aware that an off-market acquisition proposal is being considered by the Coordinator-General in the unsolicited bid process for the Bowering Hill dam land?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:58): My response is that there may well be. Whether I have been advised, formally or otherwise, I can't recall, but I will chase it up. It would not surprise me if there weren't many dozens if not hundreds of proposed off-market transactions that the unsolicited bid process has put forward.

BOWERING HILL DAM

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:58): Supplementary to the Minister for Transport and Infrastructure: has Renewal SA now agreed to sell the land to the developer for the proposal?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:58): In checking whether this transaction actually exists, proposed or actual, those sorts of details would be fleshed out in that response, and I will furnish that to the parliament as well.

BOWERING HILL DAM

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:59): Further supplementary: I accept that the minister may want to take this on notice as well, but is the minister aware that Renewal SA has instructed a land agent to sell the land surrounding the Bowering Hill dam site and, if so, is he satisfied that full disclosure has been made to interested purchasers of that land in respect of the proposed dam development in their backyard?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:59): Renewal certainly is progressing at least one land sale that we know of, which has gathered significant attention in the southern suburbs. Of course, land in the southern suburbs—greenfields land—has been earmarked for development back since 1988 I think, so it wouldn't surprise me if Renewal does have parcels of land, whether it's in the vicinity of Bowering Hill or not, in the southern suburbs that are either slated to be put to market or are indeed at the moment being put to market.

If that was the case, then it wouldn't be unusual for Renewal SA to engage the services of an independent agent to conduct that process on its behalf. If the deputy leader's question is, 'What details did that agent furnish to the market in calling for expressions of interest, if not indeed responses for those sorts of parcels of land?' that sort of minutia I will need to take on notice.

DRUG AND ALCOHOL SERVICES

Mr DULUK (Davenport) (15:00): My question again is to the Minister for Mental Health and Substance Abuse. When will the minister inform the house whether the full proceeds from the sale of Warinilla were invested in providing alcohol and drug-related treatment and support in South Australia—a question she took on notice more than a year ago?

The Hon. L.A. VLAHOS (Taylor—Minister for Disabilities, Minister for Mental Health and Substance Abuse) (15:01): I will double-check, but my recollection from the briefing I received is that the money went back into general revenue.

EAST MARDEN PRIMARY SCHOOL

Mr TARZIA (Hartley) (15:01): My question is to the Minister for Education and Child Development. What support will the government provide to the East Marden Primary School, which the minister has visited in my electorate, to alleviate its significant infrastructure needs, particularly as it struggles to deal with the doubling of the school population in recent years?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:01): I have been to East Marden for a visit and also caught up with the chair of the governing council and principal on other occasions in other places, and I understand their very strong advocacy for their school. There are many schools in fact that I would love to wave a magic wand and spend an enormous amount of money on, because we don't ever want anything less than complete perfection for our kids; however, we live in the practical world.

We have spent something like $2 billion since 2001 on school infrastructure and, most recently, $250 million in a project for STEM works which East Marden is a beneficiary of, so there was $1 million for them. They are also getting the money for the LED lighting. In fact, since 2009 they have had $1.6 million in additional classrooms and a significant amount of money spent on maintenance.

One of the challenges for East Marden is that it has grown quickly because it has accepted enrolments from outside its zone. In fact, at the beginning of last year, only 30 per cent of the kids there were from the zone. That is a recipe for pushing the infrastructure beyond what is appropriate. We have now introduced a capacity management plan, which means that the zone is being enforced. Of course, it takes some time because you don't throw kids out once they are there. So, it takes the time from reception through to the end of year 7 to see a change in the composition and therefore smaller numbers. That's why we have provided transportables, so that we can house the kids.

But the school's willingness to take kids from outside the zone has created significant pressure. We have now responded to that. We have provided funding to them, including the upgrade that's available through the $1 million in the STEM, and they remain on the list of schools that I am aware would like to have more money spent on them.

An honourable member interjecting:

The Hon. S.E. CLOSE: They would all like to have more money, exactly.

NATIONAL DISABILITY INSURANCE SCHEME

Ms SANDERSON (Adelaide) (15:03): My question is to the Minister for Education and Child Development. Has the government completed recommendation 223 of the Nyland royal commission, due for implementation by 31.3.2017, to ensure that every child in care, or who enters care or who is potentially eligible, applies to participate in the National Disability Insurance Scheme?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:04): I will have to take that on notice to ensure that the delays in national disability haven't caused a delay in the implementation of that. Obviously, the intention is there, the agreement to it, but I will just have to confirm whether we have met that deadline. We are shortly to be providing a public update on where we are in the response to recommendations, and so that will be amongst those that we will make public.

MADE IN SOUTH AUSTRALIA PILOT PROGRAM

Mr WHETSTONE (Chaffey) (15:04): My question is to the Minister for Planning. Minister, can you confirm that the $200,000 allocated for the 'made in South Australia' pilot program in the Riverland was not fully expended?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:05): I will check this because I think it might have been Renewal SA that was responsible for superintending that program. I will get a briefing for the member and provide him with those details.

MADE IN SOUTH AUSTRALIA PILOT PROGRAM

Mr WHETSTONE (Chaffey) (15:05): A supplementary, sir: minister, while you are there, can you also please bring back the answer to how many shopfronts were filled during that program?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:05): Yes, I will.

MADE IN SOUTH AUSTRALIA PILOT PROGRAM

Mr WHETSTONE (Chaffey) (15:05): Minister, also while you are there, will that program be expanded to other regional centres in South Australia?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:05): It may well be.

RIVERBANK AUTHORITY

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:05): My question is to the Minister for Housing and Urban Development. How much, for what service, and to which providers was the $553,000 in fees for service paid by the Riverbank Authority in the 2015-16 year?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:06): There were three parts to that question, and I will endeavour to bring back an answer to all three.

BLACKWOOD ROUNDABOUT

Mr DULUK (Davenport) (15:06): My question is to the Minister for Transport and Infrastructure. Can the minister advise the house what his government plans to do to address the structural deficiencies of the Blackwood roundabout?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:06): I'm glad the member for Davenport has raised the work that the state government has been putting in to improving traffic conditions in the area of the Mitcham Hills leading up to the Blackwood roundabout. As the member would be aware, some time ago a road management plan was developed for improvements throughout that area and, as funding has become available, we have been progressively rolling out improvements to the road network in that part of the metropolitan area.

I do concede that sometimes there are competing priorities for the set amount of roadworks that are required across the metropolitan area. While we have been able to find the resources for incredibly important upgrades—such as Springbank Road, for example, in the electorate of Waite—that has meant that some other projects, notwithstanding some of the improvements that have been made on that aforementioned road management plan, have needed to be accommodated elsewhere.

Mr Duluk: They didn't offer me a job on that side of the house, did they? They did to you and you took it. That's the irony of it.

The Hon. S.C. MULLIGHAN: The member for Davenport is right: he was never offered a position in this cabinet. Yes, I can confirm that to the parliament, and certainly he is unlikely to be at any time or at any point in the future. However, we are committed, as we have been with Springbank Road, to continuing road improvements in this part of the metropolitan area. In fact, I think in the budget a bit over 18 months ago, nearly two years ago, there was a commitment for an extra $70 million of road rehabilitation funding. Of course, the day after the budget, it was my great pleasure to attend with the member for Fisher to talk about the upgrade of some of the roads in her area.

This part of the metropolitan road network in the southern suburbs, in the Mitcham Hills, or even around the member for Fisher's electorate, remains incredibly important to this government. That's why we continue to budget more and more funding for roadworks, for road maintenance. As the member for Mitchell would know (because he asked me this question in estimates), it has been necessary because we had a $9 million a year cut from the federal government for road maintenance, and that was at the same time that they removed $18 million a year of road maintenance funding to councils—$27 million per year is what they cut from road funding in South Australia. Of course, you will hear from those opposite, just like they do every time the federal Coalition government does over this state. Who runs to their defence but the leader and his caucus, always defending those who do over the state's interests.

Mr Marshall interjecting:

The Hon. S.C. MULLIGHAN: He is even barking out across the chamber now. He is even defending not only those road maintenance funding cuts but the health cuts, the education cuts and the attempt to offshore the submarine build to Japan. He was out there defending them hook, line and sinker. When they dared Holden to leave, there was the Leader of the Opposition saying, 'I think it's a good thing. Why do we need automotive manufacturing in South Australia?' That's the position of the South Australian Liberal Party. They do not care one iota about the fortunes of this state economically or when it comes to road maintenance.

The SPEAKER: The Leader of the Opposition may curvet, but the caravan moves on.

BLACKWOOD ROUNDABOUT

Mr DULUK (Davenport) (15:10): Supplementary, and there are so many questions we could take from that: can the minister advise how much his government will be investing to upgrade the Blackwood roundabout in this year's state budget?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:10): Of course, we would hold any such announcements about the road network for budget day. What I can say, in addition to my comments in response to the previous question, is that not only was the Treasurer put in the position where he had no choice but to substantially increase road maintenance funding in South Australia—because of the withdrawal of effort from both the state and local government that federal government funding was making—but we spend in the order of $126 million a year on road maintenance and periodic roadworks.

Whether we need to continue listening to the strong advocacy of people like the member for Waite and the member for Fisher for fixing up roads in that part of the southern suburbs, or whether there might be opportunities to fix up roads in other parts of the southern suburbs, we will just have to wait and see.

BORDERLINE PERSONALITY DISORDER

Mr DULUK (Davenport) (15:11): My question is to the Minister for Mental Health and Substance Abuse, going back to her earlier answer. Can she please inform the house when she will actually be releasing the 2017-20 borderline personality disorder report?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:12): On behalf of the Minister for Mental Health, I will have to take that on notice.

BELAIR TRAIN SERVICE

Mr DULUK (Davenport) (15:12): My question is again to the Minister for Transport and Infrastructure. What caused the boom gates along the Belair line to fail and remain stuck down on 22 January this year?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:12): As I have reported to the house previously, there has been a need to upgrade some of the signalling infrastructure across the Adelaide metro train network. Once again, I am happy to report to the house that the Treasurer did provide some extra funding—$12 million over two years—to accelerate the replacement of signalling infrastructure across the metropolitan train network.

One of the lines we have invested that effort heavily into was the Belair line. That has meant that certainly in the last six months of last year we saw a marked increase in the reliability of train services on the Belair line. I think that's an improvement from the order of, on average, 92 or 93 per cent of on-time running to a period of consistent on-time running in the order of 97 to 98 per cent. It is a very significant percentage improvement.

Mr Duluk: How much did you spend on the Belair line?

The Hon. S.C. MULLIGHAN: The member for Davenport now wants to change his question from asking what happened with the boom gates to asking how much. Perhaps he is only interested in the short-term gratification that question time may bring him. I am just here to respond to the question I was asked, and the question I was asked was: what caused that?

The advice I received (indeed, I seem to recall signing a letter to the member for Davenport; perhaps he hasn't caught up with his paperwork) was that there was an interruption internally within the signalling system that caused those boom gates to do what is called 'failing to safe'. When there is an interruption with the operation of any part of the signalling network, the affected part of the signalling network will ensure that those boom gates come down so there is a reduced risk of

interaction between road vehicle traffic or other people in the area—for example pedestrians and cyclists—and train movements. That is what happened on that particular date in January.

The SPEAKER: Is there any taker for the 50th opposition question of question time?

BELAIR TRAIN SERVICE

Mr DULUK (Davenport) (15:14): A supplementary: of the $12 million allocated, how much of that $12 million has been spent on the Belair line?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:15): As to the precise breakdown across the lines, my understanding is that—off the top of my head, and I will check this—there have been four main areas of endeavour. Certainly, the Belair line led to that increase in reliability which I mentioned earlier, and in fact I think that was a reversal of the fortunes of the Belair line in reliability since the decision was taken in 1995 to convert the Belair line to single-track running, which of course has always inconvenienced people along that line.

Nonetheless, like other issues we have been discussing in this chamber in recent weeks, we have been grappling with the outcome of that decision by the former Liberal government. But the other three areas of endeavour, as I understand it, have been in the railway yards at the Adelaide Railway Station, also on the Outer Harbor line, and also on the Gawler line. The breakdown of that work to date—and my understanding is I don't believe it is quite complete yet, that program. But as to the level of detail in terms of what was spent where, I will bring that back to the chamber.

MODBURY HOSPITAL

The Hon. T.R. KENYON (Newland) (15:16): My question is to the Minister for Health. How has the new rehabilitation centre at Modbury Hospital improved health services in Adelaide's northern suburbs?

The Hon. J.J. SNELLING (Playford—Minister for Health, Minister for the Arts, Minister for Health Industries) (15:16): Very well, and I thank the member for his question. Last weekend I was very pleased—

Mr Pisoni interjecting:

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

The Hon. J.J. SNELLING: —to attend an open day at Modbury Hospital which was held for local residents to visit the new state-of-the-art rehabilitation centre and to see the fantastic facilities and services that are now available in our northern and north-eastern suburbs. The open day was a huge success, with over 600 people attending. There were tours of the new centre, a sausage sizzle, face painting for the kids and an ambulance on display at the front of the hospital which proved to be very popular. It was an absolutely great day and the feedback we received was overwhelmingly positive. A few examples of the comments people provided on their feedback for the day—

Ms Bedford interjecting:

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

The Hon. J.J. SNELLING: —are as follows:

> The centre is amazing and innovative. I am sure it will make a huge difference for patients.

Another:

> Very informative sessions. The whole complex exceeded my expectations of as I've had experience in a Rehab Centre, which was most beneficial to my recovery physically, mentally and emotionally. Well done to all involved.

Finally:

> Such an important part of our north and north-east community.

I spoke to many people on the day, all of whom had nothing but good things to say about the facility.

Mr Gardner interjecting:

The Hon. J.J. SNELLING: You would think the member for Morialta would be a bit quiet when it comes to matters of preselection. The huge interest shown by the local community is testament to the improvements that this government is making to health services in the north. Modbury Hospital is now the major rehabilitation hub for the northern suburbs.

Previously, the majority of residents in the north needing ongoing rehabilitation services were obliged to travel significant distances to access them. However, now the community has access to top-level rehabilitation care in world-class facilities on their doorstep. The new rehabilitation centre is part of the government's $32 million investment in the Modbury Hospital and has enabled it to double the number of rehabilitation patients it sees every day. It has 18 treatment rooms, a gym, a hydrotherapy pool, a laboratory for analysing patient mobility, prosthesis services, and a kitchen and laundry where clients can relearn and practise everyday tasks.

The facility brings together allied health specialists, including physios, occupational therapists and speech therapists, with medical and nursing staff, thereby improving the communication and collaboration between health professionals. This ultimately means patients get better care, they recover more quickly and they can return home from hospital sooner. However, improved access to rehabilitation is only one of the many improvements we have made to health services in the North.

Modbury Hospital continues to operate a specialist-led emergency department 24 hours a day, seven days a week, staffed by emergency department specialists capable of providing emergency assessment and treatment to all patients presenting to them. In addition, Modbury is now the North's major hub for elective surgeries, expecting to perform 1,800 more elective procedures and care for an additional 3,000 patients a year. Our most recent data shows that the number of day surgeries at Modbury has increased by around 20 per cent, which equates to an extra 60 day surgeries a month.

That may not be important to the Leader of the Opposition, who has the benefit of private health cover, but if you're a patient in the northern or north-eastern part of the state and you are waiting to get elective surgery, believe me it is very important indeed.

Grievance Debate

ELECTRICITY POLICY

Mr VAN HOLST PELLEKAAN (Stuart) (15:20): Very unfortunately, we have just seen yet another victim of the state government's failed energy policy. The Local Government Association of South Australia has announced that it expects its member councils to pay increases of between 30 and 50 per cent in their electricity prices in the 2017 year. I will read from page 33 of the Local Government Association's budget submission to the government:

> Like any business of scale, local government isn't immune to electricity price cost pressures and two new energy (electricity) supply contracts negotiated by LGA Procurement on behalf of councils will see costs increase by 30-50% in 2017. These escalating costs will put pressure on council rates.

This is a terrible situation for South Australians. Not only is the state government's energy policy pushing up electricity prices to all employers, all individuals and their households, but it is now flowing through to local government. What that means is that private people, in their own homes, are paying increased electricity prices. It also means that their council rates will go up because of increased electricity prices, and it also means that their employers are paying higher electricity prices.

The dreadful impact of that is that many of those employers who are facing higher prices are actually having to lay people off. It is very possible that people are at home facing escalating electricity prices, escalating council rates and unemployment—all because of the government's failed energy policy pushing up electricity prices across our state. I say again, as I have said here many times, we must transition away from fossil fuels towards renewable energy, but that transition must be done in a well-planned and well-managed way, not in the overnight, overzealous, politically opportune way the government is pursuing at the moment.

The closure of the Port Augusta power station was a dreadful mistake by this government. I do not say that power station should have stayed open forever—far from it—but instead of the government flatly refusing the range of offers it received to keep the Port Augusta power station open

it could have renegotiated those offers. Instead of just saying no, when asked by Alinta to help it stay open for 10 years or three years, or any of the other range of offers that was put, the government could have said, 'Look, we're not going to accept what you put to us, but we have a different proposal. We're going to help you stay open for the right amount of time to be part of that sensible, well-planned and well-managed transition.'

