HOUSE OF ASSEMBLY

Thursday, 19 October 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.

Bills

CRIMINAL LAW (FORENSIC PROCEDURES) (EMERGENCY SERVICES PROVIDERS) AMENDMENT BILL

Introduction and First Reading

Mr VAN HOLST PELLEKAAN (Stuart) (10:32): Obtained leave and introduced a bill for an act to amend the Criminal Law (Forensic Procedures) Act 2007. Read a first time.

Second Reading

Mr VAN HOLST PELLEKAAN (Stuart) (10:33): I move:

That this bill be now read a second time.

This is a very straightforward bill. I propose to introduce a private member's bill to amend the Criminal Law (Forensic Procedures) Act 2007 to include the Royal Flying Doctor Service (RFDS) on the prescribed employment list under 'emergency service provider' that can require an offender who spits or bites them to undertake a blood test.

In conjunction with this private member's bill, I have requested that the government include the RFDS as 'emergency service provider' on the prescribed employment list under the Criminal Law Consolidation (General) Regulations 2006. This inclusion will enable the court to consider a range of offences against the RFDS employees as an aggravated offence. So the house is fully aware, the prescribed employment list as it stands refers to paid or unpaid workers included in the acts or regulations, as follows:

- police officers;
- employment as an emergency service provider with the SACFS, SAMFS, SASES, SA Ambulance Service, St John Ambulance SA, Surf Life Saving SA, Volunteer Marine Rescue, employees in accident and emergency;
- employment as a medical practitioner in a hospital;
- employment as a nurse or midwife in a hospital;
- employment in the provision of assistance or services in a hospital to a medical practitioner, nurse or midwife acting in the course of his or her employment in the hospital; and
- employment as an officer or employee of the administrative unit of the Public Service that is responsible for assisting a minister in the administration of the Correctional Services Act 1982.

I am sure that we would all agree that it is a worthy list, but when it was put together the RFDS was, accidentally I am sure, omitted from the list. There is logic in including the RFDS in that category and there is also logic in having a category like that. All citizens, everybody, should be protected from offences against them, but there is good sound logic for some extra protection for people whose job it is, whether in a professional or volunteer capacity, to insert themselves actively in harm's way.

By that, I do not mean recklessly. I do not mean in a foolish, uninformed way. A well-trained person with a clear focus on what he or she is doing who has taken on the responsibility to protect

the community in some way—typically in an emergency responder sense, but there are other situations of course too—often has good reason to insert themselves into a more dangerous situation than another citizen would have to do, and so of course that person deserves some slightly higher protection.

The RFDS came to me. In fact, I would like to thank Courtney White from the RFDS in Marree for coming to me with this issue. It was not something I was aware of. This is how things are meant to work: constituents come to their local representative and say, 'There's an issue here. Can you help us? Can you fix this anomaly?' Of course, I was very happy to do it, and I am very hopeful and optimistic that the government will support this private member's bill and follow that support all the way through to changing the legislation and the regulations so that the RFDS has this protection.

It is also very timely that we are having this debate here in the chamber today, the day after we debated Gayle's Law, and there are some very similar parallels. Gayle's Law, of course, is slightly different. It is the product of an incredibly unfortunate incident that happened to a nurse working in the Far North of the state. Mrs Woodford's family and other supporters have been very successful in working with the government and the opposition to get bipartisan support on that issue.

There is a link, in that people working in a first responder sense in remote places or in the CBD do deserve some extra protection. Gayle's Law is about giving that protection through a second person always being required to be present and in support when a nurse is working outside business hours in a remote location, whereas this would apply to the city and to the country.

The RFDS is an absolutely outstanding organisation. I am sure that every member of parliament would agree with me that the RFDS is an extraordinary organisation without which many people would have suffered unnecessarily and many people would have died unnecessarily across Australia, not just South Australia. They are a truly outstanding organisation. They are based here in Adelaide. They are based in Port Augusta. They are based in Alice Springs and Broken Hill and in many, many other places. Their base at Port Augusta is one of the most important in the nation.

I believe that the people who work for the RFDS providing medical support, transport support and other types of support to the more remote parts of our state deserve this protection, but please remember that it is not only about the remote parts of the state. The RFDS occasionally transfer patients between hospitals that may not be considered particularly remote. They do a very broad range of work in South Australia. In fact, not too long ago they took over running the outback medical clinics, which is a tremendous system which has been run and supported by Liberal and Labor governments over many years and run and operated by different organisations, Frontier Services to name one; now the Royal Flying Doctor Service does this.

It is absolutely critical support whereby there are regular flights with doctors and nurses and other support workers going to remote locations on a predetermined schedule so that people with ailments that are not emergencies or do not require especially swift attention can plan to come in, whether it is to Innamincka, Marree, Mintabie, Marla or any other small outback community that has an airstrip. Not too long ago, I was at Yunta at the same time as the RFDS called in, and I could go on and on naming the communities.

This is a tremendous medical support. This is not emergency service work, but it is highly important and highly valued work. The people provide medical support. They also provide some mental health support, and that is starting to be rolled out and it is incredibly important. The RFDS has been supporting Australia since 1928. Their 2015-16 annual report, which is their most recent published annual report, shows that in that year they gave attention to 22,800 people across the nation, and a huge number were in South Australia.

The RFDS is a massively important organisation in our state, and the people who work in RFDS deserve exactly the same protection from our laws as the people who work in police, fire services, ambulance, surf lifesaving and in the whole range I mentioned before in that prescribed list, so I hope that the government will see fit to support this law. To me, it is very straightforward and very simple. There is the additional request to change the regulations as well, which would provide support to these people who at times put themselves in harm's way for the good of the community.

At times, they have to deal with people who for a range of reasons may not be thinking clearly and who may not receive the care that is on offer in the way we would typically think is appropriate.

That could be for a wide range of reasons: it could be because they are affected by drugs or alcohol; it could be because they have been in a motor vehicle accident and they have some form of shock and they are in a place or situation they are not familiar with, they are not comfortable with, they do not know what is going on and they are just not thinking clearly. It could happen for a whole range of reasons.

Regardless of the reason, the people who work for the Royal Flying Doctor Service deserve this protection, if it is needed, in exactly the same way as all other emergency service workers and other responders deserve as well. I commend the bill to the house. I genuinely and earnestly seek the government's support to change this law and to change these regulations.

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

ELECTORAL (GOVERNMENT ADVERTISING) AMENDMENT BILL

Introduction and First Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:44): Obtained leave and introduced a bill for an act to amend the Electoral Act 1985. Read a first time.

Second Reading

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (10:45): I move:

That this bill be now read a second time.

I rise to speak on the Electoral (Government Advertising) Amendment Bill 2017 and indicate that this bill proposes to amend part 13A of the Electoral Act 1985 relating to election funding, expenditure and disclosure.

Firstly, this bill amends the definition of advertising to include any government political advertising paid for using taxpayers' money. The definition will include an express mention of the name, image or use of the voice of a person who is a member of parliament or a candidate in an election, as per the government's 2015 Marketing Communications Guidelines. Secondly, it provides that the Electoral Commissioner has the power to determine whether the political advertising material is such that spending thereon would fall under the electoral spending cap.

Thirdly, the bill provides a consequential penalty of up to 20 times the funds spent to be repaid from public funding or deducted from the entitlement thereto. To be clear, the bill expressly provides that the penalty that applies to expenditure of this nature that exceeds the cap is to the limit of the public funding. Put simply, even if 20 times is $10 million, if the entitlement is $4 million then the total of $4 million would be payable. In other words, this is not like a fine system but a penalty set off against the gross entitlement of the public fund, which the government party would lose or be required to repay.

Fourthly, the proposal relates to all political advertising from 1 November 2017, so the current government—which we hope will be removed in 149 days—is on clear notice that this legislation, if passed, will be effective 1 November 2017. Every advertisement promulgated and paid for by taxpayers under government advertising will be caught if aired or displayed after 1 November 2017. In addition, in the event that the government should be so churlish—notwithstanding their own guidelines, which they are happy to breach on a daily basis—as to vote down this bill, they are on clear notice that, if elected after the next March election, our side of the house, we will again proceed with this bill and will propose that it cover all government advertising, determined by the Electoral Commissioner, after 1 November 2017. Consequently, that will be taken into account for the purposes of penalty on public funding.

The government will be on clear notice that that is our commitment to the people of South Australia. The people of South Australia are sick to death of turning on their electronic material, televisions, picking up papers and opening them up to see the face of the Premier and ministers promoting their own government, rescuing their own government from the outrage of the public when they see this. The public does not need to have millions of dollars to tell them that the Transforming Health policy is a dud. It is a dud. They do not need the government to desperately promote this as something positive for their future health services.

It is only about them trying to convince the people of South Australia that they are doing a good job in the health zone. Meanwhile, the people of South Australia come to us and say, 'We can't get a bed in the hospital,' or, 'My relative is ramping up in the ambulance area to get into a hospital,' or, 'My relative can't get a wheelchair for their disabled child.' This is the real-life drama and desperate circumstances that the people of South Australia are living in while the government spends millions of dollars trying to promote a health plan which is clearly a dud. It is totally unacceptable; the public will not have it.

To follow on from this, we then have the multimillion-dollar advertising campaign on the government's power plan. This is after they have run our power availability at an affordable price into the ground—in fact, underground. They have utterly failed to provide secure and affordable power to South Australians. Now we read that some 40,000 people cannot even afford to pay their power bills. They are having to make a choice between food or fuel and a power bill. It is completely unacceptable that the government then spends millions of dollars to try to convince us that their battery out in the middle of nowhere, or their diesel generators, are somehow going to make a provision—

The SPEAKER: Jamestown.

Ms CHAPMAN: —for the people of South Australia to be convinced that this is going to rescue them from their plight. That is what they are trying to present to the people of South Australia. It is, in our view, in direct breach of the guidelines, which already say that the expenditure, with the image, name or use of voice, is to be determined as political advertising. They wrote these guidelines. This has been raised before. How many Ombudsman's reports do we have to have to tell us that the government are obviously in error when it comes to political advertising?

What do they do? They just keep trying to change the guidelines and slip their way around to say that you need to hear the plaintive pleas of the Premier in a multimillion-dollar advertising campaign to convince you that what you are getting from them is a good deal on power and on health proposals. As for their jobs package, there is another advertising campaign. The only people whose jobs are secure under the government's jobs package advertising plan are those of the Premier and the ministers who sit next to him. They are trying to secure their re-election and convince the people of South Australia, through a shameless multimillion-dollar fraud, and then expect the people of South Australia just to swallow that they have to pay for it. It is just shameful and indicates the priorities of the government.

They want to keep their jobs, and they want to convince the people of South Australia, who will pay for the rubbish that is now being thrown down their throats via a media campaign, that they are doing a good job. It is not acceptable, and we want the Electoral Commissioner to have the responsibility and capacity to say, 'You are not going to get a double-dip here. If you think you are going to be eligible for public funding, that's fine, but if you spend taxpayers money in the meantime on campaigns which are in clear breach of your own guidelines and which will be entrenched in the statute, then you will not get a double-dip. You will not get the millions of dollars which will be available for public funding if you are going to use public funding to go out there and exploit this in the leadup to the election.'

That is not acceptable to the people of South Australia, and the government need to have a very clear message that that is the case. We are already in a situation where the Ombudsman has further inquiries to deal with this, but the government do not care. They are just happy to keep spending the people's money to promote themselves, and it is completely unacceptable. This bill is designed to make it clear to this government, who have been more in the breach than in the observance of their own guidelines in this arena, that they cannot get away with this, nor can they continue to get away with it in the lead-up to the election.

It is as though they are on some spending spree in the last five months to try to salvage what a disgraceful government they have provided to South Australia. We want to put taxpayers' funds back into the priority they should be, and that is in the provision of services and opportunities to ensure that our population has jobs, that our children have a future, that those who are vulnerable have services for health and disability and, of course most importantly, that people can have some of their public expenditure money to be able to turn on the light and not live in this state in candlelight.

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

STATUTES AMENDMENT (DECRIMINALISATION OF SEX WORK) BILL

Second Reading

The Hon. S.W. KEY (Ashford) (10:56): I move:

That this bill be now read a second time.

The bill, as members would know, passed in the Legislative Council without amendment. I would like to take this opportunity to thank the Hon. Michelle Lensink for her coordination and also the select committee that was established for this bill. The bill seeks to decriminalise sex work in South Australia, to amend the Equal Opportunity Act 1984, the Spent Convictions Act 2009 and the Return to Work Act 2014, to provide sex workers with workplace and antidiscrimination protections afforded to other employees or workers in South Australia.

My aim is to ensure that sex workers have the same rights and responsibilities as other workers, self-employed workers, contractors and subcontractors and independent workers working from a residence. The bill, through decriminalisation, would see sex work be equivalent to other work. Any regulation of the industry is through existing statutes and regulations. If sex work were seen as legitimate work, it would come under all the other conventional employment health regulations, be subject to standard local council by-laws, directions and planning controls and able to adopt the longstanding and existing health and safety codes of practice that have been supported in the ACT, New South Wales and Western Australia.

As members in this chamber would know, sex workers are already recognised under the work health and safety legislation that South Australia and many states have adopted. Jules Kim from Scarlet Alliance told the Legislative Council select committee inquiry, 'Sex work is an occupation and can be regulated as any other occupation.' She referred to New South Wales and New Zealand, both of which have a decriminalised legal framework for sex work, and went on to say:

It does not mean removing criminal penalties for exploitation, forced labour, violence, trafficking, rape…assault…use of children in commercial sexual services—

in fact, involving children at all in anything to do with the sex industry. Referring to the select committee report, the New Zealand Prostitutes' Collective (I have had the honour of meeting with this group in New Zealand) argued that expanding workers' rights and protections to sex workers protects sex workers by giving access to appropriate legal remedies. It is interesting to note that in New Zealand decriminalisation of sex work has been around since 2003. It seems to be a model that is certainly worth looking at.

My meetings and research into the New Zealand decriminalisation system support the improvement for those workers. The New Zealand police, when I met with them, confirmed that they had worked closely and do work closely with New Zealand sex workers and their organisation and have found them to be very helpful to identify any criminal activity like drug dealing, organised crime issues.

I should say at this point that after many years of research into the sex work industry, from my days at the Working Women's Centre and the United Trades and Labor Council in particular, my university studies and as an MP, I have had the opportunity to meet and take advice from many sex workers and their organisations. I have also interviewed and been briefed by sex workers in the United States of America, Canada, England, Sweden, the Netherlands, Indonesia and New Zealand, and I have talked to sex workers and their organisations all around Australia. I very much value the work and advice from the Sex Industry Network, Scarlet Alliance, SWAGGER, New Zealand Prostitutes' Collective and the UK prostitutes' collective.

I am proud to say that this bill has been used as a model by sex workers and organisations in Toronto, England and Ottawa, and they are very impressed with this model that some of our South Australian members of parliament are putting forward. I have also had the honour of meeting and corresponding with these organisations on an ongoing basis for many years now. I appreciate that there are many other models of so-called reform for sex workers—the Swedish model that criminalises the users of sex services and the legalised model—and I would like to put some points to you with regard to the so-called Swedish model.

I have had the opportunity to go to Stockholm and meet with members of parliament as well as a number of people who are involved in the sex work industry. I was told that their model that was introduced into parliament passed by a very slim majority. In fact, I understand that to start off with this particular model, the Swedish model, was not a very favourable or accepted model within Sweden but, as time has gone on, this is the model that the Swedish—particularly the government—actually hold up as a model for other countries, and other countries have followed that model.

I think first of all that we need to think about the geographical location of Sweden. We need to think about some of the problems, such as refugees. Certainly since my visit this has become more of an issue. There are also guest workers and sex workers, young women and particularly young men and boys who have come from Eastern Europe in particular, and there are some issues that the Swedish government has had to deal with as a result of that. I am not in any way taking away from the serious problems that were certainly raised with me on my visit there.

I had the opportunity through my own arrangements also to meet with local sex workers in Sweden and their organisation. I spoke to those workers and I have read a number of references both for and against the Swedish model. It would seem to me that, certainly with the big international issues that Sweden may have, this may be a way of dealing particularly with people who are trafficked into sex work and people who are there to try to get citizenship in Sweden.

These might be issues because of the bigger refugee and forced worker issue in that country. This is their way of dealing with that problem. Certainly the local sex workers and their organisations thought that this was a very harsh way to deal with the work they have been doing for many decades and will continue to do. While not being criminalised themselves, they are often under quite heavy surveillance and are forced to protect their local Swedish clients, and this is an added responsibility they really do not want to have. Obviously, the right to privacy and freedom from undue state control over sex and sexual expression is something we should bear in mind with this model.

I do not think the Swedish model would be appropriate in South Australia. While I do not want to criticise other countries for the decisions they make and the models they adopt, I do not think that we have the same issues, fortunately, in South Australia. During the select committee report, the Federal Police confirmed that in fact there is not a big sex trafficking or sex slavery issue in South Australia, I am pleased to say. There are some issues in Australia, but this is definitely not something that is a priority for the Federal Police in South Australia. I would argue that it is probably not a definite issue for the police in South Australia, our local police, either. There are certainly plenty of other things for them to look at.

Because I have spoken on this issue many times and people are pretty clear about what my view is with regard to the sex industry, I will just read from some sex workers who work in South Australia, and also work in Australia as sex workers, to tell you their views. Before I do, I know that last week members in this place received a document from me, from Scarlet Alliance and SIN, talking about decriminalisation and talking about the international as well as local support for the decriminalisation model. I think that people would have to be pretty impressed with the number of people who are in that document and the number of organisations that actually see decriminalisation in South Australia, and certainly in Australia, as being the model that we should look at.

I will call this worker TC. She says in her email:

> I am writing to add my support for your position on the Statutes Amendment (Decriminalisation of Sex Work) Bill 2015 and believe that it should be passed without amendment. This bill is world leading legislation and the best way to support those who choose sex work as their occupation.
>
> Currently, sex workers in South Australia are subject to stigma, discrimination and are at risk of being further marginalised if they seek help from the police when they have been victims of crime. The Decriminalisation bill would address these issues and afford sex workers protection from crime and victimisation just like any other worker.

An email from another worker from New South Wales (I will call her UC) says:

> I am a sex worker from NSW. Luckily, I get to work in an environment where:
>
> —I am not criminalised and my clients are not criminalised
>
> —I am not threatened with entrapment by the police
>
> —I am able to report to the police without worrying that they will, in turn, prosecute me for my sex work

—I will not get a criminal record if found working in the sex industry so I am able to move easily between occupations

—I know I have equal rights to other workers and will not stand for exploitation, abuse or harassment.

I have never worked in street-based sex work but I can imagine that if I was pushed to designated areas (which are often industrial or isolated areas)—

This is the case in the ACT, that sex work is pushed into designated areas. That is my point rather than UC's point—

I would be more vulnerable and afraid and people would take advantage of my vulnerability.

There are so many reasons why working in a criminalised environment harms us and makes us more vulnerable to exploitation and abuse.

I urge you to vote in favour of the Decriminalisation Bill without amendments. The proposed Bill is the most comprehensive sex industry Bill we have to date.

I will have to read this email in part due to the time, but this is from HD:

The purpose of this letter is to demonstrate support for the Decriminalisation Of Sex Work Bill. My name is HD and I am a touring (travelling) sex worker. This bill affects me directly as I rely on work generated in South Australia to help me earn a regular income.

Many livelihoods just like mine are at stake with this bill.

I am writing to you to encourage you to support this bill without amendments.

There will be [many] anti-sex-work lobbyists who put their own mistaken morality above the safety and security of women (and men) who work in South Australia's adult entertainment industry. These lobbyists claim they want safety/security too, but they are too busy conflating WORK (CONSENSUAL) with TRAFFICKING (UNCONSENSUAL).

It strikes me as bizarre that they target the sex industry, they do not call for the abolition of other high-trafficking industries such as child care (nannies and au pairs), hospitality (restaurants & bars) and car washes.

It is imperative that leadership listens to the voices of those who are directly affected, not those who think they know better.

I commend the bill.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:10): I rise to speak on the Statutes Amendment (Decriminalisation of Sex Work) Bill 2015 and in doing so indicate that I will be supporting the second reading of the same. I am mindful that there have been some proposed amendments circulated, and they will be considered obviously in committee. In respect of the bill itself, I place on the record my appreciation to the select committee and members thereof, who undertook a comprehensive investigation into what options there may be to deal with these matters and, in particular, a draft of this bill was presented to them for scrutiny and investigation.

It is fair to say that the report, which ultimately recommended the progressing of the bill, covered a number of issues. I just want to outline some of these because I think it is important to remember in this debate the areas of concern that were raised by people who presented submissions and advocated either support or opposition or alternates.

Firstly, as the mover of the bill has indicated, this is a recognition of the rights and protections of those who work in this industry, which has operated for time immemorial and which our state has dealt with in a punitive way and therefore has failed to recognise that in the work these men and women undertake they are exposed to a number of problems, including in respect of their working conditions, which need to be addressed.

Over the years, in relation to legislation—that is, the laws that currently criminalise sex work industry operators—it is surprising to me that when it has come to the crunch members of the Labor Party, who purport to support the rights of workers and protection of workers, have been so inconsistent in their preparedness to find a way to provide this protection. It seems that their zest for occupational health and safety is for everyone else in some ways, but they have not addressed this. The committee did and I recognise that.

The second issue is the need for people in this area to be able to legitimately be recognised and to gain access to finance. That speaks for itself. The third, of course, is the stigma that relates

to work that is otherwise deemed illegal. I consider that unacceptable and, depending on one's view on this practice, whether they agree to this being a legitimate practice or not, as to whether they should be relieved of that, but I for one clearly do.

The fourth issue is to enable people to facilitate exiting the field of work, and this was a rather curious addition, I thought—that is, to be able to have a legitimate occupation that will then enable them to move out of it if they seek to do so. It is not always easy to do that and be recognised for work to do that. It makes it difficult for them to gain employment in other industries while it is currently illegal, especially if a police clearance is required. I think it is very important that we provide this in this legislation.

The fifth issue is the impact on policing. I just want to say in respect of this that I, too, am very concerned about the police's approach in this matter. Back in 2011, former commissioner Mal Hyde made it clear that the sex worker laws needed change. He said:

'The law is really quite archaic. For example, it's an offence to receive money in a brothel but you can use a credit card. That just shows you how long ago the laws were made and they're just not in a modern form,' he said.

When the then senior police officer Linda Fellows, the assistant commissioner of crime, and Julie Foley, the senior sergeant, on 11 May 2016 gave evidence, Assistant Commissioner Fellows said:

We don't take a view on whether the sex industry should be decriminalised or not; however, I think it is reasonable to say, and I think we have been consistent in our views over many years, that there are some definite challenges and difficulties in policing the current legislation as it exists.

To find the ultimate statement after the conclusion of the committee by correspondence of the current police commissioner, Mr Grant Stevens—this is on 23 May 2016—to suggest that they were really completely hands off on this, I found curious at best and grossly inconsistent with what had been a consistent message from the very people who have to monitor the operation of this industry but, more particularly, who continue to have a role in relation to the illegal activity that may sit around it.

I am deeply disappointed by his approach. I consider it to have been weak and inconsistent with what his prior commissioner and senior police officers have clearly sought in terms of some relief from the archaic and inadequate way in which we have dealt with this industry. Whatever approach people here in the parliament take, at the very least we need relief in that regard. I would urge members to see through what I see is a tissue of inadequate response by the current commissioner.

The impact on policing is therefore something that needs to be considered, particularly as the police have a number of other responsibilities, as I say, to continue to operate. One that was pertinent to the committee was the sixth area in relation to organised crime—sexual servitude and trafficking. Quite clearly, issues were raised about the extent of this type of practice in South Australia. The committee looked at the situation in New South Wales. Michael Keenan, the federal minister, in respect of the jurisdiction relating to trafficking, said on 13 October 2015:

Due to the clandestine nature of the crime type, there is little reliable data about the nature and extent of human trafficking at a global, regional or domestic level. However, when compared to global trends, it is clear that instances of human trafficking remain relatively uncommon in Australia. Opportunities to traffic people into, or exploit people within, Australia are limited because of our strong migration controls, geographic isolation, and high degree of regulation, compliance and enforcement.

I hope that is still the case. From time to time, members of parliament, and I am sure others, would have people come to them to say that they consider there is a problem in a property or area. I recently had one when there was a claim that there were multiple Chinese girls operating sexual activity in a high-rise building in Adelaide.

I was satisfied that the complainant, who brought it to me as well, had referred the matter to the national authorities, and whatever action needs to be taken to investigate it has hopefully been undertaken because that is the objective—to make sure that, if we do become familiar with cases such as this, we report it to the necessary authorities and we are satisfied that those matters will be followed up. As rare as such incidents may be here, even with the reassurances of the federal government, we still need to be vigilant about these matters and ensure that young women, in that case if it is true, are not being exploited or in breach of migration rules.

Finally, in relation to the level of criminal activity within the community, the committee did not receive any evidence to confirm criminal activity. Human rights issues were raised, and again these were usually along the lines of whether or not they supported the proposal, depending on who was presenting the argument.

On health, I think it is important to note, from the evidence from SA Health, that the communicable disease rate was often generally lower than in the general population. However, we must be vigilant to ensure that the providers of this service are entitled, as a matter of right in their workplace, to require the user of the service to wear a sheath, a condom or whatever protection is necessary. With that contribution, I indicate that I will be supporting the bill. I thank the committee for their extensive work and I will listen with interest to other proposals that are submitted.

Ms SANDERSON (Adelaide) (11:20): I also rise to make a contribution regarding the decriminalisation of the sex work industry. I indicate that I would like this to go through to the second reading so that the six amendments that I have put forward—

The SPEAKER: Beyond the second reading, I think you mean.

Ms SANDERSON: —beyond the second reading to committee—can be discussed and debated. We all know that the sex work industry is a profession that is considered to have been the earliest profession. Under the current laws of criminalisation, this work is still occurring, so clearly criminalisation and the laws that we are using have not stopped this profession.

What we are looking at today is the decriminalisation of the industry, as occurs in New South Wales and New Zealand, which is all about the protection of the workers so that they can feel quite safe to report any incidents and go to police without any fear of arrest. The member for Ashford has held many, many forums over the 7½ years that I have been here, and possibly even before that, where members have had the opportunity to hear from sex workers in the industry about their views, their fears and what it is they would like achieved. I am confident that that is certainly the intention of the member bringing this bill forward: that it is all about the protection of the workers.

I have spoken to many people about this matter, including the Christian Lobby, who also agree with the decriminalisation of sex workers. However, they would prefer that then there was a criminal penalty for the users of the sex workers, as in the Swedish model. That is not the bill before us, so that is not something I can change this bill into becoming. The Christian Lobby has been sent a copy of my amendments and I feel that they were okay with those amendments, that I had done the best to satisfy all their concerns.

The way I work as a local member, particularly with conscience votes, is to try to find out the conscience of the 30,000 people (23,000 voters) who live in my electorate. What is their conscience? What are they thinking on this topic? So I put out a survey to my electorate, and that was also online. I had 910 respondents, which I think is very good. As most members would know, when you do surveying you do not get a high response rate, so many surveys that I have done I have done multiple times.

For example, on euthanasia, over 7½ years I would have sent that survey out electorate-wide at least three or four times. I would have filing cabinet drawers full of responses on not only one question but on multiple questions, of which this is one. This question on the decriminalisation of sex work is also one I have asked multiple times. I am confident in the results and that the amendments that were put forward represent the views of the people I am here to represent. This is not about my personal opinion or what I want; it is about representing the people of Adelaide, as that is my role. There were three main questions that we surveyed, the first being:

> What is your opinion regarding the proposed decriminalisation of sex work in South Australia, as occurs in New South Wales and New Zealand, noting that sex work is actually legalised in Victoria, Queensland, the ACT and the Northern Territory?

The response was that 84 per cent were in favour of decriminalisation and a further 5 per cent if there were further restrictions in place. I was fairly confident that 90 per cent were in favour, so that is why I am supporting the bill to go through to the committee stage in particular, to consider the amendments of any other members in this house as well.

Then there was a question of brothels. I note that in debate in the upper house there were discussions around limiting whether they could be near schools, churches or kindergartens. One of the members commented that that would pretty well block out the whole of Adelaide's CBD because we are a city of churches, after all. If you put a 200-metre limit, they would overlap. There would probably be nowhere. In fact, speaking to a school principal, I was quite surprised at her opinion. This was back when there was an issue with bikini girls in the city. Flyers were being put on cars and some people were calling for the industry to be shut down and moved away.

She made the comment that, for some of the students at her school, it was quite likely that it could be their mothers who worked there and it could be their fathers who used the service. She said that we are part of a community. Children all have parents and they all have jobs. She was of the view that we are part of a community and that we are part of a city where different things occur. Regarding the brothels, however, I felt that it was too difficult, and it did not get up in the upper house, to restrict them on the basis of metres or location. That was quite unworkable.

The results from my survey were that around 52 per cent were okay with permitting brothels and another 15 per cent were okay if further restrictions were put in place. After reading through the hundreds of comments that were posted on this survey—there was room for comments, which I found very useful—I discussed with parliamentary counsel two ways that I could further protect the public from brothels if they were worried about them; one was through advertising laws.

As with the issue with the bikini girls that flyers cannot be put on cars around the area, if children are walking to school in the city and they are walking past a brothel, there might be a business name but there certainly should not be a list of all services provided. It should not be very obvious what is going on in that area. We do not want billboards, and I do not think that either the users of the brothels nor the workers would like that kind of advertising anyway. I do not think it is in the best interests of anybody.

The second way we considered putting in further protections was to restrict the ownership of brothels to be similar to or the same as the laws for those who can own tattoo parlours. Criminal organisations cannot own them. We felt that was another way of protecting the workers. What we do not want is women being forced to work against their will, or people being brought in for citizenship from other countries and they are coerced into this work and intimidated by gangs or illegal groups. They are the two ways I have tried to satisfy the concerns regarding brothels.

The third question that was asked regarded sex workers soliciting on streets. This was quite unpopular, with only 33 per cent support among the 910 respondents, some of whom were outside my electorate. From further discussion, I have had comments from mothers saying, 'I don't want my children asking: what is that lady doing?' Elderly people, and people of all ages, said that they were being harassed at bus stops, being asked if they were sex workers, which we also do not want. I also think it is very unsafe for the sex workers to just get into random cars with strangers on the street. I do not think that that is necessary in this day and age. We have the internet, we have apps, we have so many other ways.

I was surprised that the Christian Lobby could name where all the brothels are; I did not know where they are. Without advertising, clearly many people know where this work is going on and there is no need for women to endanger themselves by putting themselves on the street. I was also surprised by feedback from men who felt harassed and accosted by women approaching them on the street. They do not want sex workers on the street either. My amendments maintain that as a criminal activity. I note particularly that I have had complaints from people on Hanson Road, and also Churchill Road in my electorate, that they have been approached while just delivering flyers on Churchill Road for letterboxing.

I do not feel that I want to live in a society where that happens. That is not acceptable. I do not want to make it even more acceptable by decriminalising sex work, which would then potentially mean that more men would assume that, if you are a female on a street, you could be a sex worker, and they then use that to harass. I hope that members who even intend to vote against this bill in the end will at least let it go through to the committee stage so that it can be debated fully and amended to be as safe as possible so that if it does go through at least, in my opinion, it will be the best version it can be.

Debate adjourned on motion of Hon. P. Caica.

Motions

REGIONAL AMBULANCE SERVICES

Mr BELL (Mount Gambier) (11:30): I move:

That this house calls on the government to strengthen ambulance services in regional South Australia and to recognise—

(a) the poorer health status of South Australians in regional South Australia;

(b) the shortage of volunteers to maintain ambulance services in regional South Australia; and

(c) the additional cost for ambulance services that is borne by people living in regional South Australia.

Having grown up in regional South Australia, I am well aware of the struggles facing people living in these regions. Every Australian has a right to access quality healthcare services. However, for people living in rural, remote and regional South Australia, timely access to the services they need and/or desire may not always be possible because of distance, transportation issues and service availability. This means that many of the 380,000 people living in regional South Australia may have unmet healthcare needs and this leads to poorer health outcomes.

Recent headlines put the spotlight on Yorketown and Quorn, but it was not long ago that it was Port Augusta and Mount Gambier. These hospitals join a long list, from Kingston and its leaky roof to the plight of Hawker's solo GP. South Australia's rural population contains some of the most poorest and most disadvantaged in the country. Accessing even basic health services is a challenge for many.

More recent issues, such as increasing needs for mental health, disability, adolescence and child health services, are poorly developed and supported. The feeling outside metropolitan Adelaide is of relentless and mindless cost saving to finance the new Royal Adelaide Hospital. It staggered me to understand that the new Royal Adelaide Hospital's art budget was over $2 million when in Mount Gambier we are crying out for a renal dialysis upgrade of just $1 million.

But we are here today to talk specifically about ambulances and ambulance cover. I want to commend the many volunteers and professionals with the South Australian Ambulance Service who have more than 1,100 career staff and more than 1,500 volunteers. There are 111 ambulance stations and 80 volunteer teams throughout the state. In the 2014 financial year, SA Ambulance Service responded to more than 265,000 incidents and answered 184,000 triple zero calls. That is one call every 2.85 seconds.

SA Ambulance Service has a fleet of 417 vehicles, including 253 traditional stretcher-carrying vehicles. It has access to aircraft from the state rescue helicopter and the Royal Flying Doctor Service, which in the South-East is a very welcome addition, with flights occurring daily from Mount Gambier to Adelaide transporting some of our most vulnerable and at-need patients when specialty services are not available down there. Ambulance stations in South Australian regional areas are largely staffed by volunteers, with 80 volunteer teams across 18 regional team leader areas and six operational management regions. There are 22 regional career ambulance stations staffed by paid paramedics across the state. Volunteer ambulance officers and paid paramedics frequently work together on cases as required.

This year, the number of operational volunteers increased by 32 people and the number of new volunteer recruits remains relatively stable at 281. All in all, the Ambulance Service—and I can speak specifically of the South-East—does an amazing job, in both a paid professional capacity and a volunteer capacity. I think it is the volunteers who certainly carry a fair load, particularly in more remote or perhaps regional areas of the state and particularly the South-East, like Penola, Robe and Kingston, where the first response is from a trained volunteer and then backed up with paid paramedics when they can get there normally, obviously with distance, some time later.

Quite interestingly, when I was talking to our local ambulance officers, who are very proud of the work they do, about their facilities, particularly in Mount Gambier, they rate them very highly. In fact, demand is growing so strongly that the vacant block of land across from the ambulance station will be tagged for an expansion that is coming up soon. In the South-East, 75 per cent of the

work that is done is with elderly patients, and with the boom in retirement villages in the South-East, particularly Mount Gambier, that workload is only set to increase. One of the officers said, 'Years ago, we used to have busy nights—now every night is busy,' such is the workload.

If there is one area both sides of government need to focus on it is training and retaining volunteers to make sure that we have a continual, highly trained team of volunteers ready to be first responders in those outer lying areas. That is one area where we do need to continually invest money going forward, recognising that volunteers do contribute heavily to keeping our community safe. Another area that needs to be looked at is the cost of ambulance cover. We used to have South Australian ambulance cover that would cover all of Australia; now your ambulance cover is for South Australia only, unless you opt in for interstate coverage.

I compared the cost of cover in South Australia and Victoria, and people will know that Mount Gambier is very close to the border. Family ambulance cover in South Australia is $161, plus $30 if you want interstate cover, so nearly $200 for a family with interstate cover. The same family cover in Victoria is $92, so it is half the price. If you live in any of these postcodes—5290, which is Mount Gambier; 5291, which is Mount Gambier East or West; or 5262, which is Frances—the Victorian government will allow you to have Victorian cover, which obviously covers interstate as well. It is quite amazing that nearly every second person I talk to in Mount Gambier has Victorian ambulance cover because it covers you Australia-wide and it is half the price compared with South Australia's cover.

There are some areas that will need continual attention. The cost of ambulance cover needs to be reduced and brought down to a more manageable level, and the time and effort put into volunteers and upgrading those facilities needs continual work. With those words, I will conclude my comments.

Mr HUGHES (Giles) (11:39): I rise to amend the motion, but I do thank the member for Mount Gambier for bringing this to the house. Our ambulance services and health services in regional South Australia are incredibly important. I move to amend the motion as follows:

After—That this house calls on the government to strengthen ambulance services in regional South Australia and to recognise—delete parts (a), (b) and (c) and replace with the following:

(a) the dedication of volunteers across the state to maintain ambulance services in regional South Australia;

(b) due to a range of social and economic factors, people in regional areas of Australia have statistically poorer health outcomes than those in metropolitan areas, and country South Australia is no exception; and

(c) the state government, through Country Health, is committed to working to overcome these statistics. Over the past four years the government has upgraded in every major regional hospital, invested in new technologies including telehealth, increased patient transport assistance and investigated new models of care to help improve health outcomes for people across country South Australia.

As said, when it comes to health, statistically the outcomes for country South Australia differ from those in the metropolitan area.

The member for Mount Gambier touched upon some of the reasons: access to services, distance and a number of other factors. One of the main contributing factors, not just in South Australia but across Australia, is socio-economic status. Generally speaking, there are higher income levels and higher socio-economic status in the metropolitan area. There are a lot of people in regional South Australia who get by on lower incomes. All the evidence points to socio-economic status as being a very important determinant of health and health outcomes, and addressing those differences is complex and challenging.

Over the past four years, every major regional hospital has been upgraded and the government has invested in new technologies, including telehealth, increased their patient transport assistance and investigated new models of care to help improve health outcomes for people across South Australia through the Country Health SA Local Health Network. Investments have been made to increase our services closer to home through the provision of local services such as renal dialysis, chemotherapy, mental health care and cardiac rehabilitation. Clearly, there is still more to be done,

but the improvements I have seen over a number of years have been very significant. The upgrade of health facilities in some of the communities that I represent has been outstanding.

There have been some real success stories when it comes to taking different approaches. The investment in telehealth-based country cardiology services has led to a 22 per cent reduction in mortality for country heart attack patients, which means that country patients now have the same survival rate as metropolitan patients. Technological improvements and different ways of delivering services will have a good result for those of us who live in country South Australia.

As the statutory provider of emergency ambulance services across the state, the SA Ambulance Service plays a critical role in South Australia's health system, providing emergency and non-emergency ambulance service 24 hours a day, seven days a week, to both metropolitan and regional areas. Ambulance services are delivered to regional communities through a combination of paid staff and volunteers, with volunteers making up the majority of staff within regional South Australia. As the member for Mount Gambier said, over 1,500 volunteers work in our ambulance service, which is an incredible voluntary input.

SA Ambulance Service also has the capacity for air retrieval of critically ill and injured patients in regional areas, utilising fixed-wing and rotary-wing assets, as well as the capability to dispatch paramedics via helicopter. While SA Ambulance Service aims to provide most regional communities with 24 hours a day seven days a week service, in practice the ability to maintain a service to many communities depends upon the availability of volunteer staff. However, recruiting new volunteers anywhere in Australia is becoming increasingly difficult, and this is no different for SA Ambulance Service.

Those of us who have a lot to do with volunteers in a whole range of organisations know the struggle these days to get additional volunteers. It is for this reason that the government recognises that ambulance services in regional areas need to be strengthened. In order to address this issue, SA Ambulance Service currently has a number of strategies either planned or underway. Once long-term strategies have been identified, intensive local and regional consultation will occur to identify the most appropriate and pragmatic solutions.

For example, a recently approved new graduated authority to practise and training program is being introduced by SA Ambulance Service, and will include a tiered system of operation for volunteers. The new approach expands the roles available to volunteers in order to improve volunteer recruitment and retention, and allow volunteers the opportunity to progress through each clinical level within a time frame that suits them, so it is being tailored to meet the needs of particular volunteers.

Finally, I must address the member's motion that 'additional costs for ambulance services are borne by people living in regional South Australia'. This statement is fundamentally incorrect; in fact, standard fees apply for services provided to both metropolitan and regional areas. It was interesting to make the comparison between South Australia and Victoria. The comparison is not entirely fair. Victoria is a small state with a very high concentration of population.

During one of the recent times I was in the APY lands, we had to buy seven brand-new, customised ambulances to service that area. You can imagine what happens to ambulances in the APY lands and other parts of remote South Australia. They do not last long on the roads up there. It is good to see that some significant expenditure is going on at the moment in the APY lands to improve the roads. When you are looking at an area with a population of 3,000 over a land mass in the APY lands that is the size of England, to then make the comparison with Victoria when it comes to delivering ambulance services is not entirely fair.

It would be interesting to go and have a look at some of the other states, though. Western Australia might be a good example. I would probably be one of those people who would argue that our that ambulance services could be funded in a different way. I think there would be a few people on this side of the house who would believe that ambulance services should be funded out of general revenue so that it is available to people. There are people who end up, through no fault of their own, without ambulance cover and they get picked up by an ambulance, and the bill can be very significant. I think we should be looking at other ways of funding ambulance services, because it is an essential service. I thank the member for bringing this motion to the attention of the house and commend the amended motion to the house.

Mr KNOLL (Schubert) (11:49): Here we are again on a beautiful Thursday morning and here we are again with a government that chooses to amend a motion and try to hide from the issues we face in country South Australia, rather than dealing with the issues at hand. I do feel sorry for the member for Giles because every time we bring a motion such as this and talk about poor infrastructure in the regions and poor health services in the regions, they trot him out as the token country Labor member to push back on what we are trying to get the people of South Australia to understand, and that is the truth about what is happening in country South Australia.

I am fairly certain that he agrees with what we are talking about, but unfortunately what happens is they trot him out with this amendment that just seeks to whitewash over the problems that happen in country South Australia because, as the Premier himself said, there are not any votes out for there for him, so he may as well just ignore it and he will not pay any electoral consequences. It is absolutely disgusting.

I do really feel for the member for Giles because we know that he feels the same way we do. We know that he sees firsthand the issues and the poor second-rate service that people in country South Australia get. He is just gagged and is not able to say it, but that is okay. We are here for you. Member for Giles, we are here and we will speak truth in a way that unfortunately you cannot, or maybe you could but unfortunately the Labor Party does not allow dissent—one wrong word and all of a sudden you are sitting on the crossbenches.

This motion moved by the member for Mount Gambier says that the poorer health status of South Australians in regional South Australia is something this house is calling on the government to recognise, and in response they say, 'No, no, hang on. Basically everything is okay in South Australia. There are no issues in country South Australia when it comes to regional hospitals.' The amended motion essentially tries to say, 'Well, it's not our fault that there are issues in country South Australia in relation to second-class health care.'