However, the government rejected all those proposals out of hand and have made this problem much worse than it needed to be. It is important at this point to talk about the opposition's rate capping policy. Let me be very, very clear: the government's failed energy policy, which has increased electricity prices across our nation—not only spot prices but forward prices into the future—will require local councils to pay more for their electricity.

Under the opposition's rate capping policy, those increased electricity prices would be part of the local government price index that is considered with regard to rate increase applications, keeping in mind that the opposition says that local government should not be allowed to increase their rates higher than the local government price index. These electricity prices would not disadvantage councils at all under a rate capping policy if the opposition were elected and put that in place after the election as a new government.

I come back to my point that, unfortunately, ratepayers will be dreadfully disadvantaged. They will be disadvantaged because their employers are under pressure. They will be disadvantaged if they happen to be employers themselves. They will be disadvantaged because their own household electricity prices are going up. Now we know that they will be disadvantaged because their council rates are going to go up. Whether it be household council rates or business premises council rates, they will now go up by 30 to 50 per cent due to the price of electricity.

NATIONAL DAY OF ACTION AGAINST BULLYING AND VIOLENCE

Ms HILDYARD (Reynell) (15:25): I rise today to express my support for the seventh National Day of Action Against Bullying and Violence, held on 17 March, and to particularly note the efforts of Christies Beach High School in our beautiful southern community in marking this day. This annual national day of action includes thousands of school communities and hundreds of thousands of students. I was inspired to see the enthusiasm and work put into the day by schools in partnership with their broader local communities.

To support this day, our state government gave 40 schools a share of over $20,000 to run activities or events that raise awareness and support school communities to take a stand against bullying and violence. Surveys are also being conducted within many participating schools to enable students to provide feedback on their experiences and understanding of bullying and violent behaviour. Listening to the voices of students will give us the tools to better target the causes of bullying and to identify the most effective strategies in creating safer spaces at schools.

In my electorate of Reynell, I was very happy to be part of the activities at the wonderful Christies Beach High School. A couple of weeks prior to the national day of action, this school community had been confronted with some difficult circumstances pertaining to violence. In response to those difficult circumstances, the school rightly immediately gathered our local community together to discuss whole of school and broader community solutions to these issues.

I also had the pleasure of 40-plus student leaders meeting with me in parliament to identify their solutions and their role in progressing them. These extraordinary and wise young leaders bravely shared their views and articulated some fine steps forward. They also demonstrated their deep knowledge that working together and finding their collective voice in the hardest of times will lead to the best moments. I thank each of these students for their big hearts, their open and wise minds and their courage.

Following these two events, the school came together for the national day of action. I had the privilege of speaking with the school community at the beginning of their program of activities and of spending time with students and school staff throughout the day. I saw students courageously performing in front of others, including a duo of the most incredible young rap artists. I saw students eating together, accessing various support programs, reaching out to sporting and other community

groups and, most importantly, committing together to doing whatever they could to eradicate violence and bullying.

It was brilliant to see various groups support their day, including Pride of the South, Port Adelaide Football Club, Onkaparinga Rugby Union Football Club and the City of Onkaparinga. I congratulate each of these groups on their engagement with the national day of action and their ongoing work in support of the wellbeing and safety of all our young people. Positive wellbeing is essential to children and young people's learning. It is essential that our schools are places where everyone feels safe.

I applaud the Christies Beach High School community and all who support them for confronting the issues of violence and bullying head on and doing so in a way that puts the voices of students at the heart of the development of solutions. I look forward to continuing to support their efforts and to continuing to empower the voices of these wonderful young people. Bullying is a problem facing our children at schools across the nation.

Approximately one in four year 4 to year 9 Australian students reports being bullied every few weeks or more often, and about one in five young people under 18 reports experiencing online bullying in any one year. The national day of action seeks to turn these awful statistics around and also seeks to consider the impact of bystander behaviour. Peers are present as onlookers in 87 per cent of bullying interactions and play a central role in the bullying process. It is so important that our school community shares the message that bullying and violence are not acceptable anywhere and that, as school communities, together they take an active stand.

I extend my thanks to students, staff, caregivers and supporters for your courage, your resilience and your absolute commitment to working relentlessly together until violence and bullying is eradicated. Having a day of action provides communities with an opportunity to connect to a broad discussion about how we can all work together to address bullying and violence. By working together, we will always achieve more. As part of the Bullying. No Way! campaign and the day of action, schools and other parts of our communities can access activities, materials and information that can be used all year round to explore students' thoughts about bullying.

No single approach will meet the needs of every school in every situation but, by empowering the voice of students and other community members, we have the best possible chance of taking the best steps forward. I look forward to continuing to work with school communities, including the resilient and innovative community that is Christies Beach High School for as long as it takes to eradicate bullying. Taking a stand together, we will be able to reduce bullying and violence to make our children safer in their learning and all other environments.

MITCHELL ELECTORATE

Mr WINGARD (Mitchell) (15:30): I rise today to speak about the weekend in my community. It is interesting that we are here today talking about the electricity crisis and the jobs crisis created by this state Labor government. Funnily enough, that was the key topic at the supermarket where I started my weekend on Saturday morning.

The electricity crisis in South Australia, and the debacle this state Labor government has got us into, was a very hot topic indeed. We have seen the glossy brochure the Premier and his colleagues are carrying around, and that brochure is really an admission that, after 15 years of this state Labor government, they have created an absolute mess for all South Australians, including of course on 28 September last year when, as we remember, we became known as the blackout state.

In relation to our jobs crisis, people were coming up to me and asking, 'Where are the jobs in South Australia?' They were pleading for jobs, in fact. Again, under this state Labor government we have had more than two years of being at the bottom of the table, if you like. We have had the highest unemployment rate in the nation on trend for more than two years, and it was quite sad to hear people talking about that. We do need change in this state, and the state Liberal team is the team to take us forward.

Over the weekend, there were a couple of school fetes in my electorate; one was at Christ the King, where Liz Keogh is the principal. She does a wonderful job with the school community as well. I must say that the school fetes in my local area are very much part of the school community,

and the families and people associated who do all the work putting them together need to be commended. Westminster also had its fair and Grant Bock, who is the acting principal, helped rally the troops. That is a wonderful school community, and they are doing great things in their local area.

After that, I went to the netball at St Joseph's Netball Club where my daughter plays and where they had a sausage sizzle. I offered to help, but they had it all under control. They also had an Easter raffle. I did actually help with the sausage sizzle: I ate more than my share, so I was putting back in that respect. The St Joseph's Netball Club does a wonderful job in our community, and all the players out there do an absolutely sterling job.

Sunday was also a great day. We had the 17th annual Teddy Bears Picnic, which was held at Bowker Street Oval for the very first time. It was hosted by the Brighton Kiwanis, who do a marvellous job. I was there with my colleague the member for Bright and we had a great time. He brought along a friend with his teddy bears, and the kids were out having a wonderful time. I had the opportunity to meet a couple of kids, Lachlan and Hayden, and we were playing a bit of football. People said that a football is not really a teddy bear, but these two young boys probably took their football to bed much like I did, so in effect their football was their teddy bear for the day.

We had a great time at Bowker Street Oval—a wonderful reserve that is used by all the community—raising money by gold coin donation for HeartKids. The Kiwanis are doing lots of wonderful work and putting into our community. Some awards were given out (some of which the member for Bright and I had the opportunity to judge) for the most loved teddy, the most senior teddy, the best dressed teddy, the smallest teddy and the best non-teddy, and the one that really stood out was the most senior teddy. A lot of the young children had their teddies with them and we were calculating their age—some teddy bears were as old as eight years old or seven years old and one was nine years old. When we accumulated all the ages, we could not beat the eventual winner, Marjorie Trott, whose teddy was 86 years old.

Marjorie got this teddy when she was three years old, and it is now 86 years old, which is absolutely fantastic, so no-one got within a bull's roar of Marjorie. She won the prize for the most senior teddy, and she was elated when her son came to pick her up. She had wanted to come to this event for a number of years, so when she got the flyer in her letterbox she thought, 'I'm going to go this year because I reckon I've got the most senior teddy covered,' and she certainly did. Congratulations to her—it was great to see her there. There were also plenty of other fun activities and all in all it was a great day. It is wonderful being out in the community being involved in those projects.

From there, we went to the aquatic centre for the Australian Age Diving Championships. Ken Rose is in charge of Diving SA in South Australia. It was great to see more than 160 youngsters from all over Australia and New Zealand competing, and some of them were nine and 10 years of age. Watching them going off the three-metre diving board and the springboards, what they could do made your mind boggle and your jaw drop. It was great to be part of this fantastic initiative, and we wish the kids all the best. I know they really enjoyed being at the aquatic centre and being a part of the Australian Age Diving Championships here in South Australia.

AUSTRALIAN ENERGY FORUM

Mr PICTON (Kaurna) (15:35): As a vast majority of South Australians know, this state is at the forefront of delivering a renewable energy future. Through our state energy plan, we are delivering an energy future where our state will stand on its own two feet. We are going to be less reliant upon a broken energy market, and less reliant upon coal-fired power stations in the Eastern States. We are leading the way in the use of renewable energy and grid-scale storage solutions.

This is clearly not good news for everybody, particularly those people and those interests in the coal industry across Australia and the world who do not want us to succeed with renewable energy and grid-scale storage and fast-start gas technology. They want to maintain their profits around the country and the world, and they want to maintain their interest in dirty coal-fired power stations.

Recently, in South Australia we have seen these interests flare up to invest money in campaigns—significant funds being invested by the coal industry—in an 'astroturf' group called the

Australian Energy Forum, which has been aggressively advertising on social media over the past six months. This campaign contains no authorisation and no explanation of who is funding the campaign. The Australian Energy Forum is a fiction. There is no office, there is no web page, there is no address and there is no phone number. However, all its posts attack renewable energy, attack grid-scale storage and even attack gas-fired generation in many of its posts.

It is no surprise that most believe that the coal industry is behind this campaign because coal is the only type of energy that this campaign does not attack. These ads are being promoted very heavily through social media, and lots of people I have spoken to have seen them countless times over the past six months. The campaign also attacks South Australia, not just the government but the whole state of South Australia. It also has ads going into Victoria, attacking the Victorian government as well over its desire now to embrace renewable energy.

Given the knowledge of social media charges and how often these ads are occurring, I would expect that hundreds of thousands of dollars are being spent by the coal industry on this misleading campaign. The good news is that most South Australians who are being bombarded with these ads are seeing through the lies and deception pretty easily. If you look at the comments from actual South Australians on the page, many note that they believe that this is a coal industry front.

Many believe that the Liberal privatisation of ETSA has caused our power system to be up to the private market's whims, and many South Australians are saying on this page that they know the truth about the closure of Alinta being a decision of the private market. However, of course, some people unfortunately will not know the truth and will believe the lies that have been peddled on this page, which was of course their tactic all along.

This is a pretty tactic that has been taken right from the playbook of the Big Tobacco industry and their campaign over the past 30 years to oppose sensible health measures to stop people smoking. I have had some personal experience in terms of dealing with Big Tobacco's campaigns in the past. When I was working for the federal health minister on progressing plain packaging legislation, we saw Big Tobacco funnel its funding into a number of retailer alliance 'astroturf' campaigns.

Big Tobacco obviously knew that it could not go out and advertise the fact that they were worried that bringing in plain packaging would lead to less smoking, so they paid their money into 'astroturf' campaigns to pretend that the real issue was concern about retailers and convenience store staff having to spend more time finding cigarette packets. That is what they pretended the big campaign was. They were very quiet about the fact that all the money from the campaign, the millions of dollars that were being spent, was coming from Big Tobacco itself.

These campaigns were deceiving the public. They contained lies. They were not up-front about the true funders and motives, and they were designed to help the Liberal Party win government to stop the reforms. This is all exactly the same as is now happening here with the coal industry. Likewise, we see the coal industry becoming the new Big Tobacco, knowing that it cannot go out to advertise itself to say that it wants to keep burning more coal and cause dangerous climate change. They are using a front to pretend that they are a good-hearted organisation, a good-hearted forum, concerned about consumers.

I am very concerned about this Australian Energy Forum campaign, its motives, its tactics and whether it is breaching the Electoral Act in South Australia, something I will be writing to the Electoral Commissioner about to ask that it be investigated because we should all be worried about the democracy of South Australia.

GENERATIONS IN JAZZ

Mr BELL (Mount Gambier) (15:40): I rise today to call on the state government to support the wonderful Generations in Jazz festival occurring in Mount Gambier. I believe it should be granted major event status and ask that the Minister for Tourism look into that. Generations in Jazz began in 1982. The entire Generations in Jazz concept is part of a regional city's commitment to encourage young artists from around the nation to reach for the stars.

It is the combination of a dream which came true back in 1982 for three country lads united by a love of music: Leigh O'Connor, Dale Cleves and Malcolm Bromley. They saw an opportunity to

pay tribute to their musical forebears—Tom O'Connor, Frank Cleves and Joe Hannigan—by bringing like-minded jazz artists together so that they could share their talents and learn from one another in a relaxed, inspirational atmosphere.

More than three decades later, Generations in Jazz has developed into something truly unique. With a combination of clinics and concerts, it has become the ultimate three-day jam session for several thousand artists at varying stages of their musical journey. Generations in Jazz represents a wonderful opportunity to listen, perform, respect and develop a true appreciation for a truly wonderful sound and to be a part of a commitment to furthering jazz in Australia and beyond.

The first few years saw no big bands, no scholarships, no choirs and around 200 people seated in the Barn Palais. Fast-forward to 2016, and approximately 4,400 musicians, as well as support staff from 107 schools, attended the 2016 event, with James Morrison's big top pavilion having seating capacity for 6,100 people. Put that into perspective: 6,100 people would be like 61 Arkaba motels, one of Adelaide's best and most favourite venues, in Mount Gambier. That is the value Generations in Jazz brings to our accommodation, hospitality and cafes in Mount Gambier.

Musicians travel from as far away as Perth, Rockhampton in Queensland and Auckland in New Zealand to compete in this prestigious event. Generations in Jazz's growth projection estimates 7,780 participants in 2021, with most of this growth coming from outside South Australia—from Queensland, New South Wales and Western Australia, and 5 to 7 May 2017 celebrates the 30th anniversary of James Morrison's involvement with Generations in Jazz.

Two scholarships are up for grabs: the James Morrison Jazz Scholarship and the GIJ Vocal Scholarship, awarded annually to an instrumentalist and a vocalist, with at least six finalists aged from 15 to 21 in each section. The James Morrison scholarship offers $10,000 in prize money to enable the winner to further their music careers. The Generations in Jazz Vocal Scholarship offers $5,000 in prize money also to assist with future music aspirations.

To celebrate the 30th anniversary this May, the Adelaide Symphony Orchestra—an 85-piece band—will perform 'A to Z of jazz (Louis Armstrong to Joe Zawinul)'. This is a journey from the beginnings of jazz through to fusion and funk, and that will be occurring this year in Mount Gambier. Renowned artists from all over the world have visited Mount Gambier to perform under the big top pavilion.

I note that the Deputy Speaker (member for Florey) is an ardent supporter of Generations in Jazz and has been for many years. That is why I call on this state government to award major event status to this event and support the wonderful work the Generations in Jazz team does. Some of the things that need to occur are to do with the actual facilities where this event takes place. Roadworks and toilet facilities are really small bickies when you consider the economic impact for a regional rural community in South Australia. With that, Deputy Speaker, and your support this May, I will conclude my remarks.

LIGHT ELECTORATE

The Hon. A. PICCOLO (Light) (15:45): Today, I would like to make the house aware of some events and activities in my electorate that are designed to improve the wellbeing of the local community, ranging from schools to community organisations. Last week, I attended the inaugural student wellbeing expo at the local Xavier College. Xavier College is a years 8 to 12 Catholic college in the electorate, and they held their first wellbeing expo.

The expo had a number of exhibitors, ranging from suicide prevention to people who can help with counselling to also people who provide a whole range of volunteering services. Research has shown that people who volunteer or are connected to the community often enjoy better mental health. The expo was designed by the college to highlight to their students the importance of looking after themselves physically, spiritually, socially, emotionally and mentally.

The 15 exhibitors on the day included headspace, CanTeen and ReachOut, to name a few. ReachOut is an organisation which has excellent website resources for families, for teachers and also for people who perhaps have some mental health issues. I understand that the Nova 919 Casanova street crew also visited on the day. It ran for some hours from 10.30 until about 3 o'clock. I visited at 11.45 and had a tour of the exhibition with the principal.

The role of the exhibitors was to provide a range of information to students about how they can support them in a whole range of different parts of their life. I was very pleased to be invited and to attend. It is one way in which our schools are supporting our young people to often get through difficult times in their life.