In fact, what is called here part (b) of the motion states that due to a range of social and economic factors, people in regional areas of Australia—I like the use of 'Australia'—have statistically poorer health outcomes. So, you admit that South Australian country areas have poorer health outcomes but in the same sentence you say that it is not your job to fix it: 'We can't do anything about it. There are statistical, social and economic factors. We'll just blame those things.' You cannot identify a problem and then stand up and say, 'We're not going to do anything about it. Here are the problems. They're entrenched, they're ingrained. We can't do anything about it so we'll just whitewash over what's going on—

Members interjecting:

The DEPUTY SPEAKER: Order! The member is entitled to be heard in silence.

Mr KNOLL: 'We'll just whitewash history.' We see it happening at the moment with the celebrations around cultural Marxism and anniversaries. Once again, what we see here is an attempt to whitewash what is really going on in country South Australia. The Liberal Party, as the champions of country South Australia, will not stand for it and that is why we have put this motion to the house. We want to bring light to this extremely important issue.

At the same time, we also want to acknowledge the great work that the South Australian Ambulance Service, especially the volunteers, do in our regional areas. There are more than 1,400 volunteers who make up a network of over 70 country volunteer teams as part of the SA Ambulance Service. These volunteers provide professional emergency ambulance and patient transfer services within their communities. It is an extremely important initiative that helps to bring together and build social capital within regional South Australia, build community spirit within South Australia and it deserves to be supported at every single turn.

I want to put on the record at this point my desire and certainly the Liberal Party's desire to encourage people to get involved with the SA Ambulance Service's volunteering program because there are a huge number of benefits. Apart from the satisfaction of getting out and getting involved and helping your local community, there are opportunities to complete a Certificate IV in Health Care (Ambulance), which is recognised all across the country. There are opportunities to undertake training to further help your first aid and your ability to respond in emergency situations.

As volunteers have put it, they find it extremely rewarding. They find it an extremely important part of their lives and of being part of their community. We in the Liberal Party thank them today and every single day for the great work they do and we encourage more people to get involved to help encourage and strengthen this very vital service in regional South Australia.

Country South Australians are as entitled to taxpayer-funded investment in hospitals and health services as those in metropolitan areas. We pay tax as well. We live in the same state and we deserve and are entitled to the same level of care. So when the government puts an amendment on the table that says, 'Yes, we acknowledge you are getting second-class care, but no, we are not going to do anything about,' that is absolutely disgusting.

We have a metrocentric mindset from this government and have had for the life of this government. We know we have it when we hear the comments from the Premier, who basically washes his hands of country South Australia because there are not any votes in it for him. In the 2017-18 budget, what we see is the best example of that. In what was considered a pretty last-minute, cobbled together plan, they put $1.1 billion of health spend on the table, but how many dollars of that $1.1 billion were slated for capital investment in country hospitals? Absolutely none—not one single dollar from $1.1 billion worth of spending—especially after we have seen $2.4 million spent on the new Royal Adelaide Hospital.

What country people do not understand is why that figure cannot be spread around a bit. We are 30 per cent of the population; why can we not get access to 30 per cent of that capital spend considering how much capital spend there already has been in the city areas? This motion goes on to mention the fact that there has been investment in a number of major regional hospitals in South Australia, and I will accept that there has been some money spent in about a handful of hospitals across country South Australia. However, there is one region in particular that is very close to my heart and the member for Stuart's and the member for Chaffey's, and that is the broader Adelaide Plains, Barossa Valley, Murraylands region.

Do you know how money has been spent in our region? Nothing. In fact, what we have at the Mount Pleasant District Hospital is the fact that they have been allocated aged-care beds with money that they were given from the commonwealth, which they cannot get approved. They have been asking for a simple upgrade out in the back area after the community had raised the vast majority of the money to start the upgrade, but they cannot get anywhere.

In my area, in the Barossa and Districts Health Advisory Council, which includes the Tanunda and the Angaston hospitals, we have $2 million in a fund ready to go. That money has been raised by the local community on the understanding that it would help to supplement government capital investment to upgrade the health services in the Barossa Valley. Once again, I am going to put on the table my call that there needs to be not just a little bit of investment in my region but a lot of investment in upgrading the healthcare facilities in the Barossa. A single hospital would work. A single hospital would also provide efficiencies to the government, efficiencies that they are desperately looking for considering that Transforming Health has actually now cost money rather than save money.

Here we have a plan on the table that includes significant investment from the local community. It includes about half a dozen ideas the local community have had to actually help the government save money, including council putting land on the table for nothing, including the fundraising efforts of local health trusts, including builders willing to come on board and donate materials, and people willing to come on board and donate their professional skills to make this thing happen. But what we get from the government is a business case that is not released to the public. No information is given to the people of the Barossa and the broader surrounds about what the government's plans actually were. We are just kept in the dark. Year after year, report after report we are kept in the dark.

I know that in regional Country Health my region is the top priority but, looking at the actions of the government, no-one would know. No-one would know, and that is an absolute disgrace and it is one of the reasons why we as a party have put on the table a plan to fix the backlog in country capital works by ensuring that all money raised in local communities is spent in those communities, that we act with urgency to address higher risk repairs and maintenance at country hospitals, that

we implement a country hospital capital works renewal strategy and that we develop arrangements to retain part of the private patient income to local hospitals for the benefit of local services.

We have a plan on the table for country hospitals in South Australia. At the next election, in March next year, South Australian people in country areas will be able to decide between a concrete plan that we have put on the table and the fact that they have got a city-centric government that has offered them nothing in the 2017-18 budget.

Mr WHETSTONE (Chaffey) (11:59): I rise to support the original motion put forward by the member for Mount Gambier, which refers to the ambulance services in regional South Australia and the poorer health status of South Australians living in our regions. When referring to regional ambulance services, many South Australians might remember the state government's decision that SA Ambulance Service's ambulance cover would no longer cover interstate ambulance services. This is relevant to the member for Mount Gambier and his electorate. It is also very relevant to the electorate of Chaffey because we are on the border of Victoria and South Australia. This decision was met with outrage by all people living close to the border.

People from both sides of the border travel over the border; they shop, they play sport, and some go to school across the border. Many people depend on the ambulance service if they are in a workplace. A lot of businesses and farms are situated on both sides of the border, and not having ambulance cover that was relevant on both sides of the border, was absolute nonsense. To the credit of the state government, they backflipped and reversed that decision. It was good news. Every farmer, sportsperson and community member breathed a sigh of relief because it would have potentially meant they would have to pay for two lots of ambulance cover. As the member for Mount Gambier said, ambulance cover is much more expensive in South Australia than it is across the border.

There are regional health challenges. I have seven hospitals in the electorate of Chaffey. A lot of those hospitals are slowly being downgraded, and staff numbers and services are in decline. We are seeing a lot of those hospitals being turned into retirement villages, nursing homes and the like. I have to congratulate the small communities that raise money through raffles, fundraisers and bequests. People depend on regional health services. People put up their hand and say they are going to help their community, not only by raising money but also, on behalf of their family, by bequeathing money to make sure those hospitals remain relevant.

Reflecting upon the $41 million upgrade to the Berri hospital, that was a great addition to the Riverland and the Mallee, but it was met with some resistance. The $41 million soon turned into just over $36 million because, all of a sudden, the government said that they had found savings in the tender process. Builders became desperate because of the downturn during the drought. I asked the government, as I asked the minister at the time: where are the savings? Show me where the savings are. He could not tell me where those savings were. So really it was an upgrade, but it was a downgrade with the budget. We still missed out on the community health service upgrade and the hydrotherapy pool service that was meant to be put in place.

It was a sad indictment that the government saw fit to downgrade a hospital upgrade for the sake of a budget that they would rather put elsewhere. As the member for Schubert said, the recent South Australian budget saw absolutely nothing go out to the regions—not a cracker—yet we see the election looming. The now deposed health minister all of a sudden had to backflip on the Transforming Health initiative. We have seen services upgraded, reinstated and put back in place to the tune of over $1 billion. I think it is outrageous that we can see that happening in Adelaide, a one-city state, by a government that seems to represent the city and forget about the regions.

There is a lack of transport in the regions and little capacity to get to these hospitals unless you are in the back of an ambulance. There is no public transport in most instances. Luckily for the Riverland, the Red Cross has taken over the Medical Bus transport service from the Berri Barmera Council. We have regional health patients dealing with the PAT Scheme. The online PAT Scheme has presented challenges. In the recent transformation going online, it is clunky and hard to use. It is a terrible system. People who are computer illiterate cannot use it. We have issues with access to the internet. People have all sorts of issues when trying to deal with the PAT Scheme. We have doctors speaking out against the PAT Scheme because it is very, very hard to use. As I said, it is a very clunky system that is not user friendly.

The online system is unreliable for patients to put in their claims. It is also unreliable for GPs and specialists who refer patients through the PATS online system. The subsidy system is too complicated and needs to be replaced with a much simpler process, something that is easy to use; an indexing system could be the way to go. There are limitations in subsidies for youth and unemployed patients.

The complexity of PATS does not really help them; it deters them from using that PAT Scheme, which really is a sad indictment. One particular doctor at the Loxton and Districts HAC advised the regional health inquiry committee that it was a challenge to use the PAT system online and he had doubts that it was any easier for either patients or consulting specialists to use. He said:

> The process for a GP…I found laborious and difficult, even for me, let alone for a patient trying to go online and work out how to submit a claim. It also requires a specialist that has seen the patient and then also registered online to be a provider of PATS information. I can't see any specialists being bothered to do it…

Coming back to the focus on the health system in the Riverland in recent years, we had an operating theatre at the Waikerie hospital noncompliant. The operating theatre was noncompliant because of an air conditioning unit not working. We had doors that were not compliant, yet SA Health said, 'Well, we're not paying for it. If you want to fix up your operating theatre, you find the money yourself,' so they did.

The community came together and raised the funds ($140,000) to upgrade the air conditioner and upgrade the doors so that they could keep that operating theatre in operation, because we know that once any part of a hospital or any part of a community services becomes noncompliant it very rarely ever gets back up again. Congratulations go to the community of Waikerie. They stepped up and they got that upgrade up and running, and they still have their surgery. If we look at Loxton, we see the same thing. They had an upgrade to the call bells and the bathrooms at their hospital. They were told, 'No, we are not paying for that.'

These issues were noncompliant, yet Country Health, through SA Health—and I am sure that was all part of Transforming Health to save money—said, 'We are not paying for these upgrades.' However, I thank the minister, who backflipped and ended up coming good with some of the money for those upgrades. I want to talk about the Marshall Liberal team's recently released welcome health policy, which recognises the need for local communities to have a stronger input into local health service decision-making and being able to spend their own funds on their own hospital in their own time.

This motion is about ambulance services in regional South Australia, and I commend the volunteers and the paid ambulance officers for the great work that they do. It is not an easy job, particularly in regional South Australia. I have also heard of ambulance officers saying that they could not take critical patients in an ambulance on the Browns Well Highway. The reason they cannot take ambulances there is that the patient would be bounced around that badly in the back of the ambulance that it would be unsafe for an ambulance to travel on that 20-kilometre section of road.

When the ambus pulls up at the Berri regional hospital, I have heard that there are no extra staff and no extra doctors. These nurses and doctors are having to work in their own time to be able to deal with the onslaught of these people coming in, so it really does make you wonder. I want to commend the great work that ambulance officers do, both volunteers and paid staff. They attend sporting functions, they attend community events and they do a great job. They do a great job to keep our country communities intact and safe, delivering them in a medical emergency. I commend the original motion to the house.

Mr VAN HOLST PELLEKAAN (Stuart) (12:10): I rise to support the member for Mount Gambier in the unamended motion. It reflects very poorly on the government to come in here and use their numbers to change the intent of motions from opposition and other members of parliament. The member for Mount Gambier has done a great deal of work with regard to the issue of ambulance cover for South Australians when needed interstate. He represents the highest number of constituents within South Australia very close to a border.

Of course, many of us have the same issue with our constituents. The electorate of Stuart, which I represent, borders three states, as does the electorate of Giles. The electorate of Chaffey has a very high population very close to the Victorian border. This is an issue that affects all of us

and is very important. The government did backflip and, as often happens here, the opposition knows that it contributed to getting the government to change its mind, which is a positive thing. I am sure the government knows that it saw that what it was considering doing was not the right thing to do, so the government did the right thing and changed its mind. It actually does not really matter; we did get a result.

What I want to say is that we got a temporary result. We need to get this issue fixed permanently, and there are some other issues with regard to ambulance officers that are very important. We get extraordinarily good service from professional and volunteer ambulance officers across our state, but it is getting harder and harder to get volunteers to step up to do it. That is true in general across a whole range of work in community areas, but it is harder than it needs to be with regard to ambulance officers.

I know an enormous number of volunteer ambulance officers as friends and as constituents. They come to me regularly. The most recent time, by coincidence, was an email from a friend and volunteer ambulance officer in Jamestown saying that they have such a small corps of people that, as they cannot get more people up, trained and qualified as volunteers, the small group already there is getting burnt out way too fast. She was saying to me, 'We just can't keep going this way.'

It is unfair on the existing volunteers, and it is unfair on the volunteers who are trying to get trained, and there are some good people who have stepped up and who have offered their services, skill, free time and that sort of thing. They are finding it so cumbersome and so difficult to get through the training process, and one of the reasons is that it is hard to get a training course made available in a regional area if there is not a sufficient number of trainees who are going to attend.

If you are in an area where the population is low and it is hard to get volunteers anyway, of course it is going to be very hard to get the sufficient number to run the course, and then you have actually turned off those few who are willing to participate. They go away and say, 'Gee, I would like to, but it's going to take me two or sometimes three years to get through this training, so what is the point?' Quite understandably, the person says, 'Maybe I will offer my time, skill and capacity in another area instead.' You cannot blame them for that. They are the reasons why we are low on volunteers.

There is another thing that puts volunteers off, and I have to say that I continue to be very angry about this issue. It used to be that volunteer ambulance officers in regional areas could come to an agreement with a local community organisation that was running a significant event, an event of the size or type that meant it was appropriate to have volunteer ambulance people, or any ambulance people, available on site.

The local ambulance station, full of volunteers, could come to an agreement with the local community organisation that might be running a rodeo, a significant concert, a motorsport event or something like that, and they would say, 'Don't worry. You need ambulance here. We will come and we will bring our ambulance. We will be there for the entire event as volunteers and, in return for that your community event, will donate some money back to the ambulance to help with our training and equipment and to help us do a better job as volunteers.'

Only a few years ago, the government stopped that. The government said, 'Oh, no, we're not having this anymore.' The government said that any donation that goes to ambulance cannot go from the local community group to the local station. The money must go into SAAS centrally and then SAAS will decide if ever it wants to distribute it back out. So, guess what? Those volunteers in the local town, who were prepared to give up their whole afternoon and evening to be there in uniform with their ambulance to offer the support that was needed, say, 'What for now? We're happy to help, but this is a community fundraising event.'

I am talking about not-for-profit community events where the money goes back into the local community, but the government and SAAS have prevented any of that money going directly back into the volunteer ambulance station that provides the service that allows the event to proceed. It is a ridiculous and crazy situation. It must be addressed and it is having a seriously negative impact upon people's willingness to volunteer because they are asking, 'What for? We want to do this because we want to look after our community, and there has been a way to make it all go around so

that everybody got a benefit.' The money from the community event would allow the local branch to do a better job over time, so that is something that absolutely must be addressed.

There are many aspects of the member for Mount Gambier's motion I would like to address, but in the short time left let me touch on a few country health issues. I was alarmed to learn a statistic about seven years ago that the difference in average life expectancy between metropolitan people and country and outback people was 17 years. That is an alarming statistic. It is also worth putting on the record that at the time it was the same difference in life expectancy between Aboriginal and non-Aboriginal people in our state, and that is unacceptable as well, completely unacceptable.

What I was so surprised about at the time, knowing the statistic as it related to Aboriginal versus non-Aboriginal people, was to find out that metropolitan versus country statistic at the time was the same number. Both those statistics are completely unacceptable and neither of those statistics have improved significantly in the last several years and that is a great shame on our system. I am not pointing my finger at anybody particularly, but that is a great shame on our system.

Picking up on the comments I heard from the member for Chaffey and the member for Schubert, it does come down to resources. We on this side of the chamber have a very different attitude to the government's attitude when it comes to country health. The government spends an enormous amount of money on health, and I have believed for a long time, and I have said it in this place quite a few times, that the health portfolio is the toughest portfolio, so I take my hat off to the people who step up to take on that job.

It is the toughest of all the portfolios but, when it comes down to picking priorities, the fact that the job is so hard, the fact that the health portfolio is difficult, that the money is so tight, that you cannot turn people away, that you budget for the number of people who might need the care and you cannot say, 'I am sorry we have reached a quota for the month or year,' and that you have an extremely high, in excess of 10 per cent inflation rate in the health industry, all make it tough. What would not be tough would be to give country people access to the support and services that they need in the same way as city people.

I understand that country people will come to Adelaide for care and health, as they always should. We do not do cardiac surgery in the country and I do not advocate that we ever do. Anybody from the country who needs cardiac surgery is going to have to go to the city for that; that is just as it is, and it makes sense. But city people go to the country, too. They have family in the country, they go on holidays in the country and they participate in community or sporting events in the country. Country people deserve as much support as city people do.

The comments that the member for Schubert and the member for Chaffey made are spot on: the share of government funding going to country health services is insufficient and insufficient by comparison with the share of health services that go to metropolitan people. That is an issue that absolutely must be addressed. There are 17 hospitals that the people of Stuart access: Port Augusta, Leigh Creek, Kapunda, Eudunda, Jamestown, Booleroo, Orroroo, Peterborough and Burra, just in the electorate. There are another eight just outside of the electorate of Stuart, which are the closest hospitals to my constituents in Stuart. Their closest hospital is just outside.

There are 17 hospitals that provide tremendous support, but the people who work in those hospitals, as great as they are at what they do, tell me that they are getting worn down by government policy.

Mr BELL (Mount Gambier) (12:20): I would like to thank all the members who have made a contribution to this motion to strengthen ambulance services in regional South Australia. Getting back to the core of what we were talking about, I thank both the paid officers within the Ambulance Service and, perhaps more so, those who volunteer countless hours to being the first responders in some of our regional and remote areas where a paid staff member is not stationed.

I think that some very important points were raised in the debate, and I would certainly like to highlight the member for Stuart's comments about local fundraising going into local ambulance services. That is certainly pertinent to my area and I thank him for those words. With that, I will move that the motion be accepted.

Amendment carried; motion as amended carried.

BOATING FACILITIES LEVY

Mr WHETSTONE (Chaffey) (12:21): I move:

That this house—

(a) acknowledges the importance of having safe and adequate boating facilities across South Australia for boat owners and fishers;

(b) condemns the state government for leaving $8.6 million of the boating facilities levy unspent in 2015-16; and

(c) calls on the state government to reduce the co-contribution to access funding from this collected levy to enable more money to be spent on improving boating facilities.

I am sure that many people in this chamber enjoy boating, fishing, being a tourist, pleasure craft and being a part of any form of waterway. It is just a great experience. Some people do it for pleasure, some people do it for an occupation and some people do it because they just like to do it.

I was almost born in a boat, grew up in a boat, competed in a boat and fished in boats. It is one of the great passions of life, as far as I am concerned, but this is an important motion for all boat owners and fishers. As I said, we do need safe boating facilities. They are vital anywhere, but more importantly here in South Australia, and it is not only for locals but for the visitors who use the coastal and inland waters. It really does support and create a massive economy, and it is important that is noted.

Under section 90 of the Harbors and Navigation Act 1993, the South Australian government collects the facilities levy from almost 60,000 boat registrations paid by recreational and specified commercial boaters. There are approximately 300 boat launching facilities across South Australia. There are more than 55,000 recreational vessels currently registered in South Australia and more than 140,000 licensed vessel operators. Close to 3,000 new boats were registered in the 2014-15 year. There are also about 305,000 South Australian boat licence holders.

Public boating facilities are generally owned and maintained by councils, although DPTI does own some of that infrastructure. The boating sector plays a particularly important role in tourism and outdoor recreation. South Australia's boating population is growing, and it is growing at a consistent rate, which I think is really important to note. Its consistent growth is about 3 per cent per annum, with more than 5,000 kilometres of coastline, vast gulfs, shallow inlets, inland rivers and waterways within South Australia to support that diverse range of recreational and commercial boating pursuits, including fishing, bluewater cruising, inshore water sports and, of course, the tourism industry that thrives when it comes to any form of boating activity.

The provision of high-quality infrastructure facilities and access for recreational boating enthusiasts is imperative for the state's tourism, attraction, environmental protection and wellbeing in coastal and river communities. I note that as of 30 June 2017 there was $7.95 million in the boating Facilities Fund. That is a slight decrease from 30 June 2016. However, that is nearly $8 million sitting in the Treasurer's bottom drawer. That is money that has been collected from the taxpayer. Essentially, the Treasurer is double-dipping on this money. Not only is he collecting the levy for a reason, for a purpose—to make boating better and safer, to attract an economy, to grow our economy in South Australia—but he is also using it for the budget bottom line. Again, it is the taxpayer being used for the benefit of the Treasurer.

By way of background on how the levy is collected, the facilities levy is collected on the registration, inspection or survey of vessels. Levy moneys are used for establishing and improving boating facilities on South Australia's coastal and inland waters, including boat ramps, temporary mooring facilities or wharves, channel improvements, aid to navigation and the 24/7 emergency VHF marine radio services. Local councils and large community organisations can apply for funding contributions from the fund towards eligible projects, provided that a commitment is given to accept an ongoing ownership, operation and maintenance of that facility.

Funding assistance is usually provided on a dollar-for-dollar basis. It is a 50 per cent co-contribution of that total project cost. The facilities levy currently ranges from $30 for recreational vessels, comprised of personal watercrafts, and normally increases for every extra metre of the boat length, so commercial vessels obviously pay the majority of the levy. What are we actually getting

for that levy? As I say, we are not getting enough because it is the taxpayers who are paying another tax on their registration, and they are looking for the support that they need. They need safer boat ramps, they need safer navigational aids, they need better reasons to attract people and they need better reasons for people to go out and purchase a boat.

At some point in my life, I have used the majority of boat ramps in South Australia. With a safe boat ramp, it is easy to launch, it is easy to navigate and, particularly if you are coming in at night, it is safer. I have also launched on some very dangerous boat ramps, and Marion Bay and Elliston are great examples. Many of these boat ramps deal with ocean swell, they deal with rough water and they deal with almost no lighting, so it really does come down to putting people in danger for the sake of withholding the spending of that money.

What do we need to do? I know that in my electorate in the Riverland we have a high number of boating facilities. I acknowledge that there have been a number of local councils accessing that boating facilities money in recent times. It was great to see the Qualco Boat Ramp and the Rilli Reserve Boat Ramp completed and a long-awaited $1.2 million project at the Berri riverfront considered. That money gave us the opportunity to attract events, to attract people and to attract tourists. Once upon a time, when tourists came to the Riverland they would look at a boat ramp that was slippery, dangerous and people would not bring a boat.

They would either bring their caravan or they would just come and stay. But now, if they bring a boat they normally stay longer, they spend more money, they go to the tackle shop, they buy bait, they put beer or drinks in their esky and they might even put a meal in there and go up the river and stay there for the day. It is about stimulating the economy. It is a great way to build South Australia's economy. It is about bringing money from someone else's economy, interstate or out of town, into a local economy and helping that community improve their bottom line.

We look at other current projects, such as Milich's Landing in Loxton. I do note that since its inception, the Marine Facilities Fund has provided $24 million in contributions towards boating facilities around the state. It really is a great outcome, but we are not seeing enough of that money flowing into facilities to make them safer, to make boating easier and better, and to stimulate people to go out there and upgrade their boat, fill up their tacklebox with new tackle and buy more bait, and drive to a destination with their family. It is about stimulating our economy.

In relation to the $8 million sitting in the government coffers, there could be much more spent. We will only find that out if we elect a Liberal government, because we are going to reduce that co-contribution. We are going to make sure that that money is spent. We are going to give everyone an opportunity—every community, every council, every boating facility—to exacerbate what we would like to see. We would like to see safety concerns addressed and easier use for our boating facilities.

As I have said, if there is a reduced co-contribution incentive to spend that money, it is a great initiative and great outcome for an economy that is begging. It is biting on the heels of the South Australian economy to improve. We know that we have many thousands of recreational fishers and many boat owners. How do we encourage them to spend more money? It is about providing better facilities and making sure that boating is a better experience. Reducing that co-contribution will stimulate people to spend money. It will incentivise councils to put up more applications to improve facilities, and build new and safer facilities.

The District Council of Loxton Waikerie's Boating and Riverfront Facilities Plan 2015-2023 outlines priority projects. This is just one example of what could be achieved in South Australia. Some of these upgrades or projects—they are going to be done over a number of years; they are not just going to happen in one year—include the Daisy Bates Boat Ramp in Loxton, the Paisley Boat Ramp at Blanchetown, the Kingston on Murray Boat Ramp, the Waikerie Lions Park Boat Ramp, the Holder Boat Ramp at Waikerie, Loxton Aquatic Club Boat Ramp, the Waikerie Boat Ramp on Edgar Bartlett Drive, and the Ramco Boat Ramp. The riverfront projects include the Habel’s Bend Riverfront, and the Waikerie Riverfront at Peake Terrace.

We have seen a long overdue relocation of a caravan park at Waikerie. I congratulate the private investors and the council on making this happen. We are now looking for upgraded boat ramp facilities to complement that caravan park so that people will bring their boat, so that they will go to

the tackle shop and buy bait, and spend money in the local shops. This will ensure the boat ramps are utilised, as well as the local shops. As indicated in the plan, the council simply does not have the annual budget for these upgrades.

This Liberal initiative will reduce the co-contribution and make it easier to achieve these facility upgrades. It is about incentivising. This is one example of a council area that can have that money stimulated and spent. With similar scenarios across the state, the projects are out there, but it is about incentivising councils and private enterprise to come in, put forward their money and make boating better and safer. The financial burden on the councils needs to be stimulated. We need to spend more of money that is collected.

Obviously, when the councils take over these facilities, they have to maintain and upgrade them. They have to keep the lights on. They have to make sure that the pontoons keep floating. They have to make sure that these facilities are attractions that bring people to the regions. That is why we see parking meters at boat ramps. That is why we see a co-contribution: to make sure these upgraded facilities are part of a great tourism experience.

They are part of helping the commercial sector and the commercial sector is chipping in. It is not about looking for free rides and it is not about looking for money for nothing. It is about everyone co-contributing and making sure that more people have this great experience. It is about making more people want to buy a boat and making more people get into a boat knowing that they are going to be able to catch a fish and will be able to experience what I have experienced all my life.

The member for Colton is an avid fisherman. I know he spends a lot of time on the beach and on the jetty, and I am sure he would never ever knock back any opportunity to get his backside into a boat. I know the member for Flinders is not an absolute fisherman, but he does enjoy a boating outing. The member for Mount Gambier himself has a passion and that is to be by the sea and to go out there. The member for Mount Gambier has a different experience. Whenever he goes out fishing, he brings back crayfish: when we go fishing, we bring back King George whiting. We all have these different experiences.

The strategic plan recommendations must be reviewed by government. I am calling on the government to look at reviewing the 50 per cent co-contribution, to spend that money wisely but to make sure that the money is spent, so that we can actually stimulate an economy and make sure that every South Australian has the opportunity to get out there, catch a fish, enjoy a ski in the river and enjoy a boating experience. I say to everyone in South Australia that there is no better experience than an experience on the water.

I have been an avid fisherman, an avid recreational diver and a recreational waterskier. I will not say that I have been a professional waterskier, but I had the honour of representing South Australia for 25 years. I had the exceptional experience of representing Australia for five years, and it was all about good boat ramps, good experience and being safe on the water. I commend this motion to the house and I look forward to contributions from other members.

The Hon. P. CAICA (Colton) (12:36): I do not want to be disrespectful to the member for Chaffey, but I could not quite comprehend the logic, if there was any, in his contribution. I will explain that a little bit further as we go along, particularly the areas where he talked about reducing the contribution and incentivisation and those types of things. To me, again without being disrespectful, it did not make any sense and I did not understand it. I might have to go back to the *Hansard* to find out what you were actually saying and, more importantly, what you were meaning by what it was you said.

There were many things I did agree with the member for Chaffey on; that is, boating makes a significant and important social and economic contribution to South Australia through both the commercial and recreational fishing industries. That of course includes tourism-related activities, just as the member for Chaffey was talking about. I would like a dollar for every time I have gone down to the bottom of Yorke Peninsula to catch salmon that you can buy for 99¢ from the fishmonger. I have used two tanks of petrol, I may have used a carton of beer and I have certainly bought food along the way, all these types of things. I have spent several hundred dollars along the way to catch not even an esky full of salmon that I could have bought for 99¢.

There are many people around South Australia who do that. Having said that, I do like the taste of fresh salmon. There is nothing wrong with them and anyone who does not like them does not really like fish, but it is about the experience, and that is what the member for Chaffey was speaking about—how this all contributes to the economic wellbeing of our state. That economic wellbeing can be further enhanced by making sure that we have fish there for people to catch and also that we have facilities and resources in place that enhance that experience and make it more popular for people to undertake those activities.

For many of our regional coastal townships, marine activities form the economic lifeblood of the community. I am very pleased of course that, contrary to those opposite who thought that the introduction of marine parks would destroy that, it has not at all and it is still booming and going very well. There are approximately 60,000 vessels currently registered in South Australia, and the number of people with boat licences is growing at a rate of over 3 per cent per annum. I am glad to say that I am a card-carrying member of that group that has a boat licence. The state government recognises the growing popularity of boating and continues to invest in new boating facilities and supports ongoing maintenance of marine assets, and it is critical that we do that.

As the member for Chaffey said, since 1996 the South Australian government has been collecting a facilities levy from boaters. The money is being used in partnership with councils who co-contribute—and I will focus on the co-contribution a little bit later—for the maintenance of existing facilities and providing, of course, for new boating facilities where that can be undertaken. This ongoing investment helps to improve boating safety, access ramps, wharves, navigational aids and enables communications through the marine radio network.

As was the case with the member for Chaffey, the government believes having safe and adequate boating facilities across South Australia for boat owners and fishers is a key and very important and critical component of having this industry in place. The Facilities Fund, established under the Harbors and Navigation Act 1993, raises approximately $3 million per year. Is that enough? Maybe there are other ways by which we can collect more money into the future, but I am not here to discuss that today, and I most certainly will not be here to discuss it this time next year because I will not be here.

The expenditure of the fund is administered by the Department of Planning, Transport and Infrastructure. The fund's balance at the end of the 2015-16 financial year was $8.613 million. I think the point that the member for Chaffey was making was that that money ought to be expended and ought to go out as quickly as it comes in—I am paraphrasing here—but it certainly should be spent. In doing so that would reduce, if you like, the requirement or incentivise (I think were the words used) a greater level of money being sought. But I cannot see how that will occur if you reduce the onus on councils and others to co-contribute for the money that is being taken out of that particular fund, and $8.613 million is not a lot of money. I hardly think that hypothecated fund is underpinning and propping up the budget as was asserted by the member for Chaffey. That is not the case and it is quite laughable.

Mr Whetstone: Spend it then.

The Hon. P. CAICA: I will get to why it is there and how it will not be there for much longer. The funds expenditure is already committed. This is the point: the $8.613 million is already committed. I know, Deputy Speaker, that you might know that to be the case, but if you do not I certainly know the member for Schubert would because he knows everything. From the member for Chaffey's perspective, what I say is that money is already committed and that is why we are opposing this particular motion.

The funds expenditure is already committed to approved council boating infrastructure projects that are currently underway and a further commitment has been made for navigation aid upgrades over the 2017-18 and 2018-19 financial years. The perception that there are millions of dollars available for further applications for the fund is absolutely false.

Mr Whetstone: Rubbish.

The Hon. P. CAICA: He says, 'Rubbish.' I am telling the member for Chaffey and the chamber what the facts are, not the nonsensical if not illogical assertions that were made by the

member for Chaffey about how we would incentivise and stimulate through a different form of use of this funding. It just did not make sense to me. As I said, I know Hansard are pretty good people in making us sound better than we really are when we speak, but I cannot see for the life of me how you are going to change this to be accurate on his occasion.

The perception that there are millions of dollars available for further applications of the fund, as I said, is false. Typically, the fund contributes 50 per cent towards the cost of boating infrastructure projects where the facility is owned, operated and maintained by councils or other statutory authorities. This has been the contribution recommended by the SA Boating Facilities Advisory Committee, who assess the applications on their merit and make funding recommendations to the minister. This particular committee is made of people involved within the boating industry and, I presume, those other people from regional South Australia who have their finger in the pie in this particular industry.

The level of co-contribution is not fixed by the legislation, but the SABFAC has historically determined that this level is the most appropriate, as it ensures that funding can be allocated to multiple locations and projects and that councils have maximum commitment to the ongoing operation and maintenance of the facility. As opposed to what was being said by the member for Chaffey, the fact is that when this money is used it is the incentive for councils to co-contribute to that. That is where the incentivisation comes from.

A strategic plan for boating infrastructure is being developed which defines priorities going forward and provides a framework for the SABFAC to assess future project funding applications. The member for Chaffey also rolled off, I do not know, it might have been 10, 15 or 20 boat ramps in his area that could do with some upgrades. Of course, it is a competitive process, and the money that is collected is not enough to address every boat ramp. It needs to be undertaken in such a way that those commitments to funding are prioritised, and prioritised by an organisation or a committee that recommends those to the minister.

The approved expenditure from the fund is at a rate of $1.05 million per year for contributions to boating infrastructure projects in addition to the navigation upgrades of $1.1 million per year to 2017-18. The 2017-18 state budget identifies a further $9.3 million over two years for marine facilities, including upgrades and repairs to a number of jetties. I am pleased that, after 16 years of trying to get a decent upgrade for the Henley Jetty, that will be done. In my retirement, I will be able to walk down the jetty with my crab nets on a jetty that is in far better condition than is at the moment. It is safe, but it could be improved.

I will get back to how I want to finish off, Deputy Speaker, if I can. The member for Chaffey says that he wants to see the co-contribution reduced, that we should be using the money that we already have and that by using the money that we already have that in some way is going to incentivise others to co-contribute, bearing in mind that, on one hand, he is talking about reducing the co-contribution. Again, it did not make sense, and the analysis of how to stimulate it did not and does not make sense to me. I do not understand it.

The best way is to continue to incentivise councils to make sure that the committee puts forward proper and appropriate projects to the minister for his consideration, which will then have money expended on those projects from the fund that is available to council on the understanding that they and their community, and indeed all South Australians, are getting a good outcome out of the work being done with the money that is co-contributed to by the council.

The debate might be: is there enough money being collected and are there other ways by which we can collect it? Indeed, if the member for Chaffey gets into government, he might use general revenue to do that. I do not know, but I think it is a debate worth having. I look forward, in my retirement, to following that debate as it unravels into the future. We will not be supporting this particular motion in its current form.

Mr BELL (Mount Gambier) (12:46): I rise to make a brief contribution in support of the member for Chaffey's motion that this house acknowledges the importance of having safe and adequate boating facilities across South Australia for boat owners and fishers. In the South-East, we have 165 vessels located along the Limestone Coast, so obviously boating is very important not only recreationally but also from a professional point of view.

I would like to commend the rock lobster fishermen, who contribute significantly to our region. The season began just a couple of weeks ago, on 1 October, and will stay open until the end of May. For the eighth consecutive year, the total allowable catch for the southern zone rock lobster fishery is set at 1,245 tonnes. The state rock lobster industry generates around $300 million in economic activity each year, directly supporting regional and coastal communities and generating about 1,300 full-time equivalent jobs.

I would like to highlight the impact of an upgraded boat ramp. About two years ago, the Port McDonnell boat ramp was upgraded with a contribution from state, federal and local government. It was an upgrade of around $2.3 million. Since that time, we have seen a 15 per cent growth in tourism in the area. A large part of that is in response to the boat ramp and the foreshore upgrades that were included in the upgrade. The boat ramp was widened to four lanes and was able to accommodate large commercial as well as recreational marine vessels, doubling its capacity as well as making it safer and quicker for boaties to get out.

There were two floating concrete pontoons added to the boat ramp to allow for the handling of heavy tonnage that comes in through the professional catches. As Port MacDonnell is a gateway to South Australia from a water point of view, as I said, it has seen an increase in the growth of usage, as well as tourism in the area. That is the type of thing that putting this fund to good use can actually do. It has a great spin-off in terms of income and revenue coming into regions.

I would like to encourage other areas, whether it is the Glenelg River, Beachport or Robe, to continually look at—they do have very good boat ramp facilities—improving those facilities for recreational use. I commend the member for Chaffey for bringing this motion to the house and fully support the notion that co-contributions and spends on these types of facilities have a positive impact on the local economy. With that, I conclude my remarks.

Mr PENGILLY (Finniss) (12:51): I would suspect very obviously that I have absolutely no hesitation in supporting the motion of the member for Chaffey. The fact is that my electorate has boundless kilometres of coastline, extending from Sellicks Beach right around the Fleurieu to Middleton, as well as 500 kilometres of coastline around Kangaroo Island, so boat ramps is a matter that is pretty dear to my heart and to my constituents' hearts.

Firstly, let me say that there has been substantial work done on the Victor Harbor boat ramp in particular. However, there has been a strong push for a number of years to have additional facilities put in adjacent to the causeway and, indeed, to have a marina. The late Mike Westley was a very strong advocate of this, and there are a number of people in Victor Harbor who are keen to have it for a variety of reasons, not the least being the sea rescue people.

On the island, there has been a demand for boat ramps for a long time. Emu Bay has been struggling for about 30 years. There is a push for the boat ramp not to be done by some who do not want more people using Emu Bay. In a nutshell, I am very supportive of the member's motion and urge the house to endorse it.

Mr PEDERICK (Hammond) (12:52): I rise to support this motion by the member for Chaffey, which in the first part acknowledges the importance of having safe and adequate boating facilities across South Australia for boat owners and fishers but also condemns the state government for leaving $8.6 million of the boating facilities levy unspent in 2015-16. This has been an ongoing issue for years with boating facilities funds.

I obviously have many, many kilometres of river in my electorate, from Goolwa right through to Bow Hill. I have been given various reasons over time as to why these boating facilities funds are not spent. One reason, which went on for at least 18 months, was that they did not have gender equity on the board. Gender equity is fine, but to hold up boating facilities because they could not fill a board position, no matter who they needed on that board, I find ridiculous, to be frank. I find it ridiculous that that happened in that instance.

The member for Colton asserts that the money is allocated. Why was it not allocated in the year it should have been spent? That is the question. This is the frustration for the Boating Industry Association, for boaties right up and down the river and around the coast and for councils and communities: that these funds, which are taken from boat users, are locked up and not made

available for facilities that are crucial so that people can enjoy their recreational pursuits along the river and out to sea. It is a real frustration that this money is not spent in a timely fashion. It is another excuse the government uses to store up their budget, having a bit more in the coffers. I certainly commend the member for Chaffey for bringing this motion to the house, and he has my full support.

Mr TRELOAR (Flinders) (12:55): I rise today to support the very excellent motion brought to us by the member for Chaffey:

That this house—

(a) acknowledges the importance of having safe and adequate boating facilities across South Australia for boat owners and fishers;

(b) condemns the state government for leaving $8.6 million of the boating facilities levy unspent in 2015-16; and

(c) calls on the state government to reduce the co-contribution to access funding from this collected levy to enable more money to be spent on improving boating facilities.

Each and every one of the contributors from this side of the house has talked about, amongst other things, the importance of boating in their particular electorates. There is no doubt that, on Eyre Peninsula and the West Coast, with that vast coastline—not too many inland waterways, member for Chaffey—it is a very popular pastime for local residents to go to the beach and fish. Often a family has a shack at whichever bay is closest, and there are also many thousands of visitors who come to Eyre Peninsula each and every year, often with their boats and, if not, then at the very least to do some fishing.

The facilities that we are able to provide for these visitors and regular fishers are so critical to their experience. It does not need to be too difficult. We are very conscious of making tourism the third spoke in a very important regional economy. Primarily, we produce agricultural products and seafood products, but that tourism factor is one that we can really work on and build on. We need to make it a very attractive and user-friendly situation.

The state government collects boating facilities funds on top of every registration, inspection or survey of vessels for more than 55,000 recreational boating vessels across South Australia, which use approximately 300 boat launching facilities in South Australia. The facilities fund is used for establishing and improving boating facilities in South Australia's coastal and inland waters, including boat ramps, temporary mooring facilities or wharves, channel improvements, aids to navigation and 24/7 emergency VHF marine radio services. The facilities funds also contribute to the 277,000 or thereabouts recreational fishers in this state, many of whom fish from jetties or boats.

That is a very large number of recreational fishers. It is always hard to put an exact number on it. I know there are at least three in this chamber at the moment. It is a very important part of our leisure time in South Australia. I would just like to talk briefly in the remaining moments about another issue that is related, and that is in Port Lincoln where a group known as the Tacoma Preservation Society have been looking for a long time to secure a permanent mooring or berth for the *Tacoma*. The *Tacoma* is an iconic vessel in Port Lincoln and within the tuna fishing industry because it was really from that vessel that the tuna industry was founded out of Port Lincoln.

It was built in Port Fairy in Victoria and sailed by the Haldane family across to Port Lincoln because they heard that there were fish at Port Lincoln. The rest is history, as they say. They went fishing from the *Tacoma* for bluefin tuna and, amongst other things, went prawning and were involved with some other fishing along the way. The industry we see today is very much a result of the initial efforts of the Haldane family and the vessel they fished from. I am a great supporter of local history and recognise that this is a very important vessel. I think it is a priority to find a permanent home for this wonderful wooden boat.

We have not managed to do that yet, but I suspect that we will eventually. Of course, there are a lot of parties involved in any discussion. It is not always easy to reach a resolution, but with so much money sitting in the boating levies fund—I think we are up to about $8.6 million, and $3 million is collected annually—there is absolutely no point in the government continuing to hoard this money just for the sake of having funding sit idle in a bank. My suggestion is that it not just be used for jetties, boat ramps and all those things, which are very important, but also just occasionally there is another very important use for some of this money as well.