I am also aware that another local college—Gawler and District College—is doing some things in that area to help and support their young people. I note there is a meeting on tomorrow where they are getting a whole range of people together to work out how they can provide a hub for a range of services to support their students when they are experiencing difficulties in their life. The college is very keen to provide a holistic service, so they are working with some researchers and people from Flinders University, as well as people from CAMHS, obviously the primary health network managers, people from other schools, local GPs and of course the education department and a number of other people in the community who work towards keeping our community safe through resilience.

The other group I would like to talk about that is doing some really great work is the Northern Men's Wellbeing Network. I have attended a couple of their network meetings. The network is essentially made up of a group of men and women who work for a range of both government and non-government organisations to provide support for young men and boys in the community. They play a very important role.

Obviously, the agencies they work for provide services to people who are experiencing difficulties, but also a lot of the work is actually encouraging behaviour change in young men to ensure that their behaviour is appropriate in the context of family, schooling, etc. One of the roles they play is to support families by supporting men, and ensuring that children attend school. They provide programs to ensure that children obtain a good education.

I am aware that the men's Northern Wellbeing network will be undertaking a number of activities throughout the year to engage men with their families, particularly young children. They support a number of events through their employers—for example, Anglicare, Centacare, The Smith Family, etc.—to ensure that children go to school and learn because education is such an important factor. If you were to chart a person's journey through life, the quality of the education they obtain would be a key component.

The men's Northern Wellbeing network does a couple of things: firstly, they share information about what they are doing and, secondly, they identify projects they can collaborate on and target areas that require a lot of input. I bring the house's attention to these organisations that are making our community healthier and more resilient.

Bills

ROAD TRAFFIC (ROADWORKS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill with the amendments indicated by the following schedule, to which amendments the Legislative Council desires the concurrence of the House of Assembly:

No. 1. Clause 7, page 10, after line 24—After inserted section 22 insert:

23—Regulations fixing expiation fees

Despite section 176(1a)(j), the regulations may fix expiation fees not exceeding $5,000 for alleged offences against this Division.

No. 2. Clause 9, page 10, lines 31 and 32 [clause 9(2)]—Delete subclause (2)

Consideration in committee.

The Hon. S.C. MULLIGHAN: I move:

That the Legislative Council's amendments be agreed to.

Motion carried.

STATUTES AMENDMENT (REGISTERED RELATIONSHIPS) BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

CHILDREN AND YOUNG PEOPLE (SAFETY) BILL

Committee Stage

In committee (resumed on motion).

Clause 29.

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

Amendment No 11 [ChildProRef–2]—

Page 24, lines 5 to 26 [clause 29(1) to (4)]—Delete subclauses (1) to (4)

Ms SANDERSON: The only question I have noted down is to ask for an explanation for what the intention of removing that is, if you could explain that.

The Hon. J.R. RAU: This is a consequential amendment from amendment No. 10. In deleting clause 29(1) to (4), they have already been subsumed into clause 28A.

Amendment carried.

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

Amendment No 12 [ChildProRef–2]—

Page 24, lines 27 to 29 [clause 29(5)]—

Delete 'the Chief Executive determines that it is' and substitute:

, following an assessment of a matter under section 28A, the Chief Executive determines that it is more

This is another consequential amendment, again consequential on amendment No. 10.

Amendment carried; clause as amended passed.

Clause 30.

Ms SANDERSON: I move:

Amendment No 9 [Sanderson–1]—

Page 25, lines 6 to 13 [clause 30(1) and (2)]—Delete subclauses (1) and (2) and substitute:

(1) Subject to this Act, the Chief Executive must cause an investigation into the circumstances of a child or young person to be carried out—

(a) if a report is made under section 28 and the Chief Executive suspects on reasonable grounds that the child or young person may be at risk; or

(b) if the Chief Executive issues an instrument of guardianship or a restraining notice in relation to a child or young person; or

(c) in any other circumstances where the Chief Executive suspects on reasonable grounds that the child or young person may be at risk.

This is another controversial area where the chief executive currently 'may cause', and what I am proposing is that the chief executive 'must cause' an investigation into the circumstances of a child or young person to be carried out. Several groups have been in favour of 'must' versus 'may', not only but including the Deputy Coroner in the Lewis McPherson case. I will read from section 12.8:

I have seen recent media material lamenting the possibility that proposed legislation that would replace the existing Children's Protection Act 1993 would alter the mandatory nature of the exercise of the Chief Executive's powers that exist under section 19 of the current Act and would provide the Chief Executive with a discretion to cause an investigation and assessment of a child at risk. This does appear to be the case when one peruses clauses 30 and 31 of the Children and Young People (Safety) Bill 2017. This alteration would be a clear error. From the analysis below it is highly probable that in respect of Liam Humbles, the exercise of the Chief Executive's mandatory powers under

section 19 of the existing legislation would have saved Lewis McPherson's life, and would have done so by virtue of the fact that they are mandatory.

The Deputy Coroner goes on to make recommendation 12:

> I recommend that in the proposed new children's protection legislation, currently contained within the Children and Young People (Safety) Bill 2017, that the powers of the Chief Executive in relation to children at risk be maintained as mandatory powers.

It is on that basis, and on the basis of several other stakeholders recommending it, that on behalf of the Liberal Party I would like to amend 'may' to 'must' to protect the children.

The Hon. J.R. RAU: We oppose this particular amendment for the reasons I outlined earlier. First of all, going back to the royal commission report, recommendation 63 says to amend section 19(1) of the existing act, by deleting 19(1)(b) thereof, to provide that if the chief executive suspects on reasonable grounds that a child is at risk the chief executive must cause an assessment of, or investigation into, the circumstances of the child to be carried out.

The question is where 'must' cuts in. We are saying that the wording picked by the member for Adelaide would oblige an investigation in every single case, notwithstanding whatever other information might be available and notwithstanding whether or not it might, in all the circumstances, appear that an investigation was warranted.

We are saying that we have already provided a mechanism whereby every report must be actioned and there must be a record of what action was taken and why. We are just saying it is fine to say that the chief executive must turn his or her mind to each matter. We are quite fine with that. We are also fine with the notion that the chief executive must report, in a record form so that it can be later on audited and examined, what they did and why.

What we are saying we should not have to do is have a hardwired response in there, and in this case the hardwired response is a hardwired investigation. Basically, for that reason, because it would mean the department would be obliged to have an investigation for every complaint, in effect, notwithstanding the detail of any complaint, notwithstanding whether or not there had already been an investigation, notwithstanding whether or not any other number of events had occurred, we are just saying that is hardwiring and unreasonable—and ultimately wasteful in terms of a public resources process into the system.

We do not disagree with the general idea that the chief executive must turn his or her mind to each matter that is the subject of a complaint. We have embraced that in amendment 10, new clause 28A. We have picked that up but we do not agree with this particular proposition, and it is not consistent with the recommendations of the royal commission.

Ms SANDERSON: Could the Attorney-General outline to me the difference in the process between an assessment which we have just changed to 'must' as in the CE must assess, and the difference between the process for an investigation? When does it stop being an assessment and become an investigation?

The Hon. J.R. RAU: That is a very good question and my answer to that is—and if I am straying from the path of accuracy, there are at least three pairs of arms that will start waving shortly—an assessment means the chief executive must turn their mind to the fact of there having been a report. The chief executive must look at that report in its context and the chief executive must consider whatever other information the chief executive might have about the particular child who is the subject of the report. That is what I call an assessment.

An investigation would be a step farther than that. It would be that the chief executive then must commission one or more officers of the department to go out, in effect, and investigate in a very direct sense that particular child's circumstances. All we are trying to say is that that may not be the necessary or appropriate response in every situation. We do not argue with the fact that the chief executive should turn his or her mind to it. We do not have a problem with that. It is just that to say that, notwithstanding whatever comes from the assessment or the turning of the mind to that issue, the result will always be an investigation. That is the bit we are taking issue with.

It may be an investigation, but we are saying that it should not necessarily always be an investigation. It should be left to the chief executive to make a determination as to what the

appropriate response is, and they must record what their response is and they must record in effect their reason for doing whatever they do. Looking at it through the rear vision mirror some years down the track, if we were concerned about a particular child, we would have a documentary record of when that complaint came in, when it was received by the chief executive, what assessment the chief executive undertook and what decision the chief executive took in terms of the response to that assessment which may or may not include an investigation.

Ms SANDERSON: So that I can get a clearer understanding of this, say in the Humbles case, if the chief executive had done an assessment—looked at the case, made an assessment that there was no investigation required—and a child ended up dying, and in hindsight the Coroner or the Deputy Coroner had said, 'Why didn't someone do anything about this?', what would be the consequences of the CE making that decision not to investigate because it is their choice now because you are making it a 'may' rather than a 'must'? If they have chosen not to take it further, what would be the consequences of that?

The Hon. J.R. RAU: In the hypothetical that the member for Adelaide has given, the consequence would no doubt be that the Coroner would reflect on whether or not the judgement exercised by the chief executive in the context of that assessment proved, with the benefit of hindsight, to be a correct judgement. If the Coroner was of the view that the judgement had not been a correct judgement, presumably the Coroner would make adverse comment about the judgement of the chief executive—which, I imagine, would be a matter of some concern to the chief executive.

The converse problem is: what if the Coroner determined that in that case the chief executive could not even get to make an assessment about this matter because they were too busy investigating 1,500 other matters that had landed on their plate earlier and they had no alternative but to investigate each and every one of them and had not got to this one?

I am totally in agreement with the member for Adelaide that what the chief executive does in respect of each complaint should be transparent, it should be recorded and we should all know what it is so that there is no question about whether it fell through the cracks or something. There should be accountability for what they do. However, ultimately it is not possible for the parliament, without command of all the individual facts of each case, to say with any confidence that an investigation is warranted in every case.

It is a bit like saying that every time a police officer or a police station receives a complaint from a member of the public about somebody else, no matter how superficially unreliable that might appear, the police are nonetheless obliged to go through the process of investigation into each matter. That is the sort of idea we are trying to pick up. We are not trying to get away from the chief executive being accountable: quite the contrary, we are actually saying that the chief executive is going to be accountable because there is going to be a written record, a documentary record, of the fact of their having turned their mind to the matter and what they decided to do. We are just saying that it may not be that in every case an investigation is the necessary, automatic response.

It might be, in some cases, that it is so obvious, on the face of the assessment, that the thing to do is just send the team out and intervene and take the child away. In other cases, it might be that they have a serial complainer, one who is known by everybody to be an unreliable person, possibly a person who is mentally unwell, the sort of person all of us occasionally entertain in our electoral offices, who is not a credible person. You would not want a whole bunch of investigations triggered in those circumstances either. We are just saying that we should let the chief executive bring judgement to that decision, but that they should be accountable for what they decide.

Ms SANDERSON: I guess my only issue would be that that would work if the CE had years and years of experience on the ground, or they may have a social work degree and they worked their way through the department. However, if you brought someone over—for example, the deputy commissioner of police became your CE, or someone from an education background who had only ever worked in schools, but you bought them in from England, or they were not from our country and they became the CE—how can they make that assessment? That is my issue.

The Hon. J.R. RAU: This happens in every department. Obviously, within the administrative structure of this department there would be a series of experienced people upon whose advice the chief executive would rely. There would probably be a set-up of delegations, that certain types of

matters could be delegated by the chief executive to certain key experienced people. I think that is a matter that the Public Service has to cope with across the public sector, so I do not think that in itself is necessarily a problem. I am sure the administration of the department would be capable of making sure that either the advice coming up to the chief executive or the delegation down from the chief executive to the relevant officer would be appropriate to that problem.

Amendment negatived; clause passed.

Clause 31.

Ms SANDERSON: My amendment No. 10 on schedule (2) is consequential, so I will dispense with that.

Clause passed.

New clause 31A.

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

Amendment No 13 [ChildProRef–2]—

Page 26, after line 4—Insert:

31A—Chief Executive may direct person to undergo certain assessments

(1) If the Chief Executive reasonably suspects that a child or young person is at risk as a result of the abuse of a drug or alcohol (or both) by a parent, guardian or other person, the Chief Executive may, by notice in writing, direct the parent, guardian or other person to undergo an approved drug and alcohol assessment.

(2) If the Chief Executive reasonably suspects that a child or young person is at risk as a result of a lack of parenting capacity on the part of a parent, guardian or other person who has, or is responsible for, the care of the child or young person, the Chief Executive may, by notice in writing, direct the parent, guardian or other person to undergo an approved parenting capacity assessment.

(3) A person must not refuse or fail to comply with a direction under this section.

Maximum penalty: Imprisonment for 6 months.

(4) A notice under this section must set out the information required by the regulations for the purposes of this subsection.

(5) The regulations may make further provision in relation to assessments under this section (including, to avoid doubt, provisions requiring the results of an assessment to be provided to the Chief Executive or some other specified person or body).

(6) For the purposes of this section, a reference to an *approved drug and alcohol assessment* will be taken to be a reference to a drug and alcohol assessment of a kind approved by the Chief Executive by notice in the Gazette.

(7) For the purposes of this section, a reference to an *approved parenting capacity assessment* will be taken to be a reference to a parenting capacity assessment of a kind approved by the Chief Executive by notice in the Gazette.

This amendment seeks to insert new provisions that give the chief executive power to direct persons to undergo prescribed assessments for the purpose of the act. This arises from the royal commission recommendation 60. Under the provisions of the current bill, the power to order drug assessments currently rests with the Youth Court. This amendment will give the function to the chief executive, in addition to the ability to direct a person to undergo a parenting capacity assessment.

Equipping the chief executive with these powers will contribute to the efficiency of the system, which can only be of benefit to the child or young person on whose behalf the department is acting in order to keep them safe. Subclause (3) of the amendment also creates an offence that 'a person must not refuse or fail to comply with a direction under this section'. At the moment, Madam Chair, if you are going to have to go through the Youth Court to get one of these directions—

The CHAIR: I am too old for that, I believe.

The Hon. J.R. RAU: If one were—not you, but if one were—seeking to go through the Youth Court to do this, it is both expensive and time consuming. We have to fit into the time lines of the

Youth Court. That is not to say that the Youth Court does not make good decisions but, if this were a time sensitive matter and it were an obvious proposition that this sort of assessment were needed, we should not have to go through that process just for the sake of that process. In effect, we are actually streamlining the process to enable the chief executive to undertake these activities.

Ms SANDERSON: I believe that this new clause was in the original draft that went out to consultation, then it was removed and then it was put back in. Why is that?

The Hon. J.R. RAU: Yes, the original iteration of the bill contained a version of this which did not include parenting assessments. I think it is fair to say that we listened to feedback about this and, as a result of the feedback, it has been returned to the bill with the addition of parenting assessments as well. So, it is actually broader than the original proposition in the draft bill.

Ms SANDERSON: I have a question regarding new clause 31A(3). What were your thoughts behind the imprisonment for six months? Did you consider the possibility of drug rehabilitation or education? Were there other things that you looked at because obviously removing a parent from their children causes a lot of distress to the child? They can also then connect to another family and then they are removed. It makes it very difficult for everyone to remove a parent for six months if there are other alternatives available.

The Hon. J.R. RAU: That is a very good question and we did think at some length about this. Ideally, the last thing we want to do is to go through a criminal process in the context of child protection if we can avoid it. That said, if we simply had a provision in here that said, 'Parents who are given a direction by the chief executive must do X and Y,' and there was no consequence for not doing it, we would have no means of actually expecting people to comply because their view would be, 'Well, if I don't comply, what are you going to do to me?' That provision is there not because I actually expect it to be resorted to ever but because, if we do not have some sanction for noncompliance, the message will get out there very quickly, 'Look, just ignore them because, whatever they say to you, they can't do anything to you anyway.' That is why it is there.

As to the six months, that is a maximum term. Even if one of these were prosecuted, the chance of anybody being imprisoned at all would be small, and to get anywhere near a six-month term they would have to be a serial offender who has repeatedly refused to comply. This would be an extremely rare thing, if it happened at all. But if we do not have a sanction in here, what do we say to these people whose attitude is, 'Well, come on. Make me do it. You can't touch me'? We do need them to take these directions seriously, otherwise the directions are just empty words.

Ms SANDERSON: Would you ever consider mandatory drug treatment rather than prison for adults or under 18s where it is endangering a child's life and their own potential to be a parent?

The Hon. J.R. RAU: Mandatory drug testing did you say or—

Ms SANDERSON: Mandatory drug treatment—going to a facility.

The Hon. J.R. RAU: The mandatory drug treatment is really a matter for the courts. They have drug treatment programs. My knowledge of those is not detailed, but I can tell members that there is considerable controversy about whether mandatory drug treatment works. It is much like any other thing where you compel a person. The literature is very split. In fact, as best I understand it, the literature leans towards the proposition that compelling people to undertake this sort of treatment is actually counterproductive. You get passive resistance. They go through the motions, but it does not make any difference and there is a resentment aspect to it.