Mr WHETSTONE (Chaffey) (12:59): In closing, I thank all the speakers for their contribution to this motion. I would like to update the member for Colton. I think he has had his head in the bait bucket for too long, because the boating levy has not been spent. In 2014-15, there was $6 million; in 2015-16, there was $8.6 million; and in 2016-17, there was $7.9 million. It is funny how the government could be spending that money in the 2017-18 year, funny about an election coming up.

The DEPUTY SPEAKER: You need to wrap up your remarks.

Mr WHETSTONE: The Liberal Party policy minimalises the co-contribution to a maximum of 20 per cent to assist councils—

The DEPUTY SPEAKER: It is 1 o'clock. You need to wrap them up.

Mr WHETSTONE: —and I thank everyone and commend the motion to the house.

Motion negatived.

Sitting suspended from 13:00 to 14:00.

Condolence

LEWIS, HON. I.P.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (14:01): I move:

That this House of Assembly expresses its deep regret at the death of the Hon. Ivan Peter Lewis, former member and Speaker of the House of Assembly, and places on record its appreciation of his long and meritorious service, and that as a mark of respect to his memory the sitting of the house be suspended until the ringing of the bells.

On 26 September 2017, South Australia lost one of its most individualistic former parliamentarians with the passing of the Hon. Peter Lewis. He lived a colourful, eventful life. Over a period of more than 26 years, he served his constituents with remarkable energy and intelligence, and in this chamber as a member and then later as Speaker, he was quite often the source of controversy and at the centre of pivotal events. Mr Lewis's approach to this parliament and his work as an MP were outlined in the opening paragraph of his first speech on 19 February 1980. Here is what he said:

I come here to make improvements, not friends; to make decisions through consultation, not confrontation; to promote understanding and insight, not antagonism and acrimony; and to represent people, not institutions or organisations. I have been honoured with the responsibility of representing the electors of Mallee. My first responsibility, then, is to the electors of Mallee, and my commitment is to the philosophy of the Liberal Party, to which I owe my allegiance, and give it gladly.

Today, we remember Peter Lewis and honour his achievements. I am very pleased that we do so in the company of family members in the gallery to whom I extend my deepest sympathies.

Ivan Peter Lewis was born in Gumeracha on 1 January 1942 and he had nine siblings. He was educated at Paracombe Primary School, Urrbrae High School and Roseworthy Agricultural College. On graduation, he took a job with the then department of agriculture so as to apply science to horticulture. Other jobs followed: shearing sheep, marketing onions and growing strawberries before he became a consultant.

Mr Lewis joined the Liberal Party in 1968 and unsuccessfully contested the seat of Coles in 1975. His desire to enter parliament, which he did in 1979, was in part fuelled by frustration, once telling a journalist:

…as a management and marketing consultant, I got fed up with trying to get MPs to understand the effect their laws were having on businesses—they didn't understand or didn't care.

His knowledge of his electorate, which was at various times Mallee, Murray Mallee, Ridley and finally Hammond, was encyclopaedic such was his capacious mind and attention to detail. He was a member of or associated with all manner of local organisations, everything from sporting groups to the Caledonian Society to the Tailem Bend Rotary Club. He also seemed to know every square inch of his region, its industries, its geographies, its water, its crops and especially its people. He likened the electors of Mallee and 'country people generally' to a eucalyptus tree:

> They are tough, drought-resistant and determined people, storing away the proceeds of the bounty of harvest in good years so that they can survive in the bad years and spring back to life again quickly, even after disaster strikes.

Mr Lewis was renowned for his hard work, for his capacity to operate with very few hours of sleep, for his ever-active and creative mind and for his willingness to challenge and question his parliamentary colleagues. In 1984, the Hon. Rob Lucas MLC was quoted in the *Sunday Mail* as saying the following about the member for Mallee:

> Every party room needs a Peter Lewis. He's a lateral thinker and puts new light on old problems. Sometimes his thoughts are accepted, sometimes they're not.

Over the years, Mr Lewis made some rather unusual speeches and detailed some of his activities overseas as an aid worker. This included his revelation in this place in February 1993 that he carried out a mercy killing in Thailand in the 1960s after a colleague was severely wounded by guerrillas. I can remember in the aftermath that whenever anyone was feeling a little bit unwell or queasy they quickly reminded Peter that they were absolutely fine and that there was no need for remedial action.

Over time, obviously tensions between him and his Liberal Party colleagues intensified and he became the Independent member for Hammond in 2000. Mr Lewis played a central role in probably one of the most dramatic days (a day on which I won a bet actually), a day of long-term and continuing implications in the recent history of this parliament, and that was of course the day soon after the 2002 election when he decided to support Labor, so allowing it to form a government for the first time since 1993.

As part of that arrangement, Mr Lewis became Speaker of the House of Assembly and he set a series of conditions for his ongoing support of the Rann government. These included not just changes to the way parliament operated and the canvassing of constitutional reform but also his efforts to help his electorate by attacking invasive weeds and by stopping net fishing in the River Murray. In fact, I think the premier, Mike Rann, had to quickly find out what branched broomrape meant. He thought it was some attack on some heinous sexual crime, but he quickly realised it was more about a weed.

Obviously, he led a very controversial period during his three years as Speaker. Mr Lewis announced to the chamber in April 2005 that he was leaving his position. I always recall a conversation with Peter when he described his political tactics in this way, and it has stuck in my mind. He said: 'What I do is I jump into the stream, the fast-flowing river, try to knock some of my opponents off balance and take them in with me and then, hopefully before the waterfall, grab for a rock.' It seemed like a rather risky strategy, but one well suited to a man who was used to taking risks. For those of you who knew Peter well, that story will resonate with you.

As I said, his controversial time ended when he walked out of this building, crossed King William Street to Government House and formally resigned his position to the Governor. Peter stayed on as the member for Hammond for almost another year, but failed to gain a seat at the March 2006 election. I can recall a time when he was the member for Hammond, or one of its predecessors, when I was not in this parliament but actually a lawyer representing a client of mine who happened to be Korean.

He came in contact with her in the course of his work, and no doubt through the work of his wife, Kerry. He was ringing to make sure that I was looking after her, and I received a very thorough cross-examination from Peter. It was clear that he had the interests of my client at heart—she was his constituent also—and wanted to assure himself that she was being properly represented. After he had grilled me extensively for a period, I think he was satisfied that we were looking after her best interests. He was a powerful and forceful advocate for what he regarded as his cause.

With a fierce independence of mind, Peter Lewis was never a man to unthinkingly follow orthodoxy. As foreshadowed in his first speech, he did not make friends with everyone he worked with in this chamber. What he certainly did do, however, was represent people in his electorate for more than quarter of a century with passion, in a unique way but with great determination. On behalf of members on this side of the house, I express my condolences to Mr Lewis's wife, Kerry, his stepchildren, June and Cheryl, and members of his extended family.

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:09): I second the motion moved by the Premier. Peter Lewis sat in this house as a Liberal member for just over 20 years, yet

he is likely to be remembered most as the person who saved the career of a state Labor leader. That sums up Peter: unpredictable, maverick, independent and idiosyncratic. Peter attracted many epithets in his life. The longer he served, the more he seemed to revel in them. His first contribution to an Address in Reply debate was a portent of what was going to come: a man insisting on being heard and wanting to share his knowledge with others.

On that evening in February 1980, his remarks required nine pages of *Hansard* to record. It was a detailed discussion about issues of concern to his electors in the then seat of Mallee. The speech underlined Peter's knowledge of agriculture gained from his education at Urrbrae school and Roseworthy College. By his early 30s, he had become determined to serve in this parliament. At the 1975 election, he stood against Des Corcoran in the metropolitan seat of Coles. His eventual success in Mallee at the 1979 election began a parliamentary career lasting more than 26 years. He opened that first Address in Reply speech by stating that he had not come to parliament to make friends.

I did not know Peter, but those to whom I have spoken who did serve with him or know him refer to a member who took an active part in most party room debates, a person of considerable intellect who could at the same time often infuriate because of a propensity to believe dogmatically in his own point of view. He brought that approach out of a party room and into this chamber. The record shows a conspicuous work ethic, a determination to be heard on most issues coming before the house, an ability to express a point of view sharply. While Peter had his critics in the Liberal party room as well as beyond it, one thing was never in doubt: his veneration for the forms and processes of this parliament as an institution. He deserves to be remembered for that.

Of course, a consideration of Peter's parliamentary career cannot end without a reflection on the last few tumultuous years when his loyalty to the Liberal Party lapsed and he decided to deny the party, which had sponsored his election to this place at six successive elections, an opportunity to govern for a third term from 2002. That may have saved Mike Rann's career. Suffice to say, it did not save Peter's. It brought an instability to this parliament which we should all endeavour never to repeat.

If I could sum up what I have been told about Peter, he was a man of fierce intellect who was not always able to apply his abilities to his own advantage. As a result, in his long parliamentary career he did not achieve his ambition to serve as a minister. Instead, he remained true to his word that he had not sought parliamentary office to make friends. I think that we can safely say that we will not see the likes of Peter Lewis again. On behalf of the Liberal Party, I express my sincere condolences to Peter's family and friends for their loss.

Mr PEDERICK (Hammond) (14:12): I rise to speak to this motion in regard to Peter Lewis. Peter and I came from the same Liberal branch, Lower Murray. I was Peter's branch president for six years—an interesting time, to say the least.

Peter was elected on 15 September 1979, then as the member for Mallee and then the seat turned into Murray-Mallee and then Ridley, and then he became the member for Hammond later on. Peter held the seat until 18 March 2006, when I became successful in taking the seat of Hammond and representing the Liberal Party. It is probably no surprise to anyone that Peter and I did not always agree on matters, but I wish the family my condolences.

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:13): I wish to briefly make a contribution to the condolence motion for Peter Lewis and to extend my sympathies to the family, particularly those who are present today.

Peter Lewis will be remembered for many things. There are three I am going to touch upon today. One is the occasion when he informed me that there is an ancient common law right not to be interfered with as a member for parliament travelling to and from parliament for the purpose of undertaking parliamentary duties. It is not one I had ever heard of, I certainly did not know about it at law school and I am not sure that it was actually ever vested in some judicial determination. He assured me that it was sufficient to ensure, if any police officer stopped him when he was speeding on his way to parliament, that this ancient defence could be called upon. I do not know that he was ever required to run this defence in a court case, but I am certain that it had the effect of his not getting some fines along the way. It is one I will remember if Mr Deegan, as the head of the transport

department, should interfere with my right to park outside the front of Parliament House to attend duties if required in due course.

Secondly, Peter served the time in this parliament as Chair of the Public Works Committee. Obviously, it is an important committee. It assesses and gives advice to the parliament as to government projects. He was utterly fearless in his determination to advise any government that the expenditure of public money was a matter of serious consideration and that his committee was not going to be ignored or overlooked. Nor would any attempts to break up projects in less than $4 million lots be tolerated; he made that perfectly clear.

Thirdly, Peter Lewis is the only member of this parliament, to my knowledge, who ever spoke against the State Bank bill in the early 1980s. He is the only one who warned the people of South Australia that he would not be supporting the government underwriting that legislation. For that piece of wise foresight, I think he should be commended. Clearly, it was a message that they should have listened to. May he rest in peace.

Mr SNELLING (Playford) (14:16): I want to say a few words about Peter Lewis, and in particular reflect very briefly on his role as Speaker. As a former Speaker of this place, I know it can be an extremely trying job at times. Peter took the role of Speaker very seriously and endeavoured to bring to the role an impartiality and fairness. He held the role of Speaker in great esteem.

One of the things that Peter brought to this chamber is an insistence that ministers not engage in debate during question time, and he held to that very firmly. I think that was an important thing to bring to the role because it is very important that question time not descend into political brawling, or any more than is absolutely necessary.

I think Peter certainly insisted on the standing order preventing ministers and those asking questions from engaging in debate. I think that would be well replicated in other parliaments, and in the commonwealth parliament in particular, which I think often descends into farce. With that, Mr Speaker, my sincere condolences to Kerry and to Peter's extended family.

Ms BEDFORD (Florey) (14:18): It may not be well known in this place, but Peter and I had a unique bond, in that he was my constituent and would often come into the office and had done so for many years. Peter was, of course, a larger than life figure, and I think perhaps the member for Bragg's contribution reminded us of some of the light-hearted things about him.

I remember one night when we were all very new in this place—the class of '97, that is—one of our number was in the Chair, having a turn at being Deputy Speaker. We all thought it would be a very good idea to call a point of order, not realising that Peter was actually on his feet and speaking. So I stood up and called the point of order of relevance on Peter Lewis, and I suffered for nearly three years before he spoke to me again. But he did, of course, and that was wonderful.

I also remember most vividly the night that Kerry brought in the Korean drummers, and we were all drumming upstairs in the Balcony Room. So I have very colourful memories of Peter and of our long chats when he came to the office to use our services as Justices of the Peace. I would like to add my condolences to Kerry and his family and remember him as a larger than life figure.

The SPEAKER (14:19): On his day, Peter Lewis was the most insightful and lucid member of the parliament with whom I served and the member with the most prodigious memory. He was a gifted lateral thinker. Peter's electorate was called first Murray-Mallee, then Ridley and then Hammond. Alas, in the history of our parliament, he will be remembered more for what went wrong for him than what went right. There were things he achieved, such as a ban on netting fish in the River Murray. This gave recreational anglers a chance to catch something on a visit to the Murraylands, and I thought of Peter on the last holiday Monday when I guided a child angler's callop into the shallows and up the bank near Blanchetown.

Peter was from a big family working on farms in the Hills. Among the places he lived were Cudlee Creek and Paracombe. Peter had many brothers. He was a crack shot, an accordionist in the family band and full of ideas about how to grow fruit and vegetables better, how to water them more efficiently and how to market them. Peter studied at Urrbrae and Roseworthy and he sometimes wore a splendid harlequin blazer from his Roseworthy days. In his early working life, Peter served

with a United Nations agency charged with persuading South-East Asian farmers to grow crops that could not be turned into illicit drugs.

I served 16 years with Peter in the house and became close to Peter when I was in opposition and would visit him to promote the opposition's amendments to government bills and my private member's bills. Peter crossed the floor with Karlene Maywald to support my bill to allow victims of crime to make an oral victim impact statement in the sentencing hearing. Owing to that, the bill passed the House of Assembly. Peter could be volatile in the house and he and my old friend the late Frank Blevins had a special antipathy. On one occasion, the member for Murray-Mallee exclaimed to the Speaker apropos the member for Whyalla, 'You sit him down, or I will!'

Peter stood for the Liberal Party in the state district of Coles in the early election of 1975. Under the 1969 weighting of electorates, Coles was roughly what Hartley and the metropolitan part of Morialta are today. Labor had shifted Deputy Premier Des Corcoran from Millicent, a seat we were to lose at that election, to Len King's comparatively safe seat of Coles. Peter got a 5 per cent swing towards him, but Des won one on primaries and finished with 54.2 per cent after the Liberal Movement's 17 per cent was distributed.

At the next election in 1977, when the weighting against the metropolitan area was abolished, two state districts were created out of Coles: Hartley, which Des Corcoran won with almost 60 per cent of the primary vote—oh, happy day!—and highly marginal Coles, which Jennifer Adamson as she then was, won narrowly against Greg Crafter, despite *The Advertiser* poll having Greg winning a couple of days out. I mention this because Jennifer Adamson told me that she had defeated Peter in preselection for the new Coles, but Peter was to win a bigger prize. Peter was to win Liberal Party preselection for the state seat of Murray-Mallee in a big field against the hot favourite, Jamie Irwin, for the 1979 state election. Peter won that preselection as a maverick and he stayed maverick.

After he was elected, Peter once tried to intervene with duck shooters he argued were unlawfully hunting. He copped from the middle distance the contents of a shotgun cartridge in the backside. This may have been presented as funny but, from then on, Peter had to sit in the house on a special pillow shaped like a mould for a bundt cake. A Tailem Bend Australian Railways Union official told me that he had done it, but who knows?

After Peter left the Liberal Party in August 2000, he was close to Labor adviser Randall Ashbourne. Randall helped him with his 2002 election campaign under the banner of CLIC, the Community Leadership Independence Coalition, in the seat of Hammond. At the election in February 2002, Peter defeated the Liberal Party candidate. Peter polled 31.8 per cent of the primary vote and 52.1 per cent of the two-party preferred vote. I am just guessing that the name CLIC was Peter's idea, not Randall's.

Peter knew much about wine and he tried to make me progress from my wine philistinism. Randall Ashbourne and I enjoyed Peter's brutally honest assessment of homemade wine given to me in my capacity as multicultural spokesman, vintages such as Republic of Croatia 1991. Peter also imparted recondite knowledge to me at dinners with Randall at Enjoy Inn, on Woodville Road, where he would talk about freemasonry, of which he was a brother.

Peter, in his Compact for Good Government, required a concerted effort by primary industries to eradicate the agricultural weed, branched broomrape. The subterranean growth of the weed meant that, although it could be contained, it could never be eliminated. Reading the constitutional and parliamentary procedure aspects of the Compact for Good Government, such as a minimum of 69 sitting days a year, there is a remarkably strong similarity to Senator Nick Xenophon's program for the next state election—and there is a good reason for that. Among the other authors of that document were solicitor Jacob van Dissel and another whose name it would not be politic to disclose, even at this remove. But, bear in mind, Peter's Compact for Good Government could have become the foundation document of a re-elected Kerin government—and it almost did.

Days after the 2002 state election, I was in the leader of the opposition's room (I refer to Mike Rann) with Kevin Foley, Pat Conlon and Stephen Halliday. Randall Ashbourne brought Peter into the room with his draft Compact for Good Government. Peter respectfully submitted it to Mike Rann and departed. Randall made photocopies and gave each of us a copy. When Pat Conlon came to

the part headed Citizens Initiated Referendums, he let out a cry of indignation and spluttered, 'We're not going to cop this!' I removed my fountain pen from the inside pocket of my jacket, silently handed it to Mike Rann and he signed forthwith.

On the day on which Peter was to announce whether he would put the Liberal Party or the Labor Party in office, Peter's deliberation dragged on for hours longer than we thought it might. I think the Liberal Party underestimated the influence on Peter's deliberations of his wife, Kerry, a strong and enterprising woman who enriched Peter's life and was a constructive critic of his. In defence of Peter's decision, a different decision for Rob Kerin and the Liberals, meant stitching together a minority government that had to rely on all of Peter Lewis, Karlene Maywald, Rory McEwen, and Bob Such. How long would that have lasted?

I remember Rory McEwen telling me in Parlamento's, at a table with Karlene in the tense days after the state election of February 2002, that there was no way Labor would enter a minority government with a mad bastard like Peter Lewis. Or was it that even a mad bastard like me would not be mad enough to form a government with Peter Lewis? I forget. The government that Peter Lewis caused to be formed is still with us.

Once in office, Peter embarked on a series of town and country meetings all over South Australia to promote the constitutional aspects of his Compact for Good Government and, as luck would have it, cabinet decided to make me the government's representative. It was a joy to travel all over South Australia with Peter and hear, at each of these public meetings, the then President of the Legislative Council introduce the upper house's view on Peter's proposals with the words, 'I wasn't invited to these meetings, but on behalf of Her Majesty's Legislative Council I would like to say—' For dinner in Port Lincoln, I caught a kingfish and a mulloway, but I did not tell Peter and our companions that I had been given permission to fish in Hagen Stehr's nets.

Peter had a gift for looking at fault lines on a geological map and predicting where minerals would be found at locations he nominated. Later, he would correctly identify huge iron ore deposits in the state's north, at Razorback Ridge on the Broken Hill side of Yunta, but in the long run it availed him not. He had a company called Goldus, and it had a big machine that at that time, 2002, was meant to be working in dry creek beds in Queensland scooping up stones and sand and extricating from it specks of gold. There was a problem: it was raining in Queensland and the contraption could not operate if the creeks were flowing.

Peter's creditors were pressing for repayment. The Liberal Party was hoping that Peter would go bankrupt and be ineligible to sit in parliament. It was also challenging Peter's election for Hammond in a Court of Disputed Returns, and Graham Archer at Channel 7's *Today Tonight* was hammering Peter about a cache of guns based on the testimony of that witness of truth, Terry Stephens, whose full criminal history *Today Tonight* chose not to share with viewers contemporaneously. I am not of course referring to that splendid fellow and colourful racing identity who graces the other place.

In these circumstances, as the minister for Peter Lewis I sent my chief of staff, Andrew Lamb, to join Peter's staff and be the liaison between Peter and the ministry. Neither Rory McEwen nor Karlene Maywald were at that time open to supporting the Rann government. It was our year of living dangerously. Peter's straitened circumstances and his exhaustion of the parliamentary travel allowance meant that on one occasion he had the Speaker's driver drive him to Melbourne. The party stayed in Ballarat to minimise costs.

On another occasion, Peter entered into what appeared to be a contract with the province of the People's Republic of China to supply dairy cows. After Peter gave the media the story, and the media hardly gave any attention to the part that Peter thought was important, I was dispatched to the Speaker's office to investigate. I asked Peter whether he had entered into the contract on behalf of the State of South Australia or as Speaker or as a private citizen. He replied by reciting the value of the contract to his constituents and asking me if the difference was material. I am afraid I lost it and I used a very bad word in the course of advising him to enjoy the office of Speaker, which seemed to be a much better gig than Premier or minister.

Although Peter and I were friends, there is one matter that all but ended our friendship. If I am to give a full picture of his parliamentary career, I must mention it. Peter gave the run of his office

to two so-called volunteers, Wendy Utting and Barry Standfield, who were on a mission to expose what they claimed were pederasts who were members of our state's ruling elite. This is an allegation many people in South Australia are disposed to believe whenever it is made. Of course, allegations of criminal sexual conduct from time to time have been proved beyond reasonable doubt against prominent Australians, including people in the political sphere.

Peter Liddy we knew, but Utting and Standfield claimed that there were others, including a serving minister, who would abuse boys in the Veale Gardens, a former Liberal MP and two police officers, among others. The allegation against the minister had been investigated thoroughly and it had no substratum of fact. It was to be investigated again, with the accusers invited to give testimony, with the same result. I had heard the allegation against the minister four years earlier from a person the ICAC legislation would now call 'a public officer', who disseminated the allegation by referring to the target by a two-word alliterative name.

In the febrile political atmosphere of the time, my interlocutor was to Adelaide what the denunciatrix Polia Nikolaenko was to Kyiv in the 1930s. In 2005, Adelaide was convulsed by the allegations, with the opposition calling on the minister to identify himself. The allegations against the others were on no firmer foundation than the allegations against the minister. The principal source of the allegations later pleaded guilty to criminal defamation, an offence notoriously difficult to prosecute. Wendy Utting had been hired by *Today Tonight* for the purpose of authenticating the allegation, which had already been retailed on the program but not using the names. The case ended with a criminal defamation trial of Utting and Standfield, and they were acquitted. I will say more about that trial before I leave the house. The transcript of the trial rewards careful reading.

It appeared to the government that Peter was about to use parliamentary privilege to repeat the allegations against the minister and others. I went to Peter's office for a meeting about the allegations. He received me courteously, spoke about the allegations rationally for a long time and reserved his position. I asked him what would happen to the persons against whom the allegations were raised if Peter accused them in parliament and it was later established that the allegations were untrue. Peter looked at me sadly and said, 'That would be a terrible, terrible thing.'

With the government and others preparing to vote to remove Peter as Speaker and my bill before the house to suspend the application to South Australia of article 9 of the Bill of Rights, Peter resigned. He was right to resign. Making baseless allegations of criminal sexual misconduct under parliamentary privilege is something that should result in resignation, but it did not for Senator Heffernan and another senator whose name escapes me just at the moment. It is good that Peter Lewis, unlike the senators, did not name the innocent men in parliament.

Although I met Peter from time to time after he left parliament and had him around for drinks and a long conversation in the Speaker's office, I knew he was on hard times and I did not reach out to him. Yes, Peter Lewis was an eccentric and a maverick but, apart from the incident I just mentioned, I do not think he did the parliament or the political system much harm, and his passionate love for the parliament—which many will remember he always pronounced parlee-ah-ment—did much good in asserting the independence of the houses from the executive, an independence that prevails to this day.

I am pleased to have known him and to have enjoyed him as a polymath, a living encyclopaedia, a colourful personality in a parliament that has become more monochrome with every passing election and a true believer in an era of focus groups, opinion polls, pragmatism and trimming. Peter was also a believer in the Christian Scriptures. Rest eternal grant unto Peter Lewis, O Lord, and may light perpetual shine upon him.

Motion carried by members standing in their places in silence.

Sitting suspended from 14:39 to 14:51.

Ministerial Statement

GENERAL MOTORS HOLDEN

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (14:51): I seek leave to make a ministerial statement.

Leave granted.

The Hon. J.W. WEATHERILL: Tomorrow is a significant day in the life of South Australia as General Motors Holden closes its doors, marking the end of car making in Australia. While it will be a difficult day for the northern suburbs and for the supply chain companies across South Australia, I can guarantee that, when the last car rolls off the Holden line tomorrow, workers will be able to hold their heads high. Like the countless Holdens that have rolled off the GM line over the past 60 years, the last Holden will be built to the highest standard by highly skilled South Australians.

Only last week, when listening to Holden workers on the factory floor, I felt a sense of pride behind the stories of the hundreds of remaining workers. Their contribution to our economy and, more importantly, to our history will not be forgotten. Holden's closure could and should have been avoided. It did not have to end this way. South Australians will never forget how the Liberal Party turned their backs on this industry, on these workers, on their families and on the northern suburbs.

Members interjecting:

Ms CHAPMAN: I move that the Premier's leave be withdrawn.

The SPEAKER: One does not move that it be withdrawn. Continue, Premier. You do not move that it be withdrawn. Premier.

Mr GARDNER: Sir, I withdraw my leave.

The SPEAKER: Yes, that is the formulation.

Members interjecting:

The SPEAKER: Deputy Premier. I call the anaesthetist.

The Hon. J.R. RAU: Thank you, Mr Speaker. I have often wondered, Mr Speaker, is it anaesthetist or anaesthesiologist?

The SPEAKER: I rule that it is the former.

The Hon. J.R. RAU: Thank you, that would help me greatly.

Parliamentary Procedure

PAPERS

The following papers were laid on the table:

By the Attorney-General (Hon. J.R. Rau)—

Regulations made under the following Acts—
Electoral—Disclosure of Donations

By the Minister for Planning (Hon. J.R. Rau)—

West Beach Trust—Annual Report 2016-17

By the Minister for Mineral Resources and Energy (Hon. A. Koutsantonis)—

Regulations made under the following Acts—
Electricity—
Miscellaneous
Principles of Vegetation Clearance

By the Minister for Transport and Infrastructure (Hon. S.C. Mullighan)—

Regulations made under the following Acts—
Aboriginal Heritage—General
Maritime Services (Access)—Extension of Part 3 of Act

By the Minister for Police (Hon. C.J. Picton)—

Health and Community Services Complaints Commissioner—Annual Report 2016-17
Witness Protection Act 1996—Annual Report 2016-17

The Hon. A. KOUTSANTONIS: Sir, I see you are wearing an orange flower.

The SPEAKER: It is the FireStar rose of the country fire association.

Ministerial Statement

CARERS WEEK

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) (14:55): I seek leave to make a ministerial statement.

Leave granted.

This week, communities across our nation are celebrating the outstanding contribution of unpaid carers as part of the annual National Carers Week. I am in full admiration of the work of carers, particularly young carers looking after parents, grandparents, siblings and other vulnerable people within our community. I am inspired by their resilience and unwavering support for those in need. Caring for someone can be a rewarding experience. It can also be challenging, both emotionally and physically. Carer Support Network SA is a recognised voice, providing support programs to carers across metropolitan Adelaide, Barossa Valley, Clare Valley, Fleurieu Peninsula and Yorke Peninsula.

The SPEAKER: How do you spell Yorke Peninsula?

The Hon. Z.L. BETTISON: If there is a mistake, I will take it on notice and correct it. Over the last 30 years, Carer Support Network SA has developed a unique model to support carers, centred on face-to-face service with 18 locations, including Clare, Mount Gambier and Kangaroo Island. It assists carers in a personal manner, meeting their diverse needs and empowering them to continue their contribution to the community. I note that the commonwealth government is changing the way carer support services operate at the national and local levels, through the commonwealth integrated carer support service model. During this time of national transition, the state government wants to guarantee certainty for carer support organisations in South Australia.

I am pleased to announce that I have approved the continuation of the South Australian carer specific funding until 30 June 2020. The state government will commit $6.2 million over the next two fiscal years to allow future planning of the provision of carer-specific services in South Australia. The South Australian government cares about carers. They are everyday people who put aside their needs for others. I thank the 245,000 South Australian carers working to improve the lives of those who need them the most.

Question Time

GOVERNMENT ADVERTISING

Mr MARSHALL (Dunstan—Leader of the Opposition) (14:58): My question is to the Premier. Why did the government breach its own advertising rules by allowing only 35 minutes to approve half a million dollars worth of taxpayer-funded political advertising for their energy plan?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (14:58): Unlike the Leader of the Opposition, I like talking about my energy plan. We noticed yesterday, when he had 20 minutes of contribution, he couldn't once mention his energy plan. We are more than happy to promote—

Mr MARSHALL: Point of order: I ask that you bring the Premier back to the substance of the question, sir, which is about the submission deadlines.

The SPEAKER: I reckon the Premier ought to have 30 seconds to see if he can home in on the answer.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. I am advised that all the relevant guidelines were complied with by the government agencies in approving the energy plan which has been publicly promoted about South Australia. Let me explain why we publicly promote the energy plan.

Mr Pederick: Political advertising.

The Hon. J.W. WEATHERILL: It is an important element of the question. This is an energy plan that is about sending a very clear message to South Australians, South Australian businesses and people who are interested in investing in South Australia that we can warrant a secure future for our energy system in this state. This is absolutely fundamental. If you cannot warrant energy security then that will undermine confidence in the South Australian economy.

Of course, what we know is that there are many people, including the very Prime Minister of our country, who are seeking to promote a lack of confidence in South Australia's energy future by raising questions about South Australia's energy security and unreliability. In a shameful attack on part of his own federation, he raises questions about South Australia's future as an energy secure part of the nation, which of course casts doubt on the investments that can be made in this state, so that is why we need—

Mr MARSHALL: Point of order: I ask you to bring him back to the substance of the question: the 35-minute time frame for the decision to be made.

Mr Knoll: Britney Spears was married for longer than that.

The SPEAKER: I will listen carefully to the Premier, but the question seems to be about the legitimacy of this advertising campaign.

Members interjecting:

Mr MARSHALL: It breaches the advertising guidelines by providing 35 minutes' notice of a decision—35 minutes by email, sir.

The SPEAKER: I call to order the deputy leader, the members for Mitchell, Hammond and Morialta. I warn the members for Mitchell, Morialta and Hammond, and I warn for the second and final time the member for Mitchell.

The Hon. P. Caica: You left the member for Schubert off that list, sir.

Mr Knoll: Because I was actually funny.

The Hon. P. Caica: No, you're not funny, you're a joke.

The SPEAKER: I rule that the member for Schubert was humorous and I call to order the member for Colton.

GOVERNMENT ADVERTISING

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:01): My question is to the Premier. Why did the submission circulated by the Premier's department not disclose the fact that the Premier's image and voice were to be used in the advertising campaign, in breach of the government's own guidelines?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (15:02): I am advised that it's consistent with the guidelines to use my image and indeed my voice, and it's entirely appropriate when we are promoting important public policy matters which require the establishment of the warrant of the state that the Premier of the state, their image and indeed their voice be used in promoting it.

Mr Gardner: It applies to other people, does it?

The Hon. J.W. WEATHERILL: Well, it is appropriate. I know it isn't to your liking that I am the Premier of South Australia, but I am, and it is appropriate when I communicate on behalf of the government that people have confidence that this has the backing of the Premier of South Australia. This is part of warranting our economic security. It's part of creating confidence. It's a necessary part

of rebutting some of the scandalous remarks that have been made about South Australia and its energy system.

This is the work of government. This is the work of government about creating confidence in the South Australian economy and that is why the ads deal with factual matters. They do not make political comment, nor do they criticise, even though there would be very substantial grounds for doing so, those opposite for the role they have played in the past with privatisation and presently with their insipid energy plan that they are not even prepared to talk about in a public debate about the matter.

The SPEAKER: Before the supplementary, I call to order the members for Schubert, Davenport and MacKillop. I warn the deputy leader and the member for Davenport, and I warn for the second and final time the member for Morialta and the deputy leader.

GOVERNMENT ADVERTISING

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:03): Supplementary: given the Premier has just said that his campaign was not political, can he perhaps provide an interpretation for this house of his own guidelines which clearly state, 'Political advertising is defined where—

The Hon. J.M. RANKINE: Point of order: the leader does not have leave to introduce facts into his question.

Members interjecting:

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

The Hon. J.M. Rankine: You don't have leave.

Ms Chapman: Now she's telling you off. You do have leave, sir. You can do whatever you like.

The SPEAKER: Well, no, the deputy leader is not right. The leader cannot ask questions however he likes: he has to ask them in accordance with the standing orders. Can I hear the question again?

Mr MARSHALL: Yes, sir. Can the Premier provide an explanation to the house of his interpretation of his own government's guidelines which clearly state that political advertising is defined where 'the image or voice of a politician is included within the advertising'?

The SPEAKER: I am ruling the question in order because the question is not asking the Premier to interpret a statute or a regulation, which would normally be interpreted by the courts. It's an internal guideline. Premier.

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (15:05): Of course, they quote just a section of the guidelines. They don't quote the guidelines in full, which give me full warrant to be able to appear in advertising consistent with the guidelines. If the Leader of the Opposition wants to understand what a political attack looks like, it would go a little bit like this: the Liberal Party are a guilty party: they privatised the electricity trust. They are the party that has no guts to stand up to a federal government. They are a political party that has no capacity to engage in this debate—

The SPEAKER: Premier, would you be seated. I think I anticipate the member for Morialta's point of order and I uphold it without hearing it. Leader.

GOVERNMENT ADVERTISING

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:06): My question is again to the Premier. As the government is now undertaking a second round of advertising for its energy plan at a cost to taxpayers of more than $2 million, what assurance can the Premier give that the approval of this advertising did not also breach government guidelines?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (15:06): We don't concede that it breached government guidelines—

The Hon. J.M. RANKINE: Point of order: standing order number 97, the framing of that question is completely out of order.

The SPEAKER: Can I hear the question again?

Mr MARSHALL: He has given the answer, sir.

The SPEAKER: I have to give the opposition some leeway to include a fact or two in their questions, but there are styles of asking questions that tend to waste the house's time, and I pulled the leader up about that on Tuesday. Leader.

GOVERNMENT ADVERTISING

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:07): My question is again to the Premier. Will the Premier table on the next day of sitting—

The Hon. J.W. WEATHERILL: I hadn't answered that previous question.

Members interjecting:

The Hon. J.W. WEATHERILL: No, I haven't. I was interrupted by the point of order and I sat down.

Members interjecting:

The Hon. J.W. WEATHERILL: No, I didn't.

Members interjecting:

The Hon. J.W. WEATHERILL: I did not.

The SPEAKER: No, the member for Unley I call to order because that the Premier sits down does not denote that he has finished answering the question. He sat down because I asked him to and ruled on a point of order. He is now rising again to finish the question and he is in order in doing so.

The Hon. J.W. WEATHERILL: Thank you, Mr Speaker. Out of deference to the member who was on her feet for the point of order, I sat down immediately, as is appropriate. Mr Speaker, we don't accept the analysis that there's a breach of guidelines. Any future advertising campaign will be carried out consistent with the guidelines.

GOVERNMENT ADVERTISING

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:08): Will the Premier therefore submit to this parliament all of the documents associated with the approval for the next round of energy policy advertisements?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (15:08): We will take steps which are consistent with the guidelines.

Mr Marshall: Will you release them to the parliament?

The Hon. J.W. WEATHERILL: No.

Mr Marshall: What are you hiding?

The Hon. J.W. WEATHERILL: Nothing, absolutely nothing.

The SPEAKER: The leader I call to order, and also I call to order the member for Newland for a previous interjection that he has probably forgotten.

The Hon. T.R. Kenyon: I do apologise.

The Hon. J.W. WEATHERILL: We are not going to document every decision that we take consistent with government policy and legislation in this place. We will simply conduct ourselves consistent with legislation and policy and it's up to you to ask your questions about it.

GOVERNMENT ADVERTISING

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:09): Supplementary to the Premier: has the Premier been made aware of an inquiry by the Ombudsman into the state's energy plan advertising?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (15:09): No.

Members interjecting:

The SPEAKER: The member for Wright is called to order. She takes points of order but has no compunction about interjecting.

NATIONAL ENERGY GUARANTEE

Mr VAN HOLST PELLEKAAN (Stuart) (15:09): My question is for the Minister for Energy. Does the minister endorse the reliability guarantee recommended by the Energy Security Board, which was established by the COAG Energy Council with South Australian government support?

The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (15:09): This is one of the great fit-ups. The Prime Minister of this country, who has been sitting there with basically the hands of Tony Abbott up his back and Pauline Hanson breathing down his neck, has dictated national energy policy in this country. In good faith, I have, together with the energy minister, been working away with a process through the Chief Scientist, Dr Alan Finkel, who was commissioned to conduct a report into the future of our energy system—the broken National Electricity Market.

We have supported his work to provide a mechanism that will provide the certainty and security for the future. Look at what we have seen. Look at the progression of policy that we have seen at a national level. First, we had the emissions trading scheme. Well, they couldn't agree to that; that looked a little bit too green. Then we had the emissions intensity scheme; that looked too much like it might be supporting renewable energy. Then we had the clean energy target. You cannot use the word 'clean' in conjunction with 'energy' unless of course it is juxtaposed with the word 'coal'.

Now we have the NEG. I don't even know what it stands for but, anyway, it is another acronym which is about making sure that you get as far away as possible from the renewable energy situation. There are three things that South Australians and Australians believe: one is we should have a renewable energy future; the second is that it represents the technologies and jobs of the future; and, third, it will also give us reliable, affordable and cleaner power. That's what Australians believe. That's what South Australians believe, and we are not going to participate in some fit-up where institutions—

Ms CHAPMAN: Point of order: clearly, the Premier has completely strayed from the topic. The topic was nothing to do with what he has referred to; it was on the reliability guarantee.

The Hon. A. Koutsantonis: That's exactly what he's talking about.

Ms CHAPMAN: No, he's not.

The SPEAKER: I will listen carefully to see whether the Premier addresses the reliability guarantee.

The Hon. J.W. WEATHERILL: The NEG—the reliability guarantee; this is what I am talking about.

Ms Chapman: No, you're not.

The Hon. J.W. WEATHERILL: This is the very thing I'm talking about. The deputy leader doesn't even understand the work that is being done on a national level by her Prime Minister. When they lined up all of the people that are meant to be reporting to us, in the same way that Dr Alan Finkel did, at a press conference designed to put a fait accompli in place, designed to actually grind everybody into submission so that we all have to now design a system that is acceptable to Tony Abbott and Pauline Hanson, we're not cooperating with that. We are not cooperating with a system which has been designed to placate the political problems inside the federal Liberal Party.

We want a national energy system that integrates climate policy in a way which meets our international obligations and gives long-term certainty to investors in this market. We are not accepting some cobbled up compromise just because the federal Liberal Party have a political problem. We're not going to make it easy for them. We are going to assert the best position, not some mealy-mouthed compromise that gets Malcolm Turnbull off the hook with Pauline Hanson and Tony Abbott.

That is what we are dealing with here. And all those companies that are saying, 'Can we all stop fighting? Can we reach agreement? Can we have bipartisanship?', we are not going to have this notion of fatigue, which has been put into the political system because Tony Abbott won't give up. He will not give up until you tear up Paris. He won't give up until Malcolm Turnbull stands in the middle of Martin Place and says, 'I don't believe in climate change.' He is insatiable, and if we cannot see it—

Members interjecting:

The Hon. J.W. WEATHERILL: If you cannot see it, if the people of this country cannot see that we are having—

Members interjecting:

The Hon. J.W. WEATHERILL: This is the continuation of Tony Abbott's attempts to destroy this nation's capacity to have a rational climate change policy. That's what is going on here, and we are not cooperating with it.

The SPEAKER: The member for Chaffey, would he cease his elegiac interjections, which are as tiresome as a Barry Manilow LP playing on a loop. The member for Stuart.

NATIONAL ENERGY GUARANTEE

Mr VAN HOLST PELLEKAAN (Stuart) (15:14): Supplementary, sir: given the Premier's rejection of the reliable energy guarantee in his last answer, does that mean that the state government withdraws its previous support for the Energy Security Board?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:14): The Energy Security Board is a creature of the COAG Energy Council. It was established out of a recommendation in Dr Finkel's report. It was one of the 50 recommendations. We supported its establishment, and indeed I understand that this parliament will soon be considering its establishment under statute. What the member confuses is support for an institution and support for a policy.

Where I think the Energy Security Board has done itself a massive disservice already is that, whereas the Finkel inquiry—which was commissioned by the COAG with the chair of the COAG, minister Frydenberg, recommending names to establish that inquiry like Dr Finkel, the Chief Scientist, and the people who operated on that inquiry—was done in a collegiate way, what occurred here was that the Prime Minister and his energy minister wrote to the Energy Security Board, which is made up of a chair and a deputy chair and of course the bodies that make up AEMO, the AER and the Australian Energy Market Commission, and they developed this policy on behalf of the commonwealth government, not on behalf of the COAG.

What we have found out since is that that policy had no modelling, that policy has not been tested, that policy will not be creating certificates for reliability—

Mr Marshall: So you're saying the Energy Security Board did no due diligence on this?

The Hon. A. KOUTSANTONIS: No, I'm saying the Energy Security Board is saying that.

Mr Marshall: Sorry?

The Hon. A. KOUTSANTONIS: The Energy Security Board is saying that. They're the ones who are saying that they have done no modelling. They're the ones who are saying they don't know what the impacts of this are going to be. They're the ones who are saying they don't know whether this will reduce prices or not. Importantly, the fundamental difference between this and every other

mechanism that has been established thus far is that other mechanisms worked on the basis of generators generating certificates.