Examples around the world where courts have become involved in drug treatment tend to show that the participants who volunteer, in effect, to submit to the drug treatment are the ones whose outcomes are more likely to be positive. The courts have a process at the moment which I think they refer to as a Griffiths remand. If somebody who has a drug problem comes before the court for a criminal offence, the court can say, 'If you want to participate in this treatment program, you go away and participate in the treatment program and then come back. We will sentence you after the treatment program, and we will take into account how well you have performed in the treatment program in determining what your ultimate sentence might be.'

In that circumstance, the person says, 'I can go off and participate in rehab and if the rehab report is really positive I can show that to the court.' The court is likely to say, 'Having regard to your cooperation with rehab, we're going to give you a very light sentence or we'll put you on a bond by reason of you having demonstrated your commitment to getting better.' That happens now, but the idea of compulsorily putting people into treatment programs is another one of these things about hardwiring things in. You would hardwire in a whole bunch of people going to programs they did not want to go to, which would cost the community a lot of money, and it is very debatable whether even a small fraction of the people who are inducted into a program that way would actually improve.

Ms SANDERSON: Is there any research or are there any studies that show that sending someone compulsorily to prison does anything for drug treatment? How many are off drugs or rehabilitated when they come out? Are there any comparisons between those who were sent to mandatory drug treatments for six months or a year and those who went to prison? I am not sure that sending them to prison has a better outcome than mandatory drug treatment, because they are both mandatory.

The Hon. J.R. RAU: I understand the point. As to figures on how many people enter prison as a drug-addicted person, and how they perform by the time they leave, I do not have those at my fingertips. I could certainly ask the corrections minister to see if he could give me some information about that.

I emphasise again, in this case, that the idea of a person being imprisoned at all would be an exceptional, rare circumstance where somebody has repeatedly ignored directions. It would be very, very unusual. Again, I am not sure whether there are studies on compulsory treatment orders for drug addiction administered by courts. We do not do that here to the best of my knowledge. They are always court ordered as opposed to hardwired in by the parliament. My preference is to leave it with the courts. They do have experience of trying to manage people with drug problems, and let them make the determination on each case as it comes before them about how best to deal with these folks.

Ms SANDERSON: Part 6 states:

For the purposes of this section, a reference to an approved drug and alcohol assessment will be taken to be a reference to a drug and alcohol assessment of a kind approved by the Chief Executive by notice in the Gazette.

Could you give me an outline of what you propose. Obviously, at the moment we have swab tests that you can do by the side of a road when the police pull you over. At the airport, many people have a swab done on their clothing and they get a result very quickly.

My experience over the Christmas break was that we had a father who took his twins to see their mother and she kept them. I had a copy of the safety plan that clearly said the mother had tested positive to five drugs, that under no circumstances should she be left with those children, and I had two letters from the department stating drug use and substantiated neglect over feeding the children, yet I could not get the department to remove those twins over Christmas. We were forced to wait until the courts opened to get a court order to have those children removed from the mother.

I asked the department and they did a safety visit. They deemed that the mother was safe. I asked, 'Did you do a drug test?' and they said, 'No, it doesn't work that way. We have to send her to DASSA.' I said, 'Did you book it in when you where with her?' 'No, we didn't. We have to get back to her and book it.' The process at the moment seems slow and cumbersome and it is not done immediately, as you would on the side of a road.

These children are potentially in danger right at that second, so the quicker we can get drug tests done and a result and action the better. If we can do it for the airport, and we can do it for drug and drink drivers, why can we not do it to keep our children safe? Those children were left there for weeks, and the father was beside himself. I had rung everybody possible to try to have those children removed, and it was horrifying worrying about that every day over the Christmas break until the courts opened. How do we fix it with this legislation?

The Hon. J.R. RAU: Again, that is a very good question. I think the short answer is that we are now into operational aspects, in other words, things that would be part of the day-to-day administrative activity of the department. That said, what I would imagine we are talking about here

with approved drug and alcohol assessment is that it would go to both the testing regime, and possibly the assessment tool, that is applied over the testing regime.

For example, it would cover off what form of prescribed swab. I assume that there are many manufacturers of this type of stuff out there. It would say test A or test B, much as we have with driving where there is a prescribed breathalyser unit. If your reading is not from a prescribed unit, it is not a valid reading for the purposes of the act. That is the first bit of it: it would specify what sort of measurement tools are approved for the purpose of the act. The second thing it would probably do is have some assessment tool because purely and simply because you return a positive for cannabis would not in and of itself necessarily mean that you were then obviously completely incapable of being in control of a child.

I think there are two bits to it. One bit is what sort of equipment you use to measure these things, and the second one is some sort of matrix that you then apply to the circumstances of the individual to make a risk assessment. In my mind, that is what we would be talking about putting in the regulations. Hopefully, that would deal with the sort of situation the member for Adelaide raised about this circumstance over Christmas. That is, as I understand it, the intention here.

Ms SANDERSON: In section 20, part 2, if the chief executive of the current bill suspects drug use they must offer an assessment. However, if it was not being used and now it has been for the last two years and they have had over 1,000 drug tests, does this require that they must? Is there any requirement that something happens if it does come back positive?

The Hon. J.R. RAU: The wording of this says that they 'may direct' one of these texts. There is a passage from the royal commission report that I think is relevant. I am reading from page 200 of the royal commission report, about halfway down the first column on the left-hand side. The royal commission, talking about a drug assessment, states:

> However, it is unrealistic to prescribe by legislation when such an application should occur. This is a matter for professional judgement by trained, experienced practitioners under ongoing clinical supervision and supported by clear organisational policy as to the importance of responding to protect children from all types of abuse and neglect. A legislative mandate would mean that workload management efforts would focus on the need to comply with legislation to address particular kinds of risks, potentially neglecting other, equally serious types of risk.

What I am interpreting the royal commission as having said there is, again, that if you hardwire something in as a hardwired response you will devote a lot of resources to that thing, but it may not be that every single case in which those resources are applied is a useful application of the resources, and, in doing that, those resources are then not available to be applied somewhere else where they might be more usefully applied. I think that is absolutely consistent with what we are attempting to do here.

Ms SANDERSON: To clarify, does that mean instead of the CE making that decision, as is currently required in section 20, part 2—and she must—that it is going back to the front-line staff who are working on the case, as in the Chloe Valentine case, where they decided not to go ahead with the drug test? Are these the people who now will be making that same decision on whether a drug test goes ahead rather than the CE compulsorily having to?

The Hon. J.R. RAU: The answer to that is that the chief executive would be, for the purposes of the act, doing it, but it would be done by a delegation to the appropriate on-the-ground people. For example, elsewhere in this legislation we contemplate the notion of establishing these networks or hubs that would be placed around the city. It would be my expectation that the chief executive would have a delegate in that network or hub who would be their authorised eyes and ears in that place when these sorts of things come by so that they would be able to exercise that power on behalf of the chief executive. From a purely legal point of view, it is the chief executive's power, but the law does enable the chief executive to delegate that power to appropriate officers who are on the ground so that you can have that very short distance between the child and the decision-maker.

Ms SANDERSON: So, it would not necessarily be the caseworker. You would envisage it would be like the manager or supervisor of that CFARN or hub or whatever we are setting up, rather than just a front-line staffer, as in Chloe Valentine's case.

The Hon. J.R. RAU: Again, this is ultimately a decision for the chief executive, but my observation of delegations within government is that they are normally delegated to a managerial

level. Unless they are very simple delegations, they are not normally delegated right down to the very bottom level. When I say 'bottom', I do not mean that in a pejorative way. I mean literally down to the coalface.

You would normally expect the front-line worker to have to check with somebody further up the pyramid to get the authorisation to do these things. We see examples of this all the time, for example, with police. The police can order all sorts of things, but the constable on the beat usually has to go to either a charge sergeant or a person of the rank of inspector or above before they can do whatever it is they want to do. My expectation is that is how the department would do this.

New clause inserted.

Clauses 32 and 33 passed.

Clause 34.

The CHAIR: Do you want to continue with your amendment No. 12 schedule (2) member for Adelaide, or have we exhausted all the permutations of the chief executive and minister? Do you want to continue to move that?

Ms SANDERSON: I believe that the Attorney-General's amendment No. 14 will cover the definition of 'home', and there is no need for the rest of mine.

The CHAIR: So, you are going to withdraw that one?

Ms SANDERSON: Yes.

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

Amendment No 14 [ChildProRef–2]—

Page 27, line 5 [clause 34(a)]—Delete 'home' and substitute:

to the custody of a parent or guardian, or delivered into the care of a person determined by the Chief Executive,

Amendment carried; clause as amended passed.

Clauses 35 to 39 passed.

The CHAIR: We are looking at your amendment No. 14, member for Adelaide, which you would like to move, inserting a new 39A; is that correct?

The Hon. J.R. RAU: I think this is rendered unnecessary by reason of an earlier amendment to clause 6 in our bundle, because we have already traversed this area.

Ms SANDERSON: I agree. I believe that 39A and 39B have been covered and the implementation sections are still to come.

The CHAIR: So, we are not going ahead with those two?

Ms SANDERSON: No, but I would like to seek advice about 39C because that is an action section that is not covered by the government's amendment.

The Hon. J.R. RAU: I am advised that we are doing this in clause 44, so we are picking this up.

The CHAIR: She is just getting that advice. If someone can tell the member for Adelaide that, that would be fair and good.

New clause 39C.

Ms SANDERSON: My advice is that whilst the upcoming government's amendments go a little bit further towards what I am trying to achieve, my clause (which would have to be renumbered, but we can do that between the houses) is really to give more powers to police officers so that they can seize a passport. It is actually actions—so that they can enter the premises; they can inspect premises, vehicles, vessels; they can use reasonable force; and they can take photos. It is quite similar, in fact, to the powers that were given in the Housing Improvement Bill, in case you think

someone's fence or chimney might fall on you. I did debate against the point that that seemed a bit excessive, in that instance, when we leave children in danger.

However, my amendment was meant to give as much protection and power to the police and the people who can go in and protect a child from genital mutilation or forced child marriage. Let's give the police that power as soon as possible. My amendment goes a lot further than the government's amendment, so I would like to move the amendment in relation to new clause 39C:

Amendment No 16 [Sanderson–1]—

Page 29, after line 31—Insert:

39C—Police officer may seize passport etc.

(1) A child protection officer who is a police officer may, without a warrant, if the police officer believes on reasonable grounds that a child or young person is at risk of removal from the State for female genital mutilation or marriage, do 1 or more of the following:

(a) enter (including breaking into) and remain on any premises, place, vehicle or vessel (and for that purpose require a vehicle or vessel to stop);

(b) inspect any premises or place, vehicle or vessel;

(c) use reasonable force to break into or open any part of, or anything in or on, any premises, place, vehicle or vessel;

(d) take photographs, films, audio, video or other recordings;

(e) seize, using such force as may be reasonably necessary, any passport issued in the name of the child or young person;

(f) give such directions as may be reasonably required in connection with the exercise of a power conferred by a preceding paragraph.

(2) Subject to any order of the Court, a passport seized under this section—

(a) may be held by the Commissioner of Police for the period prescribed by the regulations; and

(b) must, at the end of the period, be dealt with in accordance with the regulations.

(3) A police officer may, in exercising powers under this section, be accompanied by such assistants as are reasonably required in the circumstances.

(4) A person must not, without reasonable excuse, refuse or fail to comply with a requirement or direction under this section.

Maximum penalty: Imprisonment for 1 year.

(5) To avoid doubt, this section does not limit any other powers conferred on a child protection officer or police officer by any other provision of this Act or any other Act.

The Hon. J.R. RAU: My tentative advice is that clause 139 of the bill basically does all this. I will oppose it now on the basis that we already have it, but I am happy to keep talking to the member for Adelaide; if it turns out that there is some material omission, I am happy to talk to her about it and we can sort it out between here and elsewhere.

New clause negatived.

Clause 40 passed.

Ms SANDERSON: Amendment Nos 17 to 21 are consequential.

Clauses 41 to 43 passed.

Clause 44.

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

Amendment No 15 [ChildProRef–2]—

Page 32, after line 32 [clause 44(1)]—Insert:

(ca) in the case of a child or young person who is at risk of being removed from the State for a purpose referred to in section 15(1)(ba)—such orders as the Court thinks necessary or

appropriate to prevent the child or young person from being so removed, including (without limiting the generality of this paragraph)—

(i) an order preventing a specified person from removing the child or young person from the State; or

(ii) an order requiring that the child or young person's passport be held by the Court for a period specified in the order or until further order.

That includes passport seizure and whatnot. It is one of the examples of where I think we probably have covered off what the member for Adelaide is on about, but we will check between the houses.

Amendment carried.

The CHAIR: Amendments Nos 22 to 24 [Sanderson-1] are therefore consequential.

Clause as amended passed.

Clauses 45 and 46 passed.

Clause 47.

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

Amendment No 16 [ChildProRef–2]—

Page 34, after line 16—Insert:

(5) Subsection (4) does not apply to a child or young person to whom the order relates.

This is an amendment to protect children and young people who are subject to proceedings under this legislation from the possibility of criminal prosecution should they have been served personally with an order made under clause 47, for whatever reason, and failed to comply with it. It is not the government's intention to capture those children or young people, many of whom are obviously vulnerable. This amendment makes sure that that unintended possibility does not occur.

Amendment carried; clause as amended passed.

Clauses 48 and 49 passed.

Clause 50.

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

Amendment No 17 [ChildProRef–2]—

Page 34, after line 25—Insert:

(a1) This section applies to proceedings on an application to the Court for orders relating to a child or young person who is, pursuant to an order of the Court, under the guardianship, or in the custody, of the Chief Executive or another person or persons.

Obviously the government has been meeting a number of groups in the last few weeks. The onus of proof has been one of the issues that has been the subject of some concern. In order to address those concerns, we are proposing an amendment to clause 50. At the moment, the way the bill reads actually reverses the onus of proof in all proceedings under the bill. The exception to this is the Crown and the child or young person to whom the proceedings relate.

This amendment seeks to draw a line in the sand by distinguishing between those proceedings where the child or young person has not yet been the subject of a custody or guardianship order and those where they have. In respect of those children who have not been the subject of a guardianship or custody order, the Crown will continue to bear the onus of proof. In other words, if the Crown determines it needs to take a child away from a family, then the Crown bears the onus of convincing the court that it is appropriate for that to happen.

In that circumstance, to be more particular, the parent, parents, guardians or whatever of that child are not placed in the position where the onus is against them. They are in a position where the Crown must prove to the satisfaction of the court that the child is at risk and that it is appropriate for the child to be taken away. That is the concession we are making, which is, I think, in all the circumstances a fair and reasonable point that is being brought to the government's attention.

Frankly, our original intention was not to make it easier for the Crown to confront that particular court process, nor was it our intention to disenfranchise or unfairly disadvantage a parent or parents of a child.

Having said that, however, once such an order has been made, then the child is presumed to be at the centre of all future proceedings, and anyone seeking to upset the apple cart for the child bears the onus of proving that it is in the child's interest to do so. For example, a child is removed and placed in foster care. The onus of taking the child away in the first place is borne by the Crown, but once the child is placed in a stable foster care situation, if the birth parent or parents then seek to disturb that, we do not go back to even stevens and the onus, in effect, is on the child to prove they should not be disturbed.

We start from the proposition that the child has already been through a process where their parent or parents have been found to be so lacking in competence that the child has had to be removed to this foster arrangement. If we are going to disturb that foster arrangement, anybody wanting to disturb it better have a damn good reason for disturbing it. What we have seen in the past is quite a bit of churn where kids are taken away and then in the not too distant future a parent or parents bob up and say, 'We would like them back, please,' so then they are sent back.

Then there is another failure, and they are taken away again and put somewhere, and the parent bobs up again and says, 'I want them back,' and they go back. What we are saying, and commissioner Nyland was very clear on this, is that children deserve to be in a position where they have some stability and some opportunity to form an attachment in a particular stable environment. The idea of the children being constantly disrupted after having been removed is completely at odds with that.

The other point about it, too, is that we have been advised—and I firmly believe this to be true—that one of the things that is acting as a significant disincentive to foster parents coming forward at all, or if they do come forward being prepared to take more children, is the notion that at any moment in time there will be a knock on the door and somebody will say, 'We are here. You are back in court. That child might be removed from you,' and quite often the child is. The foster parent, who invests all that effort and all that commitment into that child, does so at the moment in the knowledge that at any moment in time that can be disrupted by somebody outside of that relationship just popping in and saying, 'Hello, I'm here. What about me?'

The government does not think, and the royal commission did not think, that was in the interests of the child. What is in the interests of the child is that they are as stable and settled as possible. What we have done here in relation to the onus is that we have acknowledged the initial decision to take the child away. Yes, the Crown bears the onus to prove that that is in the interests of the child, that it is necessary in order to protect the child. Fine, no problem.

Beyond that, if somebody wants to disturb whatever the settled arrangements are for that child with a foster carer, the onus is on the person seeking to disturb the stability of the child's environment to prove that it is better for the child that that happens, not that the child has to prove all over again that their new environment is where they should be. It is putting the child at the centre and it represents a modification of the original proposal, but I think it strikes the balance. So, the Crown bears the onus of the original removal, but thereafter the child's stability becomes the number one overarching concern.