This will be a legal requirement placed on retailers to purchase not certificates but power from certain types of generators. While ending what the Prime Minister calls his $66 billion worth of subsidies for renewable energy, he is transferring that subsidy to coal-fired generation because he would be requiring retailers to purchase that power regardless of price—regardless of price, on the basis of a security and reliability standard. What that means—and we don't know what the impact for South Australia will be—is that regardless of your dispatch cost, and the National Electricity Market is based on lowest cost dispatch, what the Prime Minister wants us to adopt is that we will dispatch power regardless of cost but on the basis of reliability.

What does that mean AGL can do at Torrens Island if they are going to get dispatched regardless of what price they charge? What does that mean for South Australia to be forced to buy their power? But again this is all a bit much for a party where the best they could do was not even develop a policy that was better than the do-nothing option.

Mr Pederick: Keep the lights on.

The Hon. A. KOUTSANTONIS: There you go. That's the level of the intellectual debate from members opposite.

An honourable member interjecting:

The Hon. A. KOUTSANTONIS: There it is. The do-nothing option actually gives you a better outcome than the policy developed.

The SPEAKER: Treasurer—

The Hon. A. KOUTSANTONIS: Thank you very much, sir.

The SPEAKER: Treasurer, I don't want to capon you, but would you please not respond to interjections.

The Hon. A. KOUTSANTONIS: Well then, sir, maybe interjections could not be made.

The SPEAKER: I call to order the Treasurer.

NATIONAL ENERGY GUARANTEE

Mr VAN HOLST PELLEKAAN (Stuart) (15:18): Supplementary, sir: given the minister's answer, does he agree or disagree with the federal Labor leader and federal Labor deputy leader that they are keeping an open mind about the National Energy Guarantee?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:18): I think everyone has seen what the Leader of the Opposition, Mr Bill Shorten, has said on many occasions about what the Prime Minister is proposing. I agree with Bill Shorten and I agree with the Prime Minister. I will tell you what Bill Shorten is saying. Bill Shorten says:

> Turnbull's energy plan trashing jobs and renewable energy industry for 50 cents off your power bill not good enough.

Bill Shorten is absolutely right: $70 in five years and 50¢ a week off in five years isn't good enough.

Members interjecting:

The SPEAKER: I call to order the member for Adelaide and I warn the leader. I love that rictus smile. The member for Unley.

ROYAL ADELAIDE HOSPITAL CLADDING

Mr PISONI (Unley) (15:19): My question is to the Deputy Premier. Were samples of the aluminium composite panelling on the new Royal Adelaide Hospital removed and fire tested as part of the government's audit, as occurred when testing similar cladding at the new Princess Alexandra Hospital in Brisbane?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (15:20): I thank the member for Unley for this important question. Back in August of this year (I think it was on the 23rd or thereabouts, if my memory serves me correctly), the Lord Mayor and I, together with the head of the MFS, went to the State Administration Centre and invited anyone who was interested in the topic to come forward. We made a presentation to those who were assembled, who were mainly people from the media, but not exclusively, about where we were up to with this important issue of the cladding.

Mr Speaker, as you would know—and I know you are quite interested in this—the situation with the cladding is that the cladding is not a prohibited product per se. The cladding is a product that can be safely used in some circumstances, but can equally be used unsafely if it is not appropriately applied in accordance with the building rules, which are national building rules, or if the cladding is used in inappropriate buildings. Of course, as you know, Mr Speaker, we were very concerned about this matter and conducted an audit. The audit—

Mr MARSHALL: Point of order: I ask you to bring the Deputy Premier back to the substance of the question, which is whether he has removed and tested the panels on the new Royal Adelaide Hospital.

The SPEAKER: I was distracted with some conversation with the leader and the deputy leader. I will listen carefully to see how the Deputy Premier circumnavigates the question.

The Hon. J.R. RAU: I think it's important for me to provide as much useful information as possible to the house, and of course to you, Mr Speaker, because, unlike some people, who I won't identify because I don't want to be disorderly, I always direct my remarks to you because I know of your abiding interest in this topic.

I think we had got to the point where I was explaining to you, Mr Speaker, that we had been through an audit process, and that audit process had gone to a risk analysis where we had identified a number of buildings, predominantly in the central part of the city, obviously, and we were looking at that as a priority because that's where the multistorey buildings are, predominantly. We have identified a number of buildings, which, it appeared to the MFS, were buildings in which some part of the building—and I emphasise this—some part of the building had been fitted with—

Mr PISONI: Point of order: the question was specific to the new Royal Adelaide Hospital.

The SPEAKER: I suspect, member for Unley, that the media and the public are pretty interested in the question of cladding wherever it may present a risk, so I will give the Deputy Premier some leeway on this.

The Hon. J.R. RAU: Thank you very much, Mr Speaker, because it's important in answering these questions that I am as informative as I possibly can be. What is happening here is that we have identified the buildings at risk. The MFS has assured all of us that as yet they have identified not a single building—and these are the experts, the MFS—in the city, and this includes the new Royal Adelaide Hospital, which they have identified as being buildings that have cladding that would be presented as an obvious risk. They have looked at it from the perspective of the design; they have a look at it from the perspective of the specifications of the material. This is where it gets quite interesting.

The point I made at the beginning about the way in which the cladding is affixed is very important because it depends on whether it is used in an appropriate way and is appropriately installed. My advice is that, in the event of the MFS being concerned about the installation of any material, they will advise the government immediately, and the testing necessary will occur.

The SPEAKER: And that applies to the new Royal Adelaide as well?

The Hon. J.R. RAU: Yes, it does, Mr Speaker.

ROYAL ADELAIDE HOSPITAL SITE REDEVELOPMENT

Mr PISONI (Unley) (15:24): My question is to the Minister for Housing and Urban Development. Does the minister agree with the Premier's explanation for the failure of the proposed

redevelopment of the ORAH site when he said, 'It's fallen over because it's not value for money. It doesn't stack up for us'?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:25): I think the Premier and I have been consistent in what we have said in explaining the government's decision that, when we were presented with a final offer, the government formed the view that we didn't think the offer was strong enough financially for us to accept it for the site.

ROYAL ADELAIDE HOSPITAL SITE REDEVELOPMENT

Mr PISONI (Unley) (15:25): To the Minister for Housing and Urban Development: does the minister agree with the Premier's statement on radio on 20 September, when he rejected any suggestion that the developers offered to remove apartments from the project, saying it was 'an absolute fantasy'?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:25): We had always regarded the offer that was put to us for consideration, for a decision by government, as one which incorporated from the developer that had apartments on site. Certainly, what was presented to us, as a government throughout the process, was that in order for them—

Members interjecting:

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

ROYAL ADELAIDE HOSPITAL SITE REDEVELOPMENT

Mr PISONI (Unley) (15:26): My question is to the Minister for Housing and Urban Development. What was the substantial variance in dollar terms between Commercial and General's original proposal for the redevelopment of the old Royal Adelaide Hospital site and the ultimate proposal rejected by the government?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:26): I think we have already made it clear publicly what the offer was in dollar terms for the site. Given that we are going to go into a process where we intend to make parts of that site available to the commercial property sector for development—and I should also say, given the experience we have had with Tonsley and Bowden, where parts of the site have been made available for discrete development on the site, where we have had multiple developers on that site—I am not sure how it would serve the commercial interests of the government to be walking through a blow by blow summary of dollars per square metre value or, indeed, total figures in the millions.

ROYAL ADELAIDE HOSPITAL SITE REDEVELOPMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:27): Supplementary: can the minister confirm to the house that the original proposal from Commercial and General remained current at the time the proposal was rejected by the government?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:27): Certainly, to walk through the process for the benefit of the parliament, we went through an expression of interest process, as I think most people would understand. From basically that market-call process, we shortlisted down to a much smaller number of tenderers who initially responded to the expression of interest process; in fact, we shortlisted down to four. One of those withdrew themselves so that they could focus on another very large development in the CBD, and we assessed essentially three going forward.

The offer that was put forward by the proponent, with whom the government entered into exclusive negotiations through the course of this year, was a financial offer which was in response to that market call, and it was significantly higher than what was offered ultimately, on which the government made its decision. But it is important to understand that, as the parties then moved into the process of negotiations, as they signed up to a contractual process with one another that would govern the terms of those negotiations, it became clear to the government upon which some of those

assumptions the proponent had based their financial offer, and it became clear to the developer what both the government and the community expectations were of the development of that site.

I think some assumption—or assertion, I should perhaps more accurately say—from the leader that there was an original offer which would have been acceptable to the government through this process is not particularly relevant, because what changed substantially during the course of the negotiations were further and better particulars that were made available to the proponent about the site, what was available, how it would be developed and what was also made understood to the government about what the proponent's intentions were for the development of the site.

ROYAL ADELAIDE HOSPITAL SITE REDEVELOPMENT

Mr MARSHALL (Dunstan—Leader of the Opposition) (15:30): Supplementary: can the minister perhaps indicate to the house whether the government themselves changed the scope of the proposal which necessitated the changing of the original proposal made by Commercial and General to the government?

The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (15:30): I do not think I can make myself any clearer than my previous answer: that during the course of negotiations it became clearer to the proponent what the details were of the site, what was available to them for development, what the expectations on the proponent and on the development were from both the government and the community, just as it became clear to the government what some of the assumptions were from the developer which informed that initial offer against which they were ranked.

I should say that that initial offer they made was not only substantially higher than what was proposed by the other two shortlisted proponents but it is also fair to say that even their final offer was financially more attractive than what was offered by those other two proponents. We certainly feel entirely justified in making the decision to not just short-list those four, then three, but certainly enter into exclusive negotiations with the one and go through that process.

As I said in my first answer on this matter, by the end of the process we had a development which was on the table for that site and a dollar figure attached to that which we felt wasn't financially attractive enough for the government to enter into an exclusive right for that developer to develop that site and have full control over the development of that site.

AGRICULTURE SECTOR

Ms WORTLEY (Torrens) (15:32): My question is to the Minister for Agriculture, Food and Fisheries. I ask the minister: how is the state government supporting growth in agriculture?

The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (15:32): I thank the member for Torrens for the question. It is really important that government works side by side with our agribusiness sector; it is worth about $19 billion to South Australia and employs one in five working South Australians. What we hear time and time again is that the banks have deserted small and medium-sized business in regional South Australia. They have closed down branches. People in the Barossa who used to be able to deal with a bank manager in Gawler now have to talk to a bank manager in Western Australia who has no idea what their business or that region is about.

On Kangaroo Island, I know tourism and food operators down there who can't get money from the banks because the banks don't show any interest in their area. But as a government we stand side by side with them.

Mr Pengilly: That is completely false.

The Hon. L.W.K. BIGNELL: Maybe get out and talk to a few businesspeople over on Kangaroo Island. I spoke to a farmer down there the other day whose interest rates have gone through the roof. I have also spoken to a tourism operator to whom the banks won't loan money. We believe in Kangaroo Island. We are putting an extra $9 million in to expand the runway, along with the federal government. We believe in Kangaroo Island, but the banks don't believe in Kangaroo

Island. I am going to stick up for the people of Kangaroo Island and regional South Australia because they deserve our support.

Members interjecting:

The Hon. L.W.K. BIGNELL: You want to stick with the banks and their big ad campaign where they are saying that the lights are going out on investment in South Australia. I will tell you who turned the lights out on investment in South Australia: it was the very banks themselves. Anyway, as a government—

Members interjecting:

The Hon. L.W.K. BIGNELL: Keep defending the banks.

The SPEAKER: Will the minister be seated. The minister keeps addressing his remarks directly to the member for Finniss and appears to be accusing me of a whole range of sins, a whole range of sins that he attributes to the member for Finniss. All his remarks should, of course, be addressed through me. Moreover, he should ignore the member for Finniss and should give us information about what the government is doing to support the growth in agribusiness.

The Hon. A. KOUTSANTONIS: Point of order, sir: the minister was trying but, under standing order 137, obstruction, members are continually interjecting, disrupting the business of the house, not allowing ministers to answer their questions.

The SPEAKER: Does the Treasurer think that perhaps the minister for primary industry offered some provocation to the member for Finniss?

The Hon. A. KOUTSANTONIS: No.

The SPEAKER: No?

An honourable member: A bogus point of order, sir.

The SPEAKER: Okay.

Mr Gardner: It was an example of obstruction.

The SPEAKER: Thank you for your advice. I just see it differently. Minister.

The Hon. L.W.K. BIGNELL: Thank you very much, Mr Speaker. You are innocent of any of those claims. There was a lot of support coming for the banks from the other side, particularly from the member for Finniss. One of the programs—

Mr Pengilly interjecting:

The SPEAKER: The member for Finniss I call to order.

Mr Duluk interjecting:

The SPEAKER: The member for Davenport I warn for the second and the final time. If people not turning up to street corner meetings were a problem, we would all be in a deep hole.

The Hon. L.W.K. BIGNELL: The Agribusiness Growth Program is one state government initiative supporting small food and beverage businesses across the state. The $1.4 million program over four years is being delivered by Food South Australia and the South Australian Wine Industry Association on behalf of the government and offers businesses access to experts for one-on-one business evaluations followed by a grant and specialist coaching to implement their growth plans.

Thirty food and wine businesses are currently taking part in the Agribusiness Growth Program. Just some of those businesses include the Fleurieu Peninsula Olive Press, which is based at McLaren Vale. George Konidis has a family-owned olive oil and wine production company that has been established for 20 years. There is also Kangaroo Island Shellfish. Ken and Amanda Rowe do a fantastic job with their business based at American River. They are living in Yankalilla now and also run a stall at the Willunga Farmers Market every Saturday morning. They do an awesome job.

Mr Williams interjecting:

The SPEAKER: The member for MacKillop is warned.

The Hon. L.W.K. BIGNELL: They purchased the oyster farm in 2008 and established the Oyster Farm Shop in 2010. I advise anyone to get down there and try it out. Kangaroo Island Spirits, a fantastic business that Jon and Sarah Lark established down there, is also part of the program, along with Smiling Samoyed Brewery at Myponga. Simon Dunstone and Kate Henning are doing a brilliant job down there. There is Thistle Be Good at Aldinga, with Jacqui Good, who established her business in 2002—

Members interjecting:

The SPEAKER: The member for Unley is warned and so is the member for Schubert.

The Hon. L.W.K. BIGNELL: —making a range of ready-to-eat risotto, quinoa and Egyptian dukkah. At Wakefield Grange at Yankalilla, Sophie and Nathan Wakefield are also doing a fantastic job working with producers in their area to provide some of the best meat in South Australia.

HOUSING SA LOCAL PARTICIPATION PROGRAM

Mr GEE (Napier) (15:37): My question is to the Minister for Social Housing. What is the government doing to address unemployment for families and individuals living in the north?

Mr Knoll interjecting:

The SPEAKER: I do not think that the member for Schubert has been exhumed, but I will translate him to another location if he does not be quiet.

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (15:38): I thank the member for his question. I am pleased to report that Housing SA is currently trialling a new local participation program aimed at supporting its tenants to actively participate in the community, grow their skills and access employment. An 18-month trial program was launched in November 2016 to target Housing SA tenants in the northern and western suburbs who are not currently active in the labour market, many with limited or no prior employment history and multiple barriers to employment. The participants are also from areas that align with the Northern Economic Plan.

Two local participation brokers have been engaged to work closely with participants in developing individual plans, skill building and creating pathways to the labour market. Brokers are also working to develop relationships with local agencies and employers to facilitate local jobs for their clients. A promising example is the establishment of a relationship with Contact 121, the operator of Housing SA's maintenance call centre, which has already offered employment to two participants and will be recruiting more staff in coming months.

Further development of these pathways is anticipated to create opportunities for a range of clients who may have difficulty accessing employment on their own. Thirty people have participated in the program so far and four have already secured employment. Another 16 are enrolled in training, volunteering or activities to build their capacity and ability to access employment. In addition to this, the Department for Communities and Social Inclusion has also allocated $15,000 to support Wheels in Motion, a program that assists people without a car at home and no available authorised, supervising driver to obtain a driver's licence.

This contribution will enable the commencement of a new targeted adult specific service, which is planned in partnership with Australian Refugees Association and the City of Salisbury, to support people over 25 years with barriers to getting their licence. It is anticipated that 80 per cent of the clientele of this new service will be new to Australia. Demand for this service continues to grow, particularly from the northern suburbs. It is anticipated that 250 people's lives will be substantially changed through improved access to driving.

This initiative is part of the broader Northern Participation Exemplar, which is exploring ways to maximise job creation for disadvantaged residents by leveraging procurement opportunities and connecting these with Housing SA's program participants.

UNEMPLOYMENT FIGURES

Mr WINGARD (Mitchell) (15:41): Supplementary: can the minister please inform the house what the unemployment rate is in the northern suburbs?

The Hon. Z.L. BETTISON (Ramsay—Minister for Communities and Social Inclusion, Minister for Social Housing, Minister for the Status of Women, Minister for Ageing, Minister for Multicultural Affairs, Minister for Youth, Minister for Volunteers) (15:41): Well, as you've seen just across the state, it's about 5.8 today.

Members interjecting:

The SPEAKER: The member for Davenport is on two warnings and the member for Unley is now on two warnings.

The Hon. Z.L. BETTISON: Last time I did look, it was higher in the northern suburbs, just under 8 per cent, but of course we know that this is a time of transition and change not just in the north, with Holden workers finishing tomorrow. That is why we have had our Automotive Industry Participation Transformation support packages. Can I thank Holden for the support that they have given in this area. I have gone to their transition centre many times. It has opened people up there to discuss what their future will be. Particularly for some people in the north, working for Holden has been virtually their whole life. They might have started there when they just left school, followed their grandparents and parents into Holden.

On Sunday, I had the opportunity to attend the family fun day and, while it was a wonderful opportunity, and the Premier was there with me, as was the Minister for Employment, we were able to reflect on the pride of the north and the whole of South Australia with those beautiful Holden cars, and people who had great pride were telling stories about how they have kept these cars in the immaculate condition that they are. They have bought these cars as wrecks and done them up, and they were able to show that to the South Australian community.

If there is one thing I know, because I live in the north, it is that people see workers with their Holden shirts on—they are in the shops, they are at the restaurants, they are watching their kids play sport—and there is this sense of pride when you see someone who works at Holden's. So indeed tomorrow is a sad day. As we have said before, this didn't need to happen, and I think across Australia we will regret that this decision was made because, if there's one thing I know about it, it is the excellence that we have in that operation, and what we saw was that we were having the world's best practice just only recently at the GMH operations at Elizabeth.

I have been out there several times myself, it is just-in-time with the most modern technology you can imagine, and we will lose that and we have lost it from Australia. What we will be doing is having those ex-Holden workers going out through our industry, whether they will be in tourism—

The SPEAKER: Minister, I think you were asked for a figure.

The Hon. Z.L. BETTISON: I think I gave that figure.

The SPEAKER: Well, if you have given the figure, then you have answered the question. The member for Morialta.

TAFE SA AUDIT

Mr GARDNER (Morialta) (15:44): My question is to the Minister for Higher Education and Skills. Is the minister now able to advise the house how many TAFE students were notified that their own course is affected by the ASQA audit and, in particular, how many were studying the individual units of competency that are being called into question?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:44): Yes, a figure has been arrived at and agreed through the double audit process that is occurring within TAFE SA at present in its approach to responding to ASQA next week. The figure that they have now determined within the catchment of the number of students who might be affected is just under 1,700 students.

Having reached that conclusion, TAFE is now going through a process of contacting all students, those who no longer need to pay further attention and those 1,700 who do need to be aware that they remain involved, and also any employers who may be involved with those students in the case of apprentices and trainees. I anticipate, as we move towards the response next week and then the ASQA response beyond, that we will have a much finer grained position on how many students are indeed part of the remedial action.

TAFE SA AUDIT

Mr GARDNER (Morialta) (15:45): Supplementary: is the minister therefore confident that the other 800 students caught up in those courses have no threat to their qualifications?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:45): That's absolutely the advice that has been given to me by TAFE.

TAFE SA AUDIT

Mr GARDNER (Morialta) (15:45): Supplementary: in relation to those other 1,700 students who are doing the units of competency that are in question, the minister on Tuesday said that there was remedial action that was being contemplated for those students. What is that remedial action contemplated, at what cost and is any compensation contemplated for the affected students?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:46): It is slightly too early to give a comprehensive answer to that question but, to enlighten the house, when I talk about remedial action I can give a couple of examples. It may be that a student who is undertaking a unit of competency has not yet learnt something that they ought to learn and that will now occur. It may be that a student has completed a unit of competency and is still enrolled in the qualification but that, in being assessed on that unit of competency they have completed, they were not fully assessed on all the requirements and that will now take place.

In terms of the other elements of the question, we will have to await the work-through with ASQA, but, as I have said from the start, TAFE will be a model litigant should that approach ever become necessary.

TAFE SA AUDIT

Mr GARDNER (Morialta) (15:46): Supplementary: is the minister now in a position to provide the house with the KPIs the TAFE board is using to determine whether the CEO and senior executives will cumulatively receive hundreds of thousands of dollars in bonuses?

The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:47): I took that on notice two days ago, but in so doing—and I am not in a position to provide an update to the house today—I made it very clear that the concerns raised through this ASQA report, as yet an uncompleted process but the initial audit, will absolutely be part of what is taken into account by the board, and I have had that assurance from the chair of the board.

SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL

Mr GARDNER (Morialta) (15:47): My question is to the Attorney-General. What does the Attorney-General consider to be an appropriate or acceptable time frame for the Employment Tribunal to consider a matter regarding compensation for industrial hearing loss, the details of which were described by a constituent of mine in writing to the Attorney-General in September and which were first brought to the tribunal in June 2014?