It also puts foster parents in the game. At the moment, quite frankly, they are not. Foster parents are not really in a position of any influence for that matter. I have heard shocking stories of foster parents actually not even being permitted to be heard in relation to some of these attempts to remove the kids from foster environments. So, we are trying to stabilise that once the child, unfortunately, has to be taken away.

Ms SANDERSON: My reading and understanding of the royal commission recommendation was that the reversal of onus of proof was only in regard to the Other Person Guardianship. What made the government decide to take that further to include the removal stage? Even though you are saying now that you are getting rid of that, you have expanded the other side to have, in the instance of an Other Person Guardianship, which was one of the issues when the foster parents applied to be

Other Person Guardians, that the birth parents would be contacted. They had the right of refusal and you had to prove why they were not suitable.

So, you have reversed that, which is in keeping with the royal commission but, firstly, I would like to know why you ever included it at the removal stage even though it was in a recommendation, and why you are now expanding it. I imagine the other things that could happen would be adoption, there are also other instances, not just Other Person Guardian, which was recommended. I would like to know why you are doing that.

The Hon. J.R. RAU: The original motivation for this was, and remains, that we have to put the child at the middle of the whole thing. Everything is about the child. My observation of the present system is that—and these are my words, not the royal commission's words—the present system is a bit schizophrenic. It is attempting to be all things to the birth parents, pays lip service to a whole bunch of other things, but ultimately it does not provide a completely central unequivocal focus on the child.

We started off from the basic premise—and commissioner Nyland embraces this in her report—that if a child has to be taken away, there are some things that are almost truisms about that. First, if they have to be taken away the sooner you take them away the better, because the longer you leave them there the more damaged they are going to be by being there. That is pretty harsh but it is the truth. If it is bad enough that you need to take them away, the sooner you bite the bullet and take them away, if it is that bad, the better. That is point No. 1.

Point No. 2 is that once you have taken them away and you have found a stable place for the child to be, it is overwhelmingly the evidence of the people who write learned things about this that in order for the child to grow up to be a well-adjusted individual, their having a sense of place, belonging, and a sense of being settled somewhere, a sense of attachment, is absolutely critical to that child's healthy development. Starting from those two simple propositions, we have said that we are going to examine everything that is a threat to those things in a way to say, 'Let's minimise the threat to that stability for that child.'

We accept, as result of the consultation, that the drafting in its original form meant that would have even gone to the original threshold question of whether the child should be taken away. Having reflected on the feedback and having listened to people, the government accepts that it is reasonable for the onus to remain as it is in that context, and we have amended it accordingly. However once you get past that point, every piece of advice I have seen, all the comments made by the royal commissioner, all suggest that we want children to be in a stable circumstance.

We want foster carers to feel confident that they are not going to have their relationship with these children disrupted, and the reversal of the onus is meant to underscore the point that once these children have been put into a placement—whether it is called Other Person Guardianship or whatever—it should not be lightly disturbed. That is the point.

Ms SANDERSON: From that, I gather that, although this bill was drafted in response to the royal commission, and the royal commissioner only recommended that the onus of proof be reversed in the case of Other Person Guardianship because there were issues around stalling and not many guardianship orders being made, the government decided to protect children by allowing them to be removed more quickly, by reversing the onus of proof. Just on that note —

The Hon. J.R. Rau: That is what we changed, though, the removing them. We have changed that. We have accepted that proposition.

Ms SANDERSON: But you decided to change it on your own; it was not a recommendation. When it went out to consultation, there were 62 submissions, including from the Law Society (this was a submission based on the draft bill), where this was included:

> The Law Society is also strongly opposed to the onus of proof being placed on parents to show why children should not be removed from their home. 'Many families subject to application orders are severely disadvantaged,' Mr Rossi said. 'Forcing parents to bear the onus of proof will only exacerbate the stress and disadvantage. This will have a particularly devastating impact on Aboriginal families who are grossly overrepresented in the child protection system and would have to bear the extra burden of opposing departmental orders when they should in fact be receiving greater family and cultural support.'

'If the Department is seeking to remove a child from parents and it is opposed the Department should have to prove why the court should endorse its position.'

This was also opposed by the Aboriginal Legal Rights Movement, but I will not read all of that into *Hansard*. However, I will read into *Hansard* the number of applications lodged and how many were dismissed. I only have the figures up to 2013-14, but for the previous years, starting in 2011-12, the number of care and protection orders lodged was 384 with zero dismissed; in 2012-13, there were 397 with zero dismissed; in 2013-14, there were 338 with zero dismissed.

I am unsure what issue the government felt it had, given that all the orders it has applied for have actually been upheld. I am glad that you have reversed it, but I am unsure why you put it there in the first place. You then ignored the Law Society, the Aboriginal Legal Rights Movement and many other people who were against it in your final bill. It took not only your first draft but then your second lot of amendments to your amendments, because you withdrew your first amendments, before you actually listened to the people. I am glad that you finally have, but I wonder why it took so long.

The Hon. J.R. RAU: The first and the really happy point about this—let's start on the high note—is that we have listened. We have listened and we accept that they made a good point. The only thing I can say to you is that I think to some degree we were actually speaking at cross-purposes for some of this time. The Law Society's original proposition was, 'We are opposed to the reversal of onus, full stop.' I think it took a bit of time for us to tease out what they meant and for them to tease out what we meant.

It turns out that the Law Society was particularly opposed to the reversal of onus at the beginning, that is, on the initial decision to remove the child. Once we were clear that that is what they were on about and not the whole reversal of onus argument I was very sympathetic to their point of view and we have accepted it. However, the way their original proposition was crafted, they were opposed to the reversal of onus in general terms.

I want to make clear that we still are of the view that, once a child has been a removed and is in a settled position, that child should not subsequently be disturbed without very, very good reason. In the end, after discussing it with the Law Society, I understand what they were on about and I think they understand what I am on about. When I last spoke to them, I think we came to a position where we were on the same page about this. Anyway, it is my amendment, I am happy to do it and I am happy to accept that the consultation process has improved the bill in this respect.

Ms SANDERSON: While I will be accepting the amendment, I hope perhaps for future bills that, when you put a bill out for draft consultation, that would be the time to work out whether or not you are at cross-purposes with the Law Society and you make the final amendments so that the final bill is your best bill, not nearly there, then we get amendments, then a few weeks later we get some amendments to the amendments. It seems like a very poor way to write legislation.

The Hon. J.R. RAU: I could not agree more with the member for Adelaide.

The CHAIR: There is nothing more to say, is there?

The Hon. J.R. RAU: There is a bit because I want to say that, in the circumstance where one is trying to put legislation through and one puts out a comment and says, 'Look, can everybody please get back to me within three weeks, four weeks, five weeks or 10 weeks'—it does not matter what it is—there is something out there where, for whatever reason, people do not focus on it until week 10 or they spend a very long time mulling it over.

I am not a betting man, but I bet the member for Adelaide an orange juice that, whatever date you set as the date when we are going to put the bill in and finish it on this day, in every single case where you do that there will be not just one but a number who, for whatever reason, cannot meet that deadline. If they have come up with something really good, you are forced into the position of reconsidering your bill later on.

I am not saying everything we did was perfect, but I promise you that there are people who work on different time lines to the ones that we are trying to work on and, if they come in late with something or if they refine their position late, we are stuck with dealing with it as and when it comes in. In a perfect world, I could not agree more with the member for Adelaide. That is legislating at its best.

Ms SANDERSON: I absolutely agree that there will be cases. This was not one of those cases because this was clearly identified in the draft bill and clearly ignored in the final bill.

Amendment carried.

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

Amendment No 18 [ChildProRef–2]—

Page 34, line 26 [clause 50(1)]—Delete 'under this Act' and substitute 'to which this section applies'

Amendment carried.

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

Amendment No 19 [ChildProRef–2]—

Page 34, lines 29 and 30 [clause 50(2)]—Delete subclause (2) and substitute:

(2) However, subsection (1) does not apply where the person objecting to the making of the order is—

(a) the Crown; or

(b) if the Court is satisfied that the child or young person to whom the proceedings relate is not being unduly influenced by any person to object to the making of the order—the child or young person.

Amendment carried; clause as amended passed.

Clauses 51 to 53 passed.

Clause 54.

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

Amendment No 20 [ChildProRef–2]—

Page 35, line 14 [clause 54(1)]—After 'must' insert:

, to the extent that it is consistent with the legal practitioner's duty to the court to do so,

Amendment carried.

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

Amendment No 21 [ChildProRef–2]—

Page 35, lines 30 to 34 [clause 54(2)]—Delete subclause (2)

Ms SANDERSON: I would like an explanation why the amendment proposes to delete subclause (2). I am not sure what the intent is.

The Hon. J.R. RAU: I am advised that this amendment arises from further consultation with the Law Society in the last fortnight or thereabouts to ensure that legal practitioners acting in this capacity—that is, as a legal representative of a child or young person who might be the subject of an order—nevertheless maintain their ability to comply with the Legal Practitioners Act. We are trying to make it clear that this does not cut across their role as an officer of the court. They still have an obligation to discharge themselves as a legal professional person, consistent with their representation of the child. This is something they wanted and we are happy with it.

Amendment carried; clause as amended passed.

Clause 55.

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

Amendment No 22 [ChildProRef–2]—

Page 36, after line 19—Insert:

(5) Subsection (4) does not apply to a child or young person to whom the interim order relates.

Amendment carried; clause as amended passed.

Clauses 56 to 61 passed.

Clause 62.

Ms SANDERSON: I move:

Amendment No 4 [Sanderson–2]—

Page 38, line 5 [clause 62, penalty provision]—Delete 'Imprisonment for 2 years' and substitute '$10,000'

Amendment carried; clause as amended passed.

Clause 63.

Ms SANDERSON: I move:

Amendment No 5 [Sanderson–2]—

Page 39, line 2 [clause 63(6), penalty provision]—

Delete 'Imprisonment for 12 months' and substitute '$10,000'

Amendment carried; clause as amended passed.

Clauses 64 and 65 passed.

Clause 66.

Ms SANDERSON: I move:

Amendment No 6 [Sanderson–2]—

Page 39, line 37 [clause 66(1), penalty provision]—Delete '$50,000' and substitute '$10,000'

Amendment carried; clause as amended passed.

Clauses 67 to 99 passed.

Clause 100.

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

Amendment No 26 [ChildProRef–2]—

Page 56, lines 18 and 19 [clause 100(4)]—Delete subclause (4)

Ms SANDERSON: Can I have clarification on why that is being removed?

The Hon. J.R. RAU: This amendment seeks to amend clause 100, which sets out a complaint mechanism to the chief executive for either a child or young person being cared for in a facility, or a parent or guardian of such a child or young person. Specifically, this amendment seeks to delete:

However, the Chief Executive need not investigate a complaint that is, in the opinion of the Chief Executive, frivolous...

The consequence of this amendment is that there will be no ability for the chief executive not to investigate a complaint received. That is, every complaint received pursuant to clause 100 as amended will now be investigated by the chief executive. I think that is as a result of some feedback that we received, but it is a very circumscribed area.

Amendment carried; clause as amended passed.

Clause 101.

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

Amendment No 27 [ChildProRef-2]—

Page 56, line 27 [clause 101(1)]—Delete 'at the request of a' and substitute 'in relation to each'

Ms SANDERSON: This seems to be grammatical. What is the substantial change of that amendment?

The Hon. J.R. RAU: Again, it is pretty technical. Clause 101 concerns the assistance to be provided by the chief executive to persons leaving care. Currently, clause 101(1) of the bill is drafted in a way that would require the child or young person who is lawfully leaving the care of the person whose guardianship or custody they have been placed under the act to request a transition plan. This amendment quite rightly ensures that no such request is required. They do not have to ask for a transition plan; it is part of what is expected of the chief executive, to provide them with a transition plan.

Ms SANDERSON: I think that is a very good idea.

Amendment carried; clause as amended passed.

Clauses 102 to 134 passed.

The CHAIR: Member for Adelaide, your amendment No. 59 in schedule (2) inserts new clause 134A. Are you still going ahead with that?

Ms SANDERSON: I believe that, whilst I still like the idea of this amendment, I am happy to consider it between the houses, as I believe it refers more to early intervention and prevention, which you may be putting in another bill. We will withdraw it at this stage.

Clauses 135 to 147 passed.

Clause 148.

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

Amendment No 28 [ChildProRef–2]—

Page 81, line 33 [clause 147(4)]—Delete '14' and substitute '28'

This is just to change a period from 14 to 28 days. It gives a little bit more time.

Amendment carried; clause as amended passed.

Clauses 149 to 155 passed.

Clause 156.

The CHAIR: Deputy leader, your amendment is to clause 156, which is on page 85, lines 35 to 38. You are deleting subclause (1), if you get your way.

The Hon. J.R. RAU: So that the deputy leader does not get herself too consumed, I indicate that we are accepting this, so she cannot do better than a yes. If she says anything, she might go backwards from there, but at the moment she has a yes.

Ms CHAPMAN: I move:

Amendment No 1 [Chapman–1]—

Page 85, lines 35 to 38 [clause 156(1)]—Delete subclause (1)

It is necessary for me to thank the Chair for bringing to my attention my amendment, which has the effect she has outlined. I thank the government for indicating their agreement to it. I indicate that they need to be on clear notice that if they pull this sort of stunt again, trying to exempt themselves from liability in this way, it will continue to be exposed. It is the most disgraceful conduct that I have seen, especially dealing with children's care.

Amendment carried; clause as amended passed.

Clauses 157 to 162 passed.

Schedule 1.

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

Amendment No 30 [ChildProRef–2]—

Page 88, lines 5 to 31—Delete Schedule 1 and substitute:

Schedule 1—Repeal of Children's Protection Act 1993

1—Repeal of Children's Protection Act 1993

The Children's Protection Act 1993 is repealed.

Very briefly, this is to do with matters of the intersection between the Family Law Act and this legislation. This is to do with the current referral of powers that restrict a jurisdiction to the Family Court where the child is the subject of orders. This amendment seeks to delete the amendment, and the government has determined that further consideration of this matter with the commonwealth will be separately pursued at a later date.

Ms SANDERSON: Are we not just repealing the old act to enable the new act? That is what it looks like.

The Hon. J.R. RAU: Yes.

Ms SANDERSON: Okay, that is fine.

Amendment carried.

Ms SANDERSON: I move:

Amendment No 61 [Sanderson–1]—

Page 88, after line 31—Insert:

Part 4—Amendment of Criminal Law Consolidation Act 1935

4—Amendment of section 5AA—Aggravated offences

Section 5AA(1)(e)(i)—after 'Part 3' insert:

Division 8A or

5—Insertion of Part 3 Division 8A

After Part 3 Division 8 insert:

Division 8A—Child marriage

34—Interpretation and application of Division

(1) In this Division—

child means a person under the age of 18 years.

(2) Nothing in this Division is intended to limit the operation of the *Marriage Act 1961* of the Commonwealth.

34A—Bringing child into State for marriage

(1) A person must not bring a child into the State, or arrange for a child to be brought into the State, with the intention of causing the child to be married.

Maximum penalty:

(a) for a basic offence—imprisonment for 15 years;

(b) for an aggravated offence—imprisonment for 19 years.

(2) In proceedings for an offence against subsection (1), if it is proved that—

(a) the defendant brought a child, or arranged for a child to be brought, into the State; and

(b) the child, while in the State, went through the form or ceremony of marriage,

it will be presumed, in the absence of proof to the contrary, that the defendant brought the child, or arranged for the child to be brought, into the State (as the case may be) with the intention of causing the child to be married.

34B—Removing child from State for marriage

(1) A person must not take a child from the State, or arrange for a child to be taken from the State, with the intention of causing the child to be married.

Maximum penalty:

(a) for a basic offence—imprisonment for 15 years;

(b) for an aggravated offence—imprisonment for 19 years.

(2) In proceedings for an offence against subsection (1), if it is proved that—

(a) the defendant took a child, or arranged for a child to be taken, from the State; and

(b) the child, while outside the State, went through the form or ceremony of marriage,

it will be presumed, in the absence of proof to the contrary, that the defendant took the child, or arranged for the child to be taken, from the State (as the case may be) with the intention of causing the child to be married.

34C—Consent no defence

This Division applies irrespective of whether the child concerned, or a parent or guardian of the child, consents to the marriage.

The idea of this is to make it an offence to remove a child regarding child marriage. It is illegal to remove a child for the purpose of FGM, and whilst child marriage has been put in this bill as a risk and a harm, I believe it should also be a criminal act so that there are further powers.

The Hon. J.R. RAU: At this stage I am not convinced that this is necessary, but I am not fundamentally opposed to obviously dealing with this issue to the extent that it is going on, and it needs to be looked at. As a matter of formality, can I presently oppose this thing here, but indicate to the member for Adelaide that I am very happy to have a talk with her about this and the other matters that we undertook to speak about between here and somewhere else. It might be that we have an agreement about this.

Ms SANDERSON: I am happy to discuss it between the houses.

Amendment negatived; schedule as amended passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (17:21): I move:

That this bill be now read a third time.

I would like to thank the member for Adelaide for the way in which she has dealt with this matter, and I commit again to having further discussions with her between here and elsewhere, if there are things that we can sort out. It is always good to work on legislative change in a way that is cooperative, to the point and not discursive and littered with other unnecessary artefacts. I am very grateful for the way in which the member for Adelaide has approached this.

Can I also thank all the officers who worked extensively on this: parliamentary counsel; legislative services in the Attorney-General's Department; Brett, who started this process as a very close adviser of mine and has since moved on to bigger and better things. I could not keep her no matter how much I tried. There is a story there, but I wish her well in her new endeavours and she has done a terrific job. I am just sorry, Brett, that we could not provide sufficient attractions to keep you where you were.

Can I say to all of you who have helped in this that you have done a terrific job. It has been a very big job, and I know it is not over yet. I know there is more to come, but this bit of it at least is over. I also wanted to thank Susan and her office because we have worked very closely with them and her department and with Cathy, the new chief executive. A lot of people have put a lot of time and effort into this, and I sincerely thank all of them.

I also thank all those people who took the trouble to make submissions. Hopefully, this process, although frustrating I know, demonstrates that we do actually pay attention. We may not have accepted every single proposition put forward, but hopefully people with goodwill will see that we have listened and that we have attempted to accommodate concerns where that has been possible. Thank you to all concerned, and I hope that when this bill finds its way into another place the people there are impressed with all the work that has gone on here today and will just say, 'If they like it, that's good enough for us.'

Bill read a third time and passed.

SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 29 March 2017.)

Mr WINGARD (Mitchell) (17:25): I am the lead speaker on this bill. I rise today to speak on the South Australian Employment Tribunal (Miscellaneous) Amendment Bill 2017. I note that this is just an amendment to cover or correct omissions from the Statutes Amendment (South Australian Employment Tribunal) Act 2016 and to expand the scope of the jurisdiction of the South Australian Employment Tribunal (SAET).

As I looked through the second reading, I noticed that when the bill was first introduced there were potentially a couple of errors in section 45 that have been corrected or amended. The problem was that, if there was a hearing, they could not progress to the next stage without all parties going away and coming back. In essence, this amendment streamlines the efficiencies of this process of the tribunal, which I think everyone would agree is a good thing.

The idea of people coming in, then having to go away and come back again to have their case heard is quite disconcerting and clearly a waste of time, energy and effort for those involved. When we have mediation or arbitration, as in this case, to have it as smooth as possible is something we agree with. We think that is a good thing and we are glad that it has now been picked up, given that this will commence on 1 July 2017. The amended act was passed on 8 December 2016. Thankfully, we have picked this up before it comes into play.

Whenever employment is mentioned in the title of any bill or in the passage of any documents through this place, I take great note. While it is great to have a South Australian Employment Tribunal to make sure that we deal with any situations that arise—arbitration or mediation, as was discussed—it is really important for us to note that, for this tribunal to have any effect, South Australia has to have employment—and employment is a big issue in this state.

I have mentioned a number of times that I am spoken to and cornered about employment in South Australia. People come up to me all the time and like to have their say because they know that South Australia is in a very dire predicament when it comes to employment. In fact, we have the highest trend unemployment in the country, at 6.7 per cent, and we have had for 27 consecutive months. That really is not a great place to be.

Employment is a serious issue in South Australia, as is youth unemployment, at 16.1 per cent—again, the highest in the nation. For 15 to 24 year olds out there looking for work, South Australia is not the place to be because we have the highest youth unemployment rate, at 16.1 per cent. Currently, 94,300 South Australians are underemployed, that is, people over the age of 15 who want and are available for more hours of work than they currently have but who cannot get that work. South Australia's underemployment ratio is 11.4 per cent, increasing from 10.3 per cent 12 months ago. That is the number of underemployed as a percentage of the labour force.

Also, South Australia's underutilisation rate is the highest in the country at 17.6 per cent, the national average being 15.2 per cent. Underutilisation is a very important stat because that is the unemployed plus the underemployed, so it is people who are not working and people who are working but want to work more. Again, that figure is 17.6 per cent, the highest in the country.

Employment really is a very big issue for South Australia, and from those stats we can see why people out there are concerned.

I am sure that when every member of this place is out talking to their community at a supermarket, a local club or at the local pub, people will come up and talk to them about the problems we have in South Australia with unemployment. Really, that just is testament to what this state Labor government has done over the past 15 years. They have taken us to the bottom of the pile. We have the worst unemployment in the nation on all those measures, and it is their policy that has put us in this place.

The government has spruiked about jobs, and when former premier Mike Rann was in this place he was going to create 100,000 extra jobs. That was in February 2010. It is amazing to see that there are 15,600 fewer full-time jobs today than there were when premier Rann made that big bold statement back in February 2010. He wanted to create an extra 100,000 jobs, that is what this state Labor government wanted to do, but there are in fact 15,600 fewer full-time jobs.

We must remember that when employment is being measured, you will hear the government talk about growing the number of jobs. To be employed, you only need to work one hour a week. Yet, as we know, full-time employment is considerably different. They say they are growing jobs, but some of these jobs are only a couple of hours a week, and that goes back to the point I made before about people being underemployed—that is, people want to work more hours but those hours are not available.

We know jobs come and go, but it is also interesting to note that only 20,900 jobs have been created since Labor made that promise of 100,000 jobs in February 2010, and those jobs only need to be one hour a week. Jobs will come, jobs will go, but only 20,900 extra jobs have been created since the 100,000 jobs figure was proposed by the government, and full-time jobs are down in that same time period. It is quite amazing.

That is the history of employment in South Australia. It shows where we sit and where we are at. We look around and speak to people out there who are in our community who are trying to employ people, and the big thing they speak about is the cost of electricity. This has a big bearing on where South Australia is on the unemployment scale and a big part of the reason we sit at the bottom of the unemployment ladder.

We speak about electricity and we speak to people about the cost of electricity. Since the government's policies on doing away with the base load power from Alinta, we know that the cost of electricity in South Australia has gone up, and I will run through a couple of figures in a second, but as a result, companies are being squeezed and they are not employing more people. In fact, in a lot of cases, they are laying people off, and in a lot of cases they are looking at closing down, and that is a very big concern.

We went to TRP Ductwork in Thebarton a little while back and spoke to the boss, Ralph. He has an operation in South Australia and an operation in Western Australia. When he compares the two, it is far cheaper to do business in WA than it is in South Australia. The business in WA is a little bit bigger than the business in South Australia, but the electricity costs in South Australia are far more imposing and far more restrictive on what he can do with his business in South Australia.

As things are getting tight, here is an operator in South Australia with an operation here and an operation over the border in Western Australia, and he is making the decision to stay in South Australia or move his operations over to WA. Of course, we want him to stay in South Australia, but when he looks at his electricity bill whenever that comes in he is asking himself, 'Why do I pay more in South Australia when I could pay less? I could cut an overhead. I could cut a cost. I could relocate to WA where things are cheaper.' That is not an environment we want to be in because that drives employment out of South Australia.

I have had a chat with Buddy and Sylvia at The Red Mill Bakehouse at Ethelton. Their electricity bill has gone from just over $5,000 last quarter to $7,000 in their most recent bill. They have grave concerns about keeping staff on, given the rapid rise in electricity prices at their bakery. There is another industry in and around my area that has just got another electricity contract in 2016, and they have emailed me their concerns, after looking at their electricity bills over recent times.

Previously, the price they were paying in peak was 6.926¢ and in off peak 3.617¢. From 1 January that price went up in peak to 16.61¢ and in off peak to 8.273¢—all per kilowatt hour, of course.

We can see from these figures the exorbitant jumps these companies are experiencing in electricity costs. That makes it hard for businesses here to keep their staff, when they have overheads like that that are increasing at such a great rate. It also means that businesses looking to come to South Australia are asking, 'Why would we go there when those costs and overheads are so restrictive and inhibitive?' That is a real concern for all South Australians.

We know the reason. We know that it is because this government has had an unrelenting push toward renewable energy without taking into consideration the transition, moving across. We know that the government has closed Alinta, and that has been a major part of this, shutting down the base load power that was coming from Port Augusta. The northern power connector was giving reliable base load power into the market at a very reasonable price. We all know that over time we need to move toward renewable energy, there is no doubt about that, but we need to do it at a pace that does not put excessive pressure on our state and on the cost of producing electricity here in South Australia.

We know that battery technology is a fact. When the wind blows and the sun shines we can create energy with the windmills and the solar power generation here in South Australia. That goes without saying. We have had that capacity for quite a while, but the government has not moved fast enough into battery storage. That is where it has really let down the state, and it is now looking to do that. That is something we have been calling for for quite a while, and we need to fast-track that battery technology. Unfortunately, it is not yet at a stage where it can be reliable for base load power generation all the time, so we need to look at other things to supplement it.

That is where Alinta worked seamlessly, getting that base load generation. However, the government would not help or support Alinta to stay open through that transition, despite the deal they put forward of $25 million. The government decided that it would not take that offer, and we know what happened. The result was that we became the blackout state; 28 September was the first time our whole state blacked out and we did not have that base load power to restart our system. That was incredibly disappointing. The reverberations from that in the business community throughout the rest of Australia and the rest of the world were very profound, and will have a bearing on our unemployment rate.

Where we have got to as far as electricity is concerned is a real blow, and we know that a number of businesses are feeling the pinch because of that, let alone families, who feel the brunt of this in the costs that are transferred on. When I talk about the excessive costs we pay for electricity here in South Australia compared with other states, those costs get passed on to the consumer and that goes back to the family.

As we look at employment a little bit further, we notice that a number of companies have closed in South Australia recently. We know that the Holden closure is just around the corner, and in recent times Coke announced its closure. Of course, the disappointing thing about the Coke closure, apart from the 180 job losses here—and we really feel for the families and all those associated, because 180 job losses has families associated with that, and there might be four or five or six or more people dependent on the income who will be impacted by the closure of Coke's bottling facility here in South Australia—is the lack of investment and confidence to invest in South Australia.

Coke is not closing, not stopping bottling in Australia. In fact, Coke is investing a further $90 million in its operations, but they are expanding that into Queensland. So it is not South Australia, no; South Australia has been overlooked. That expansion is going to Queensland. We are just not in a competitive position to be able to battle it out with these other states, and I think that all South Australians find that incredibly disappointing.

Another 90 jobs will be lost with the downsizing of Pfizer when it leaves South Australia over the next few years. That company was meant to be in the biomedical precinct the government was spruiking, but they could not compete here. In fact, they found it easier to go elsewhere and again South Australia misses out, with the loss of 90 jobs; Caroma is another one—and these are just the recent ones. The list is very long. Caroma has more staff leaving as they downsize their operations in South Australia.

It really is disappointing when you go back over these operations that are taking jobs out of South Australia. This is the reason that the policy settings that the state Labor government has had over the last decade or 15 years have driven us to the bottom of the ladder when it comes to unemployment. We are cellar dwellers, with Tasmania often outshining us, which is really frustrating.

If we do have a little bump or a little movement in a positive direction, the government gets very excited but, as I have said in this place before, it is a bit like being an AFL football side sitting at the bottom of the ladder. You might be a team that moves one place in the season and you think, 'Wow, we have improved out of sight,' when really you still are at the bottom of the ladder with the cellar dwellers, as I pointed out.

We know Holden is leaving soon and, sadly, I am hearing whispers through the grapevine about supply chain issues and supply chain operators that are going to be closing down in the next little while, and that is also incredibly disappointing. I am also hearing a whisper that we expect another car parts supplier to be closing down sooner rather than later. Again, more jobs will go, which is a sad moment for the workers and their families and a real disappointment. We know the government has an Automotive Supplier Diversification Program and an Automotive Workers in Transition Program, yet they underspend on these programs every year to the tune of $10 million. We see these employment opportunities slipping out of South Australia and, as we know, the car industry is on the way out.

Realistically, this is probably still rolling over from when Mitsubishi closed all those years ago. The government has not been proactive in what they claim is transitioning. They are not really transitioning us anywhere and South Australians are beginning to wake up to that fact. A key indicator of that is our unemployment figure, along with our underemployment figure, our underutilisation rate and our youth unemployment figure.

A plastics company I spoke to recently also has grave concerns. They have dropped from three shifts to two shifts. They said that electricity is another key indicator of why they are having this issue. Their electricity has gone from 7¢ in peak to 15¢ to 16¢ in peak. Last year's bill was $150,000 and this year it is looking to be over $220,000, so jobs will be impacted by that.

There was an issue recently with Master Butchers Limited (MBL). They have also seen the problems that are coming. The MBL has been hit with a $750,000 increase in their electricity bills this year, which is quite staggering. They have had a 448 per cent increase since 2010. They say quite openly that this does impact the viability of their operation and their ability to employ South Australians. In fact, the CEO of MBL, Warren McLean, has just put the blame for the electricity problems we have fairly and squarely at the feet of the Premier of South Australia. People are waking up to that.

The Premier is very good at getting around it, like with his TV ad where he spends hundreds of thousands of dollars of taxpayers' money telling them that he has a solution to the energy crisis that he has created. He is on television delivering his message to the people and, as you look at him, you can see him shaking his head from side to side. Even he does not believe his own message. He knows that he has created this mess and he is trying to spin it and sell it to the people of South Australia that he has a solution. This is quite incongruous and I think people in South Australia are waking up to what is going on.

People know that this state Labor government has created the mess that South Australia is in and employment really does sit at the forefront of where we are at. The councils came out today saying that the increase in the electricity costs of their operations will have a flow-on effect. That will increase the rates of ratepayers, given that the increase in the bills that the LGA is paying is quite exorbitant.

Those are some of the key issues that South Australia is dealing with. It is all well and good that we have the new Employment Tribunal, but we need to have employment to go with it—that is the key in South Australia. I have talked a lot about what is going on in the city, but we know that this is having a great impact in the regions. If we look at the unemployment rate in the Upper Spencer Gulf, that sits at 9.8 per cent when the national average is 5.7 per cent. Around Port Augusta, the unemployment rate is 9.9 per cent and the national average is 5.7 per cent.

I could go through the whole state and we could look at those unemployment rates. South Australia really does languish at the bottom, and of more concern, as I have said, is that we have languished at the bottom for a number of years. I made the football reference before. If you were a football side and you had languished at the bottom of the table for this long, you would change the board, at least, and the coach and the captain. You would get rid of them.

That is what we need to do with the state Labor government. They have not delivered for South Australians. South Australians are feeling the pinch, and I really do feel for all of them. The only way we are going to fix this unemployment problem is to have a change of government. On our side, we believe very strongly that we have the vision, the people and the passion to actually turn South Australia around from what this state Labor government has created.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:45): I rise to speak on the South Australian Employment Tribunal (Miscellaneous) Amendment Bill 2017 and I am sure that the parliament—or at least the minister and Attorney—will be pleased to know that I will be mercifully brief. That is only so that we can move into committee, probably tomorrow. Let me make quite clear what I want to say.

Firstly, with the South Australian Employment Tribunal having been established in 2015 to deal with compensation disputes for workers under the Return to Work Act 2014, I had always understood from the discussions we had in this chamber relating to SACAT that, ultimately, it would be reasonable for that jurisdiction to come into SACAT and not the other way around. That alternative direction was cemented in the legislation last year when the government added to the SA Employment Tribunal's areas of responsibility a multitude of areas of jurisdiction, including the whole of the jurisdiction of the Industrial Relations Court of South Australia, dust disease matters and a number of appeals and/or review boards or tribunals.

What has also been added of course is the criminal jurisdiction in respect of summary and minor indictable offences that are currently the 'industrial offences' under the Summary Procedure Act and indeed even some civil jurisdictions relating to contractual disputes between employer and employee. It has been loaded up. It is now going to become a massive tribunal—as rumour would have it, ripe to receive the Attorney-General as its first chief justice. Nevertheless, we will wait and see. He might want to find some other work in retirement now that he has given himself special appointment as an SC.

In any event, I do want to place this on the record. The amendments dealing with relieving the obligation for mandatory prehearing conferences, a minor change to the Education Act in respect of changing the word 'division' to 'act' and what I consider to be another minor amendment to deal with a redundant provision under the Equal Opportunity Act 1984 have been explained in the material outlined in the second reading speech of the Attorney. However, I do want some answers on the record about what the other three amendments relate to.

I want to thank Ms Ward from the Attorney-General's Department who provided a briefing in respect of these amendments. They are not minor, they are significant and they ought to have been outlined in more detail in the second reading explanation. As they have not been, I can say to the Attorney-General that he can expect some questions from me in the committee stage on this matter. If that is tonight, that is fine. If it is not, we will deal with it at noon tomorrow.

Mr WHETSTONE (Chaffey) (17:49): I rise to speak on the South Australian Employment Tribunal (Miscellaneous) Amendment Bill 2017 and support its passage through this house.

The bill primarily corrects omissions from the Statutes Amendment (South Australian Employment Tribunal) Act 2016 and further expands the scope of the jurisdiction of the South Australian Employment Tribunal. The SAET was established by the SAET act in 2014, and its scope entailed jurisdiction over workers and compensation disputes under the Return to Work Act 2014. It will be further utilised in the future to resolve other employment-related disputes and ultimately be a one-stop shop for resolving disputes between employers and employees.

Parts of the 2014 act being amended through this bill include that the South Australian Employment Tribunal cannot proceed to hear any matters unless a prehearing conference has first been held before the presiding member. The amendment (as part of this bill) removes the

requirement unless it is related to proceedings under the Return to Work Act 2014 and other regulations prescribed. The impact of the amendment will be that certain cases can move immediately from the unsuccessful conciliation, mediation and arbitration process with parties to a tribunal hearing.

The bill also repeals part of the Equal Opportunity Act 1984, thus ensuring that the SAET is solely responsible for making rules related to the operation of the tribunal. By way of background, as described on their website:

> The South Australian Employment Tribunal (SAET) is the dispute resolution forum for South Australia's Return to Work scheme. SAET provides timely, fair and independent resolution of workers compensation matters and helps injured workers return to meaningful employment.

I would like to talk about the regional unemployment trend. The electorate of Chaffey, in the Riverland, has significantly higher unemployment than the general trend of South Australia, highlighting Berri, with 11.2 per cent unemployment, and Renmark, with 10.7 per cent unemployment. The state's 6.6 per cent trend unemployment is the highest in mainland Australia but it shows that there is a significant input to that worrying trend. We do not seem to be pushing the high unemployment figure away any time soon.

We have had a government that has continually rested on its laurels, saying, 'Our target is 100,000,' and that was announced in 2010. Since 2010, we have seen 20,900 jobs created. I notice that the Treasurer got up today and bounced a few figures around about what a wonderful job he is doing and what a wonderful job the state government is doing. The target is 100,000. Was it ambitious?

Ms Chapman interjecting:

Mr WHETSTONE: Yes. Was it ambitious? Yes, it was ambitious. I am not opposed to anything that is ambitious, but when we have an ambitious target of 100,000 and we have been able to achieve only 20,900, it is time to get out of the way. It is time to get out of the way and allow someone to come in and do something about the unemployment here in South Australia.

Obviously on this side of the house we have to hold the government to account and we have to put the numbers on the table. The numbers do not lie. The numbers tell the story. The sad part is that the government is not addressing the numbers and not addressing unemployment in South Australia. We are seeing a continual blame game, and we are seeing a government continually walking away from responsibility of what should be happening.

I want to dwell on regional unemployment because we are seeing very high unemployment in the regions. We have a very city-centric focused government and we have a one major town state mentality. Yes, that is true. But why are we looking a gift horse in the mouth? Why are we continually adopting a centralisation mentality of services of government departments and a lack of opportunity in the regions of South Australia? All the major projects and major initiatives are based almost within the fringe metropolitan Adelaide area.

We heard the announcement today of $110 million to use treated wastewater at Bolivar. It is a great initiative. It is $110 million towards a project that is now relying on federal government funding. The state government has made this big grandiose announcement, but they do not even have the $40-odd million they need to get from the feds to make this project go ahead. I think that 12 gigalitres of water for irrigated agriculture is a great initiative and equates to about 1,400 hectares of food production. I think it is a great initiative.

What are we putting behind that 1,400 hectares of food production? It is increasing to 20 gigalitres of treated water, and that is about 2,500 hectares of food production. If we want to put the number of jobs into context, the government has spruiked 3,600 jobs. That is a credible number, but where will those jobs come from? Where is our skilled workforce? Where are the jobs that will be created by this new parcel of water that will go out to new land and intensive agriculture?

I think everyone in this place has heard about Sundrop Farms and D'VineRipe, and they have all seen the confined glasshouses that are using this technology. We need to understand that we need to have the skilled workforce that will be able to complement this grandiose announcement

today, which really is a half-baked announcement. The government has pushed almost all the NGO training providers out of the state. TAFE is being propped up once again.

I think it is outrageous that if a young person in the Riverland wants to undertake a TAFE agriculture course they have to go to Mount Gambier. Why would they have to go to Mount Gambier? Because the courses are not available in the Riverland because they are winding down the Riverland. In Naracoorte, and in other regional areas around regional South Australia, TAFE is being wound down. What is going on in South Australia when we are talking about trying to create jobs?

We need the new tech jobs for this new tech food production. It is all very well to announce today jobs and water for the north of Adelaide, but we need to put all the building blocks around this parcel of water and this parcel of land. Why do we have high unemployment? Why do we have low confidence in the state? I can assure members that power is the number one issue. I am sure that it has been said many times here, and I am sure that the Attorney would understand that his power bill is not where he would like it to be. It is probably twice as high as it once was; I know that mine is.

When I look around this place, I am sure that everyone, whether it is members of parliament, support staff, people in the gallery, or whether it is people in offices reading *Hansard*, is outraged at what it is costing them to keep a household alive, let alone run a business, let alone trying to employ people and let alone trying to compete with their counterparts interstate and overseas.

The Minister for Trade just walked out. I am sure that he would be horrified to know about the competitive edge that Victoria, New South Wales and Western Australia have over South Australia when it comes to the cost of manufacturing and irrigating. I know that my people in the Riverland look 20 kilometres to the horizon into Victoria where they are paying half the cost for power. How are they going to compete?

Other commodity industries have looked at increasing their footprint in the state, but they have now decided that they will go to New South Wales and Victoria because it is cheaper to operate manufacturing and processing equipment, which is high energy use, as is pumping water for irrigation. We heard the announcement today of the $110 million for re-used, treated wastewater. Let's just see how the cost of power will impact on those businesses. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 18:00 the house adjourned until Wednesday 12 April 2017 at 11:00.

Estimates Replies

STUDENTS FIRST

In reply to **Mr GARDNER (Morialta)** (29 July 2016). (Estimates Committee A)

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills): I have been advised of the following:

All the additional funding under the National Education Reform Agreement (NERA) is invested for the benefit of schools and students.

This includes 20 disability inclusion officers that work with schools across the state.

The state Labor government remains committed to the full six years of State funding under the NERA, including more than $90 million in indexation and additional funding in 2019 alone.

ATTRACTION AND RETENTION ALLOWANCES

In reply to various members (29 July 2016). (Estimates Committee A)

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

Minister for Higher Education and Skills

Attraction, retention and performance allowances as well as non-salary benefits paid to public servants and contractors

(a) DSD 2014-15:

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
Department of State Development	Manager, Business Intelligence and Information Services	MAS3	Retention	$16,428

(b) DSD 2015-16:

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
Department of State Development	Assistant Director, Operations and Stakeholder Engagement	MAS3	Retention	$22,452
Department of State Development	Manager, Business Intelligence and Information Services	MAS3	Retention	$16,839

Minister for Education and Child Development

Attraction, retention and performance allowances as well as non-salary benefits paid to public servants and contractors:

(a) DECD 2014-15:

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DECD	Principal	PRNA6	AATTA—Low SES Incentive Allowance	$7,548.84
DECD	Leader Band B-1	LDRB1	AATTA—Low SES Incentive Allowance	$3.14
DECD	Principal	PRNA7	AATTA—Low SES Incentive Allowance	$19,936.80
DECD	Principal	PRNA4	AATTA—Low SES Incentive Allowance	$7,016.22
DECD	Principal	PRNA3	AATTA—Low SES Incentive Allowance	$3,896.20
DECD	Principal	PRNA5	AATTA—Low SES Incentive Allowance	$325.06
DECD	Principal	PRNA4	AATTA—Low SES Incentive Allowance	$6,562.84
DECD	Principal	PRNA2	AATTA—Low SES Incentive Allowance	$2,721.02
DECD	Principal	PRNA8	AATTA—Low SES Incentive Allowance	$5,691.14

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DECD	Principal	PRNA3	AATTA—Low SES Incentive Allowance	$2,032.02
DECD	Principal	PRNA3	AATTA—Low SES Incentive Allowance	$9,117.06
DECD	Principal	PRNA7	AATTA—Low SES Incentive Allowance	$12,287.60
DECD	Principal	PRNA3	AATTA—Low SES Incentive Allowance	$4,984.20
DECD	Preschool Director	PSDA1	AATTA—Low SES Incentive Allowance	$4,984.20
DECD	Assistant Director, HR Policy and Specialist Services	MAS03	AATTR—Attraction Allowance	$13,878.70
DECD	Manager	MAS03	AATTR—Attraction Allowance	$675.73
DECD	Cluster Manager, Anangu Lands	EAS01_PSM	AATTR—Attraction Allowance	$1,610.28
DECD	Principal Manager, Early Years	MAS03	AATTR—Attraction Allowance	$16,598.30
DECD	Assistant Director, ICT Education Management Systems	MAS03	AATTR—Attraction Allowance	$20,659.08
DECD	Assistant Director, EPHS	MAS03	AATTR—Attraction Allowance	$32,505.80
DECD	Senior Analyst Programmer	ASO06	AATTR—Attraction Allowance	$1,069.04
DECD	Assistant Director, ICT Technical Services	MAS03	AATTR—Attraction Allowance	$16,252.40
DECD	Manager, ICT Infrastructure Services	MAS03	AATTR—Attraction Allowance	$16,252.40
DECD	Manager, Performance & Development	MAS03	AATTR—Attraction Allowance	$10,828.84
DECD	Senior Project Officer/Finance Trainer	ASO05	AATTR—Attraction Allowance	$6,087.60
DECD	Assistant Director, Business Services	MAS03	AATTR—Attraction Allowance	$15,883.70
DECD	Manager, Budget Accountability	MAS03	AATTR—Attraction Allowance	$10,835.00
DECD	Assistant Director, Budget and Finance	MAS03	AATTR—Attraction Allowance	$692.78
DECD	Manager, Corporate HR, Strategy & Policy	MAS03	AATTR—Attraction Allowance	$4,996.81
DECD	Executive Manager, Policy and Quality	MAS03	AATTR—Attraction Allowance	$19,697.60
DECD	Assistant Director, Asset Services	MAS03	AATTR—Attraction Allowance	$17,630.33
DECD	Manager, Industrial Relations	ASO08	AATTR—Attraction Allowance	$10,642.41
DECD	Manager, Strategy and Governance	ASO08	AATTR—Attraction Allowance	$783.56
DECD	Infrastructure Services Coordinator	ASO07	AATTR—Attraction Allowance	$14,789.41
DECD	Senior Analyst Programmer	ASO06	AATTR—Attraction Allowance	$13,099.20
DECD	Manager, DECD Public Relations	MAS03	AATTR—Attraction Allowance	$2,580.69
DECD	Manager, Marketing and Communication	ASO08	AATTR—Attraction Allowance	$5,321.20
DECD	Manager, Corporate HR, Strategy & Policy	MAS03	AATTR—Attraction Allowance	$450.56
DECD	Investigations Officer	ASO07	AATTR—Attraction Allowance	$575.10
DECD	Manager, Ethical Conduct	MAS03	AATTR—Attraction Allowance	$10,835.00
DECD	Proj Mgr TVSP & Redeployment Strat	ASO08	AATTR—Attraction Allowance	$8,704.84

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DECD	Principal Manager, APY Trade Training Centre	MAS03	AATTR—Attraction Allowance	$13,847.00
DECD	Manager, Injury Management	MAS03	AATTR—Attraction Allowance	$12,883.40
DECD	Speech Pathologist	AHP01	AATTR—Attraction Allowance	$1,598.50
DECD	Manager, Misconduct, Discipline and Advice Unit	MAS03	AATTR—Attraction Allowance	$27,212.66
DECD	EDRMS Project Officer	ASO07	AATTR—Attraction Allowance	$6,077.41
DECD	Project Manager	ASO08	AATTR—Attraction Allowance	$346.32
DECD	Safety Consultant	ASO05	AATTR—Attraction Allowance	$5,972.32
DECD	Senior Manager Educational Measurement	MAS03	AATTR—Attraction Allowance	$15,747.00
			TOTAL	$444,737.31

(a) Families SA 2014-15:

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
FAMILIES SA	Assistant Regional Director	PO0503	ATTRACT & RETENT-GEN (%)	$14,161.13
FAMILIES SA	Manager, Murray Bridge	MAS301	ATTRACT & RETENT-GEN (%)	$9,298.19
FAMILIES SA	Assistant Director	AHP504	ATTRACT & RETENT-GEN (%)	$15,368.62
FAMILIES SA	Manager, Gawler	PO0503	ATTRACT & RETENT-GEN (%)	$1,514.32
FAMILIES SA	Manager, Pt Augusta	MAS301	ATTRACT & RETENT-GEN (%)	$5,917.84
FAMILIES SA	Manager, Customer Service	MAS301	ATTRACT & RETENT-GEN (%)	$10,650.84
FAMILIES SA	Assistant Director	PO0503	ATTRACT & RETENT-GEN (%)	$14,210.58
FAMILIES SA	Assistant Director	PO0503	ATTRACT & RETENT-GEN (%)	$6,855.13
FAMILIES SA	Kinship Care Worker	OPS403	ATTRACT & RETENT-GEN (%)	$3,274.96
FAMILIES SA	Supervisor Guardianship	AHP303	ATTRACT & RETENT-GEN (%)	$2,535.00
FAMILIES SA	Supervisor	AHP303	ATTRACT & RETENT-GEN (%)	$1,227.02
FAMILIES SA	Manager, Ceduna	MAS301	ATTRACT & RETENT-GEN (%)	$8,390.63
FAMILIES SA	Supervisor	AHP303	ATTRACT & RETENT-GEN (%)	$4,172.76
FAMILIES SA	Social Worker	AHP205	ATTRACT & RETENT-GEN (%)	$5,279.82
FAMILIES SA	Supervisor	AHP302	ATTRACT & RETENT-GEN (%)	$14,755.98
FAMILIES SA	Business Manager	ASO504	ATTRACT & RETENT-GEN (%)	$5,287.36
FAMILIES SA	APY Team Supervisor	AHP303	ATTRACT & RETENT-GEN (%)	$15,706.68
FAMILIES SA	Senior Practitioner	AHP205	ATTRACT & RETENT-GEN (%)	$721.18
FAMILIES SA	Manager, Divisional Service	MAS301	ATTRACT & RETENT-GEN (%)	$9,596.62
FAMILIES SA	Supervisor	AHP303	ATTRACT & RETENT-GEN (%)	$9,515.11
FAMILIES SA	Director, Metropolitan Service	SAES1	ATTRACT & RETENT-GEN (%)	$15,813.20

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
FAMILIES SA	Project Officer	ASO502	ATTRACT & RETENT-GEN (%)	$11,104.04
FAMILIES SA	Senior Social Worker	AHP201	ATTRACT & RETENT-GEN (%)	$15,537.68
FAMILIES SA	Principal Aboriginal Consultant	AHP404	ATTRACT & RETENT-GEN (%)	$653.07
FAMILIES SA	Senior Practitioner	AHP203	ATTRACT & RETENT-GEN (%)	$11,043.09
FAMILIES SA	Senior Social Worker	AHP205	ATTRACT & RETENT-GEN (%)	$2,291.69
FAMILIES SA	Manager, Whyalla	MAS301	ATTRACT & RETENT-GEN (%)	$1,276.05
FAMILIES SA	Senior Social Assessment	AHP201	ATTRACT & RETENT-GEN (%)	$8,903.04
FAMILIES SA	Project Officer	ASO504	ATTRACT & RETENT-GEN (%)	$16,544.88
FAMILIES SA	Senior Practitioner	AHP204	ATTRACT & RETENT-GEN (%)	$33,252.68
FAMILIES SA	Care & Protection Worker	OPS303	ATTRACT & RETENT-GEN (%)	$4,799.62
FAMILIES SA	Social Worker	AHP105	ATTRACT & RETENT-GEN (%)	$5,579.18
FAMILIES SA	Senior Practitioner	AHP202	ATTRACT & RETENT-GEN (%)	$16,502.35
FAMILIES SA	Care & Protection Worker	OPS303	ATTRACT & RETENT-GEN (%)	$4,844.70
FAMILIES SA	Supervisor	AHP303	ATTRACT & RETENT-GEN (%)	$10,034.27
FAMILIES SA	Social Worker	AHP105	ATTRACT & RETENT-GEN (%)	$10,784.60
FAMILIES SA	Senior Social Worker	AHP202	ATTRACT & RETENT-GEN (%)	$32,645.49
FAMILIES SA	Project Officer	ASO503	ATTRACT & RETENT-GEN (%)	$23,156.05
FAMILIES SA	Manager, Coober Pedy	MAS301	ATTRACT & RETENT-GEN (%)	$48,113.66
FAMILIES SA	Senior Social Worker	AHP204	ATTRACT & RETENT-GEN (%)	$21,514.45
FAMILIES SA	Senior Social Worker	AHP201	ATTRACT & RETENT-GEN (%)	$7,089.77
FAMILIES SA	Support Worker	OPS203	ATTRACT & RETENT-GEN (%)	$180.64
FAMILIES SA	Senior Social Worker	AHP201	ATTRACT & RETENT-GEN (%)	$3,398.49
FAMILIES SA	Social Worker	AHP104	ATTRACT & RETENT-GEN (%)	$7,443.77
FAMILIES SA	Supervisor	AHP303	ATTRACT & RETENT-GEN (%)	$16,080.75
FAMILIES SA	Program Manager, Families SA Redesign	MAS301	ATTRACT & RETENT-GEN (%)	$6,087.40
FAMILIES SA	Project Director, Child Safe	ASO803	ATTRACT & RETENT-GEN (%)	$16,091.40
FAMILIES SA	Care & Protection Worker	OPS303	ATTRACT & RETENT-GEN (%)	$4,460.67
FAMILIES SA	Project Coordinator, FSA Re-design	ASO803	ATTRACT & RETENT-GEN (%)	$7,388.54
FAMILIES SA	Project Coordinator, FSA Re-design	ASO803	ATTRACT & RETENT-GEN (%)	$7,503.99
FAMILIES SA	Project Coordinator, FSA Re-design	ASO803	ATTRACT & RETENT-GEN (%)	$1,443.08
FAMILIES SA	Assistant Regional Director	PO0503	ATTRACT & RETENT-GEN (%)	$12,750.28

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
FAMILIES SA	Social Worker	AHP102	ATTRACT & RETENTGEN (%)	$2,720.43
FAMILIES SA	Support Worker	OPS203	ATTRACT & RETENT-GEN (%)	$280.99
FAMILIES SA	Principal Practitioner	AHP504	ATTRACT & RETENT-GEN (%)	$7,246.07
FAMILIES SA	Aboriginal Family Practitioner	AHP103	ATTRACT & RETENT-GEN (%)	$8,257.52
FAMILIES SA	Project Officer	ASO501	ATTRACT & RETENT-GEN (%)	$8,312.57
FAMILIES SA	Manager Human Resources	MAS301	ATTRACT & RETENT-GEN (%)	$11,904.11
FAMILIES SA	Manager, Executive Service	ASO803	ATTRACT & RETENT-GEN (%)	$2,687.83
FAMILIES SA	Supervisor	AHP302	ATTRACT & RETENT-GEN (%)	$42,107.63
FAMILIES SA	Committee Member CDSIRC	BDCM01	ATTRACT & RETENT-GEN (%)	$7,177.03
			TOTAL	$633,446.52

(b) DECD—2015-16:

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DECD	Assistant Director, HR Policy and Specialist Services	MAS03	Attraction Allowance	$21,468.02
DECD	Principal Manager, Early Years	MAS03	Attraction Allowance	$9,146.2
DECD	Assistant Director, ICT Strategy & Relationships	MAS03	Attraction Allowance	$10,883.82
DECD	Employee Psychology & Wellness Manager	MAS03	Attraction Allowance	$34,610.40
DECD	Manager, ICT Direct Services	MAS03	Attraction Allowance	$17,304.80
DECD	Manager, ICT Infrastructure Services	MAS03	Attraction Allowance	$17,304.80
DECD	Manager Service Coordination	ASO08	Attraction Allowance	$4,057.92
DECD	Manager, Performance & Development	MAS03	Attraction Allowance	$11,536.80
DECD	Senior Project Officer/Finance Trainer	ASO05	Attraction Allowance	$7,619.84
DECD	Assistant Director, Business Services	MAS03	Attraction Allowance	$14,851.52
DECD	Manager, Budget Accountability	MAS03	Attraction Allowance	$11,536.80
DECD	Manager, Corporate HR, Strategy & Policy	MAS03	Attraction Allowance	$11,536.80
DECD	Executive Manager, Policy and Quality	MAS03	Attraction Allowance	$17,046
DECD	Assistant Director, Asset Services	MAS03	Attraction Allowance	$10,688.28
DECD	Employee Relations Manager, Education & Early Childhood	MAS03	Attraction Allowance	$11,424.40
DECD	Manager, Strategy and Governance	ASO08	Attraction Allowance	$6,680.80
DECD	Infrastructure Services Coordinator	ASO07	Attraction Allowance	$16,415.70
DECD	Senior Analyst Programmer	ASO06	Attraction Allowance	$10,084.95
DECD	Manager, Organisation & Professional Development	MAS03	Attraction Allowance	$5,509.12
DECD	Manager, Marketing	ASO08	Attraction Allowance	$5,666.20

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
DECD	Transition Lead	MAS03	Attraction Allowance	$10,006.80
DECD	Manager, Ethical Conduct	MAS03	Attraction Allowance	$11,536.80
DECD	Project Manager TVSP & Redeployment Strategy	ASO08	Attraction Allowance	$4,951.68
DECD	Strategic Analyst	ASO08	Attraction Allowance	$17,846.68
DECD	Manager, FSA HR	MAS03	Attraction Allowance	$6,197.76
DECD	Principal Manager, APY Trade Training Centre	MAS03	Attraction Allowance	$13,821.30
DECD	Manager, Injury Management	MAS03	Attraction Allowance	$11,536.80
DECD	Manager Work Health and Safety	MAS03	Attraction Allowance	$4,519.20
DECD	Manager, Misconduct, Discipline and Advice Unit	MAS03	Attraction Allowance	$34,610.40
DECD	Safety Consultant	ASO05	Attraction Allowance	$8,326.80
DECD	Senior Manager Educational Measurement	MAS03	Attraction Allowance	$28,842.40
DECD	Manager Strategic Contracts	MAS03	Attraction Allowance	$2,516.84
DECD	Manager, Legal Advice	LEO05	Attraction Allowance	$11,099.43
DECD	Principal	PRNA6	Low SES Incentive Allowance	$2,847.15
DECD	Principal	PRNA7	Low SES Incentive Allowance	$18,575.73
DECD	Principal	PRNA4	Low SES Incentive Allowance	$3,048.03
DECD	Principal	PRNA4	Low SES Incentive Allowance	$6,933.60
DECD	Principal	PRNA2	Low SES Incentive Allowance	$4,081.53
DECD	Principal	PRNA7	Low SES Incentive Allowance	$2,849.37
DECD	Principal	PRNA8	Low SES Incentive Allowance	$20,774.89
DECD	Principal	PRNA3	Low SES Incentive Allowance	$5,175.90
DECD	Principal	PRNA7	Low SES Incentive Allowance	$5,403.48
DECD	Principal	PRNA3	Low SES Incentive Allowance	$6,708.18
DECD	Principal	PRNA7	Low SES Incentive Allowance	$1,228.76
DECD	Principal	PRNA3	Low SES Incentive Allowance	$5,175.90
DECD	Principal	PRNA4	Low SES Incentive Allowance	$2,848.26
DECD	Pre School Director	PSDA1	Low SES Incentive Allowance	$3,040.07
DECD	Principal	PRNA3	Low SES Incentive Allowance	$3,191.25
			TOTAL	$513,068.16

(b) Families SA 2015-16:

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
FAMILIES SA	ASSISTANT DIRECTOR	PO503	Att Ret Gen Ann	$6,875.04

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
FAMILIES SA	PRINCIPAL CHILD WELLBEING PRACTITIONER	AHP504	Att Ret Gen Ann	$2,418.02
FAMILIES SA	ASSISTANT REGIONAL DIRECTOR	PO503	Attract & Retent—Gen (%)	$110.88
FAMILIES SA	ASSISTANT DIRECTOR	AHP504	Attract & Retent—Gen (%)	$3,897.66
FAMILIES SA	MANAGER	MAS301	Attract & Retent—Gen (%)	$1,843.43
FAMILIES SA	ASSISTANT DIRECTOR	PO503	Attract & Retent—Gen (%)	$7,857.99
FAMILIES SA	ASSISTANT DIRECTOR	AHP503	Attract & Retent—Gen (%)	$5,016.82
FAMILIES SA	MANAGER, PT AUGUSTA	MAS301	Attract & Retent—Gen (%)	$17,278.47
FAMILIES SA	SOCIAL WORKER	AHP105	Attract & Retent—Gen (%)	$2,607.34
FAMILIES SA	SUPERVISOR	AHP303	Attract & Retent—Gen (%)	$5,485.49
FAMILIES SA	MANAGER, CEDUNA	MAS301	Attract & Retent—Gen (%)	$2,314.65
FAMILIES SA	SUPERVISOR	AHP303	Attract & Retent—Gen (%)	$5,454.38
FAMILIES SA	SUPERVISOR	AHP301	Attract & Retent—Gen (%)	$2,299.71
FAMILIES SA	SUPERVISOR	AHP303	Attract & Retent—Gen (%)	$10,796.55
FAMILIES SA	BUSINESS MANAGER	ASO504	Attract & Retent—Gen (%)	$258.99
FAMILIES SA	SENIOR PRACTITIONER	AHP205	Attract & Retent—Gen (%)	$1,852.07
FAMILIES SA	ABORIGINAL FAMILY PRACTITIONER	AHP103	Attract & Retent—Gen (%)	$3,362.92
FAMILIES SA	SENIOR PRACTITIONER	AHP202	Attract & Retent—Gen (%)	$4,142.43
FAMILIES SA	PROJECT OFFICER	ASO502	Attract & Retent—Gen (%)	$16,063.92
FAMILIES SA	SENIOR SOCIAL WORKER	AHP201	Attract & Retent—Gen (%)	$8,596.21
FAMILIES SA	SOCIAL WORKER	AHP103	Attract & Retent—Gen (%)	$1,684.44
FAMILIES SA	SENIOR SOCIAL WORKER	AHP201	Attract & Retent—Gen (%)	$2,152.07
FAMILIES SA	CARE & PROTECTION WORKER	OPS303	Attract & Retent—Gen (%)	$3,514.80
FAMILIES SA	SOCIAL WORKER	AHP202	Attract & Retent—Gen (%)	$3,589.81
FAMILIES SA	SENIOR PRACTITIONER	AHP202	Attract & Retent—Gen (%)	$7,489.51
FAMILIES SA	ABORIGINAL FAMILY PRACTITIONER	PO103	Attract & Retent—Gen (%)	$3,132.30
FAMILIES SA	SENIOR SOCIAL WORKER	AHP202	Attract & Retent—Gen (%)	$19,674.03
FAMILIES SA	MANAGER, COOBER PEDY	MAS301	Attract & Retent—Gen (%)	$28,720.66
FAMILIES SA	SENIOR SOCIAL WORKER	AHP205	Attract & Retent—Gen (%)	$4,804.55
FAMILIES SA	CARE & PROTECTION WORKER	OPS203	Attract & Retent—Gen (%)	$3,050.81
FAMILIES SA	SENIOR SOCIAL WORKER	AHP202	Attract & Retent—Gen (%)	$4,321.82
FAMILIES SA	SOCIAL WORKER	AHP104	Attract & Retent—Gen (%)	$507.72
FAMILIES SA	SUPERVISOR	AHP303	Attract & Retent—Gen (%)	$10,970.86

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
FAMILIES SA	PROJECT DIRECTOR, CHILD SAFETY	ASO803	Attract & Retent—Gen (%)	$8,293.26
FAMILIES SA	SENIOR SOCIAL WORKER	AHP201	Attract & Retent—Gen (%)	$2,329.70
FAMILIES SA	ASSISTANT REGIONAL DIRECTOR	PO503	Attract & Retent—Gen (%)	$4,119.63
FAMILIES SA	SOCIAL WORKER	AHP103	Attract & Retent—Gen (%)	$3,485.56
FAMILIES SA	BUSINESS SUPPORT OFFICER	OPS203	Attract & Retent—Gen (%)	$3,050.79
FAMILIES SA	DIRECTOR, QUALITY AND PRACTICE	SAES1	Attract & Retent—Gen (%)	$2,760.42
FAMILIES SA	ABORIGINAL FAMILY PRACTITIONER	AHP103	Attract & Retent—Gen (%)	$110.10
FAMILIES SA	PROJECT OFFICER	ASO502	Attract & Retent—Gen (%)	$12,295.74
FAMILIES SA	MANAGER HUMAN RESOURCES	MAS301	Attract & Retent—Gen (%)	$14,750.39
FAMILIES SA	MANAGER, EXECUTIVE SERVICES	ASO803	Attract & Retent—Gen (%)	$3,698.85
FAMILIES SA	SOCIAL WORKER	AHP104	Attract & Retent—Gen (%)	$3,607.82
FAMILIES SA	SENIOR SOCIAL WORKER	AHP102	Attract & Retent—Gen (%)	$2,095.71
FAMILIES SA	ASSISTANT DIRECTOR	MAS301	Attract & Retent—Gen (%)	$335.40
FAMILIES SA	SUPERVISOR	AHP302	Attract & Retent—Gen (%)	$328.53
FAMILIES SA	COMMITTEE MEMBER—CDSIRC	BDCM01	Attract & Retent—Gen (%)	$4,140.60
FAMILIES SA	PRINCIPAL CHILD WELLBEING PRACTITIONER	AHP504	Attract & Retent—Gen (Ann)	$2,936.14
FAMILIES SA	ASSISTANT DIRECTOR	AHP504	Attraction Allowance $	$2,783.44
FAMILIES SA	MANAGER HUMAN RESOURCES	MAS301	Attraction Allowance $	$6,987.20
FAMILIES SA	MANAGER, EXECUTIVE SERVICES	ASO803	Attraction Allowance $	$2,712.49
FAMILIES SA	ASSISTANT DIRECTOR	MAS301	Attraction Allowance $	$922.35
FAMILIES SA	COMMITTEE MEMBER—CDSIRC	BDCM01	Attraction Allowance $	$3,036.44
FAMILIES SA	KINSHIP CARE WORKER	OPS403	Attraction Allowance %	$2,858.49
FAMILIES SA	MANAGER, PT AUGUSTA	MAS301	Attraction Allowance %	$3,313.97
FAMILIES SA	SOCIAL WORKER	AHP105	Attraction Allowance %	$3,030.70
FAMILIES SA	SUPERVISOR	AHP303	Attraction Allowance %	$4,069.00
FAMILIES SA	MANAGER, CEDUNA	MAS301	Attraction Allowance %	$1,446.10
FAMILIES SA	SUPERVISOR	AHP303	Attraction Allowance %	$3,958.00
FAMILIES SA	SUPERVISOR	AHP303	Attraction Allowance %	$3,625.07
FAMILIES SA	SENIOR PRACTITIONER	AHP205	Attraction Allowance %	$3,619.41
FAMILIES SA	ABORIGINAL FAMILY PRACTITIONER	AHP103	Attraction Allowance %	$2,865.33
FAMILIES SA	SENIOR PRACTITIONER	AHP202	Attraction Allowance %	$3,302.05
FAMILIES SA	PROJECT OFFICER	ASO502	Attraction Allowance %	$2,929.26

Dept/Agency	Position Title	Classification	Allowance Type	Allowance Amount
FAMILIES SA	SENIOR SOCIAL WORKER	AHP201	Attraction Allowance %	$6,398.04
FAMILIES SA	SOCIAL WORKER	AHP103	Attraction Allowance %	$24.49
FAMILIES SA	SENIOR SOCIAL WORKER	AHP201	Attraction Allowance %	$3,199.02
FAMILIES SA	PROJECT OFFICER	ASO504	Attraction Allowance %	$62,361.75
FAMILIES SA	CARE & PROTECTION WORKER	OPS303	Attraction Allowance %	$2,607.18
FAMILIES SA	SENIOR PRACTITIONER	AHP202	Attraction Allowance %	$4,781.74
FAMILIES SA	ABORIGINAL FAMILY PRACTITIONER	PO103	Attraction Allowance %	$3,134.73
FAMILIES SA	MANAGER, COOBER PEDY	MAS301	Attraction Allowance %	$21,304.32
FAMILIES SA	SENIOR SOCIAL WORKER	AHP205	Attraction Allowance %	$3,614.90
FAMILIES SA	CARE & PROTECTION WORKER	OPS203	Attraction Allowance %	$2,201.28
FAMILIES SA	SENIOR SOCIAL WORKER	AHP202	Attraction Allowance %	$3,220.91
FAMILIES SA	SUPERVISOR	AHP303	Attraction Allowance %	$8,137.91
FAMILIES SA	SENIOR SOCIAL WORKER	AHP201	Attraction Allowance %	$2,739.10
FAMILIES SA	SOCIAL WORKER	AHP103	Attraction Allowance %	$2,620.43
FAMILIES SA	BUSINESS SUPPORT OFFICER	OPS203	Attraction Allowance %	$2,262.93
FAMILIES SA	PROJECT OFFICER	ASO502	Attraction Allowance %	$5,536.31
FAMILIES SA	SOCIAL WORKER	AHP104	Attraction Allowance %	$2,620.43
FAMILIES SA	KINSHIP CARE WORKER	OPS403	Retention Allowance %	$3,229.00
FAMILIES SA	MANAGER, CEDUNA	MAS301	Retention Allowance %	$632.67
FAMILIES SA	SUPERVISOR	AHP303	Retention Allowance %	$1,553.61
FAMILIES SA	PROJECT OFFICER	ASO502	Retention Allowance %	$1,230.29
			TOTAL	$465,355.33