The Hon. A. KOUTSANTONIS: Point of order: this is seeking an opinion.

The SPEAKER: The assumption underlying the question is that the Attorney is responsible for the timely provision of adjudications by the judicial branch. Does the Attorney wish to answer the question?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection

Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (15:48): I am happy to make some general comments, although obviously I don't have the particulars and, if I did, nor would I comment on a matter before the courts. But I am happy to speak in general terms if that would assist the parliament, as I am always keen to do.

The SPEAKER: As always, yes.

The Hon. J.R. RAU: There are a couple of things that probably are relevant to be considered here. The first thing is that, as you of course would recall, in the 2014 calendar year this parliament considered very significant amendments to what was then the old workers rehabilitation and compensation act, and in the course of so doing we ultimately repealed that act and replaced it with the Return to Work Act, which became functional as of 1 July 2015.

In the course of that occurring, of course, there are some transitional arrangements relating to injuries that may have occurred either side of that transition date. They are by their very nature complicated events because we have an injury occurring in the time when one act is operational and then that injury is not totally resolved by the time the new act has come in, and of course that's inherently a complicated matter. Some matters have been caught in that transitional arrangement.

The second thing I wanted to say was that we have since that time and in the course of those changes restructured what was the old industrial court and the workers' compensation jurisdiction. We now have a new Employment Tribunal, which is, I believe, however, a court for the purposes of Chapter III of the Commonwealth Constitution and therefore exercises judicial power on behalf of the state.

That body has as its fundamental underpinning the notion of a simple, efficient, quick resolution of matters of this type. It is very important if you have people who have injuries that they are able to deal with those things, ideally without lawyers, in a non-adversarial, or at least as hospitable as possible, sort of environment. That's indeed what the Employment Tribunal seeks to achieve. The rules established by the Employment Tribunal are directed very much towards conciliation, towards getting rid of as much formality as it's possible to do consistent with exercising judicial functions and appropriate disposition of matters. Generally, the objectives are pretty clear, both from the perspective of the Employment Tribunal and from the perspective of the Return to Work Act.

In general terms, the thrust of both of those pieces of legislation, which this parliament has actually dealt with in this term of government, has been to try to expedite the hearing of matters in such a way as to minimise formality and to maximise the opportunity for people to have a speedy resolution of claims. Individual claims may or may not be more difficult to process than others for reasons quite particular to those claims.

There might be very contentious matters of medical evidence, for example, where we have contending medical opinions and it's not possible for there to be a consensus about what the medical position is. There may be other jurisdictional issues which are not amenable to easy resolution. There may be a number of reasons why things take a longer time than is desirable, but the general proposition is that they should be done as quickly and expeditiously as possible.

The SPEAKER: Has the member for Morialta taken it up with the head of the jurisdiction?

SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL

Mr GARDNER (Morialta) (15:53): Well, the supplementary question is: is the minister intending to respond to my constituent's letter of September, especially given that I wrote to the Attorney-General a week ago advising him that if he didn't I would be bringing it up in parliament this week and, in particular, as my constituent is waiting on a new set of hearing aids?

The SPEAKER: Point of order.

The Hon. J.M. RANKINE: This contravenes standing order 97.

The SPEAKER: The member for Morialta is on two warnings and, unusually, I agree with the member for Wright: that was an impromptu speech.

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (15:53): Mr Speaker, can I respond to that?

The SPEAKER: Well, it wasn't a question, so I don't see how you can respond to it.

The Hon. J.R. RAU: I have an opportunity, Mr Speaker, and it would be a shame to waste the opportunity. Can I say that one of the things that I have discovered, and I know some of my colleagues have discovered this over time, is that you can be sitting in your office, busily getting on with your business, and then the phone rings and somebody rushes up to you and says, 'A member of the media wants to know what you are going to do about X.' You say, 'Well, I don't know anything about X. Nobody has put that to me,' and then you look at the inquiry and you discover that Mr X has written to you about this and you haven't yet responded. At the moment, the telex machine, or whatever they call them now, in your office starts burbling, and—

Members interjecting:

The SPEAKER: Are you sure it's not the Morse code?

The Hon. J.R. RAU: The stuff is coming out of the Gestetner as you're on the phone and you realise that the question is actually being put to you nanoseconds before the request to answer it has been received. In the particular chronology you were just given, that is not the case. Apparently a letter was put in the letterbox about a week ago. I have to say—

Mr Gardner: You got a letter a month ago. I wrote to you a week ago by email; it gets to you immediately these days.

The Hon. J.R. RAU: I do receive a number of letters addressed to me. They don't all reach me within a few days. I do, however, have a standing direction to my staff to say, 'If a member of parliament writes to me in particular, I would like to receive that letter as soon as possible.' I will inquire as to when the letter from the member for Morialta was received in the office, and if it has been sitting around in someone's in-tray for a week or so, I will speak to them and say—in fact, I will tell you, Mr Speaker, what I will say to them.

I will say, 'Look, we should be more punctual with letters from members of parliament because they are important letters, and I would like to read any letter that a member of parliament sends to me so I can respond to it quickly because that's very important.' So I will make inquiries as to where that letter might have gone. But, in the general course, what happens is that every letter that comes into my office—and you would know, Mr Speaker; you occupied the same office—is dealt with by correspondence people. They seek to obtain answers to the letters as soon as possible, and then they send it to the minister.

Sometimes, there is an interval of some time—unacceptable though it is sometimes, that interval can be a long time. When it is a long time, it is very upsetting for the minister because it makes the minister look bad, but that is the way correspondence goes.

The SPEAKER: I think we have the thrust of it. The member for Schubert.

HEALTH REVIEW

Mr KNOLL (Schubert) (15:57): My question is to the Treasurer. Does the Treasurer also attribute, as the health minister did publicly yesterday, that the government's failure to achieve its Transforming Health savings target last financial year was largely due to the severity of the flu season?

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (15:57): I will have a look at what the minister said yesterday and get back to the house.

FINES ENFORCEMENT AND RECOVERY UNIT

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (15:57): My question is to the Attorney-General. Why did the Attorney-General's Department contract KPMG to prepare a report on the Fines Enforcement and Recovery Unit planning, and further, the Anteris Management Pty Ltd

on the Fines Enforcement and Recovery Unit review, for which the annual report confirms payments of more than $10,000 each? What were the conclusions or recommendations of those reports?

The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (15:58): I welcome this question, because the Fines Enforcement and Recovery Unit is a very important innovation by this government to try to improve the recovery of moneys owed to the people of South Australia, in the form of the Treasury, by people who have done the wrong thing.

As members would be aware, some of this money is money which may have been imposed through a traffic infringement notice or something of that nature. Some of this money might even be for things like council fines that we collect on their behalf. There has been an ongoing interest in how this recovery of fines is going. We have improved a lot, but I don't accept that we can't do better.

I have asked the Fines Enforcement and Recovery Unit to give me advice as to how they might improve. I am not in a position to advise the parliament about those two particular inquiries at the moment but I will find out, and I will find out what precisely was recommended by those investigations. But I say to the parliament that I am very happy to see improvement in fines recovery, and I am hopeful that we can continue to improve that. In fact, although I dare not speak about it, I think we have measures before us shortly to enhance the performance of that unit. I think that is all to the public good.

Grievance Debate

LIGHT ELECTORATE

Mr KNOLL (Schubert) (15:59): I rise today to speak about a number of issues that are pertinent to the people just below my electorate in and around the Gawler region and about some of the commentary that has been made in relation to a number of issues that we see as being extremely important for the Gawler area. In doing so, I want to point out that we have been in opposition for 16 years and we know what that means. The government has been the government for 16 years, and they should know what that means.

There is a difference between being in government, being part of the executive, and being in opposition. The idea is that as a member of the government your party can actually achieve for people in your electorate. You are part of the government and that is the basis on which you can achieve, but the member for Light seems to forget that his party is in government whenever it is convenient for him to do so. He does it when he does not deliver for his electorate, which happens, sadly, on too regular an occasion.

We talk about the Gawler East link road where we have received an inferior outcome where the state government, instead of having the foresight to extend the Gawler East link road out to Tiver Road, takes the secondary option of only taking it around to Potts Road and the issues that that is going to create around the southern end of Gawler, especially around the drop-off and pickup times at Trinity College, which, as I understand it, is the largest school in the Southern Hemisphere.

We move on to Dalkeith Road, an intersection that has been notorious for a number of years but interestingly, the member for Light only becomes interested after local candidate Karen McColl and I actually start to get interested in the issue. In fact, it went from being nowhere, an issue that was not on the radar and after our first letter we actually did receive a positive response, saying, 'Hang on, we'll actually now do it in the next couple of years.'

After pressing into the media and saying, 'Thank you for that advancement, DPTI,'—in response to our letter—'but we think this should be a higher priority', it then comes down that it is going to be 12 months. The candidate for the Liberal Party, Karen McColl, was able to achieve in a number of months what the member for Light was not able to achieve even though he is the member of the government. It went from being nowhere to two years to one year. That is what decent advocacy can bring you.

The electrification of the Gawler rail line is an absolute farce and has cost the taxpayers tens of millions of dollars in wasted money so far. What has the member for Light delivered? He has delivered a system that will eventually get to Salisbury. That is not good enough for the people of Gawler. That is not good enough for the people who live in the electorate of Light and once again, the current member for Light has not delivered.

We move on to the project that frustrates me most, which is around the Tulloch Road intersection. The local paper, *The Bunyip*, a brilliant advocate for everything Gawler which seeks to get the truth out there to the people of Gawler, quotes the member for Light, who says that he has been advocating on this issue but unfortunately the council and the state government did not listen at that time.

I do not know if someone needs to remind the member for Light that he is a member of the government. In fact, he sat around the cabinet table for three years. I do not understand how much more power this government needs to have in its hands, but this is where things can get done. Unfortunately, what the member for Light likes to do is to pretend that he is somehow an opposition member, that somehow his party is not in power because time and time again he does not deliver for the people of Gawler.

What does the member for Light choose instead to focus his time on? He chooses to spend his time on fixing the Middle East peace crisis. What is more important—actually delivering for your electorate, the people who elected you into parliament, or trying to fix an intractable problem on the other side of the world? He stood up and lobbied and pushed for such a long time in relation to the Palestine motion and it got up. Brilliant. What practical effect has it had for the people of Gawler? None. What practical effect has it had for the people of Palestine? None.

He also comes into this place and makes some utterly absurd comments in relation to female genital mutilation that were just absolutely weird. These are the issues he chooses to focus on—Palestine and female genital mutilation—instead of actually getting on and delivering the road projects and infrastructure projects that the people of his electorate actually call on him to deliver. It is something that he will stand condemned for, and in March next year the people of Gawler and the people of Light will be able to make their determination on his performance.

SERVICE CLUB WEEK

The Hon. A. PICCOLO (Light) (16:04): I will actually stick to something much more important. I will not use my grievance as an opportunity to attack another member. You know when things are not going well on the ground when they personally attack you. That is okay. Go ahead, go your hardest.

Today, I would like to speak about Service Club Week. This week is Service Club Week, which is a time to celebrate the remarkable achievements of service clubs in our community. Service clubs have a long tradition of service to the community. Service Club Week celebrates and recognises the outstanding contribution and achievements of all SA service clubs and that each make an enormous contribution to the lives of people in our local communities. While the clubs do great work individually, when they combine their efforts they do some fantastic things for our community.

In my home town of Gawler and throughout the Light electorate generally, the workers of service clubs and the combined service clubs are everywhere to be seen. The volunteering stories of these clubs are truly amazing. These traditions have been developed and nurtured by committed individuals over many years of service to the community. I wish to acknowledge club members' willingness to donate their time to improve the lives of others, which is a true testament of the giving nature of South Australians.

Volunteering is a critical part of South Australia's economic, social and cultural prosperity and wellbeing. We have a tradition of volunteering in SA that we can be truly proud of. While the economic benefits are well known, those intangible social and cultural benefits are sometimes hidden, but no less important. The sense of community they develop is critical to the wellbeing of many, particularly for those who, for whatever reason, become isolated from the mainstream community. We also know from surveys that more than half of all South Australians—that is more than 830,000 people—volunteer in the community in some way. Whether it is formally, with a local

community organisation or group, or more informally—for example, helping your neighbour with their grocery shopping—it all makes a difference and is an enormous contribution to the South Australian community.

I wish to take a few moments to acknowledge the fine work performed by service clubs in my electorate. From fundraising by staffing car parks at community events to collecting rubbish, running community markets, funding community awareness programs and helping the kids in the community, the work of service clubs is everywhere to be seen. These small bands of dedicated volunteers contribute hundreds of hours and raise thousands of dollars for local, national and international projects.

I would also like to acknowledge the members of my own service club, the Lions Club of Gawler, which next month will celebrate its 50th anniversary—50 years of service to the Gawler community. I would also like to acknowledge ACSO, the Association of Community Service Organisations, ably chaired by Bronwyn Heard, who are hosting a range of events this week to mark the occasion.

In terms of my own clubs, I would like to acknowledge the following clubs and individuals in no particular order: Patricia Dent, President of the Zonta Club of Gawler; Pauline LaRoche, the President of View Club of Gawler; Margaret Harris, the Soroptimist International Barossa Valley club; Joe Messner from the Apex Club of Gawler; Chris Poulton, the President of the Bottlebrush Ladies CWA club of Gawler; President John Fischer of the Rotary Club of Playford; Carol Valentine, President of the Rotary Club of Gawler Light; Marilyn Curtis, President of the Country Women's Association of Gawler; Worshipful Master, Bradley Furlong of the Freemasons of Gawler; Marie-louise Lees, President of the Rotary Club of Gawler; and Lisa Aplin, President of the Lions Club of Elizabeth Playford.

I would also like to acknowledge the Freemasons group from Elizabeth, which also services the southern part of my electorate; Monica Scholz, President of the Kiwanis Club of Gawler; Ray Brussow, the President of my own club, the Lions Club of Gawler; Nick Charles, President of the Lions Club of Angle Vale; and, last but not least, Rose Muirhead, President of the Kiwanis Club of Roseworthy-Hewett. These clubs make an enormous contribution to the wellbeing of our communities, and that is what I like to focus my time on.

YORKE PENINSULA FIELD DAYS

Mr GRIFFITHS (Goyder) (16:09): I wish to offer my congratulations to the Yorke Peninsula area for an event that occurred a couple of weeks ago—the Yorke Peninsula Field Days. I was not able to attend the last parliamentary sitting week, as I was given the three days away to be at the field days for all three days that it runs—Tuesday, Wednesday and Thursday. As has been my practice for some time, a temporary electorate office is created in the pavilions, and I share it with Rowan Ramsey, the federal member for Grey. We do so on the basis that the local community supports the event significantly in numbers and it also a great opportunity for people to come and talk to us about issues of concern, pleasure or anything in between. We do that and expose ourselves to criticism and thanks, as it turns out, across the three-day period.

The Yorke Peninsula Field Days have existed for 122 years, first starting in 1895 on a site near Bute, a little bit farther to the north. It is the 40th year that they have been held on the site near Paskeville, having started in 1977. Many members have attended, including the Minister for Local Government and Regional Development, the Minister for Agriculture, the Hon. David Ridgway and the Leader of the Opposition, Steven Marshall (member for Dunstan). I am glad Steven Marshall was there on the Wednesday, the day of the official opening. The member for Morphett was also there.

It is a great opportunity for interaction to occur and to witness what is good about regional communities. There were over 700 exhibitors on the site, and the size of the site it occupies is immense. Probably 30 roads form the laneways between pavilions, which are permanent structures, and the tents and marquees that are erected. It is a great chance to buy anything you could ever need in regional community. Those who are in agriculture, in particular, can look at some of the latest innovations in technology in the agricultural industry. The value of the products on display is in the absolute millions.

It becomes a challenging day. A lot of people get there at 9 o'clock, when it first opens. There are a lot of hardy souls—and I enforce that point—who go for all three days, and for those people it would be absolutely exhausting. Many do so on the basis that they get there on the Tuesday to see the things that they are particularly interested in. On Wednesday, they go back to have a look at the stuff they might not have seen on the Tuesday, and on the Thursday they go back to buy some items at bargain prices from the exhibitors who do not want to return them to their warehouses. It is a great chance to have a look. All credit must be paid to the community groups that support it. Community groups from across the Yorke Peninsula area are involved in the catering. While an enormous amount of effort and volunteer hours create it, it is also a significant fundraiser for those groups. My congratulations to them.

The ag bureau is exceptionally well led when it comes to the groups that make up its management board. There are eight agriculture bureaus on Yorke Peninsula that form the management structure. Each of those ag bureaus has two representatives who can rotate on the board. The president's position rotates amongst the different agricultures, and this year it was led by Nick Correll as president, with the long-serving Elaine Bussenschutt OAM as chief executive officer, and I acknowledge Elaine as the former president of YP Field Days, coming from its ag bureaus.

It is probably 18 months of work to create the field days, with an expenditure in the thousands of dollars during the period from the last one to the next one to get all the arrangements right. Having been a stallholder, getting there on a Monday to set up, it is amazing to see the number of things that have been brought in on the Sunday or the weekend before to be set up on the Monday night and ready to go when people start to walk through the gates. I also give credit to the volunteers who act as overnight security. With many millions of dollars worth of goods, much of it in tents, it might be a tempting target for those who might not choose to do the honest thing, but it is all prepared and cared for.

All weather conditions are on display—beautiful days, wind, dust, rain—but the collective mix creates something I am very proud of and the region is very proud of. When you consider the economic multiplier that comes from having an estimated 35,000 people in the Copper Coast area, with many needing accommodation and being prepared to travel some distance, and the period that they stay, it creates a significant boost for the region. I am proud that the Yorke Peninsula Field Days are within the Goyder electorate. I pay tribute to the generations of people who have made them possible. Their forbearance and foresight 122 years ago have created something that our industry should be proud of and that the community is proud of.

CUMBERLAND UNITED WOMEN'S FOOTBALL CLUB

Ms DIGANCE (Elder) (16:14): I rise to speak today on a dynamic local sporting club which, like so many, thrives on the commitment of volunteers, parents, families and friends, namely, the Cumberland United Women's Football Club. Recently, I had the great pleasure of attending the club's senior presentation night to honour and recognise the under 17s, division 1s, reserves and premier teams. It was a night of high energy as players, families and friends paid tribute to the achievements of the all-female players and their dedication during the season.

I was also delighted to award Bronny Brookes with the Volunteer of the Year award in appreciation of her consistent commitment and hard work to the club. Also on that night, we were treated to the inspirational Di Wallace-Ward recounting how she persisted and triumphed in the previously male-dominated sport of surf lifesaving and ironman competition.

The Hon. P. Caica: Fantastic competitor.

Ms DIGANCE: Yes, incredible persistence and determination—a true role model. The women's football club originated back in the early eighties and it arose from the male Cumberland United Football Club. This women's club was also a major advocate for the establishment of the South Australian Women's Soccer Association in 1995. The club moved its home to the South Australian Women's Memorial Playing Fields at St Marys in 2004, which it still calls home, signalling the establishment of the Cumberland United Women's Football Club.

Women's football is one of the greatest growing participation sports in Australia. The success of our national team, the Matildas—I understand some of its members still call Cumberland United

Women's Football club home—and the establishment of the national club-based competition, the W-League, has ensured a strong development path for young girls and women entering the sport.

With the support of the Football Federation of SA, Cumberland United Women's Football Club is one of the oldest and, arguably, one of the most successful women-only clubs. The club is one of eight inaugural FFA National Women's Premier League clubs in SA, fielding teams across all age groups, winning league and cup honours through all grades and providing many players who have gone on to state representative teams.

The club is currently the largest all-female soccer club in South Australia and, I am told, has amongst the largest membership club in the country. In 2017, the club had 235 registered players from ages five to 45 competing in 18 teams, with numbers limited only by the lack of suitable floodlit training areas. There is a very strong focus on junior development, working closely with the Football Federation of SA in encouraging players to start at the MiniRoos level.

Cumberland United Women's Football Club's philosophy of locating and developing their own talent while working with local schools and associations, community clinics and promoting the FFA national curriculum, has seen the junior area of the club grow rapidly. The success of the club has foundations in the strong reputation of inclusivity and community mindedness, with only one rule: if you want to join the club, you must be supportive and respectful of all others. The club values the development of their young women, teaching them respect, commitment, teamwork, persistence, tolerance and integrity.

The club has a dream, which I support, to build and improve the facilities at the SA Women's Memorial Playing Fields so that they can grow and expand and become a real hub for women's soccer. Congratulations, Cumberland United Women's Football Club, on your amazing achievements as we all look forward to a successful and prosperous future.

COULTHARD, DR BOB

Mr DULUK (Davenport) (16:19): I rise today to acknowledge, with great sadness and respect, the passing of Dr Bob Coulthard AM. Dr Bob was truly an extraordinary man. The tributes that have flown from across Australia and around the globe are testament to the overwhelming respect and love for Dr Bob and recognition for his considerable achievements. In their tribute, Lions Australia notes:

> Organisations have their treasures, their icons and legends. Dr Bob is one of these and will remain alive in our history and hearts.

Dr Bob is one of the best known and respected members of Lions organisations in Australia and overseas. He joined the Lions Club of Marion, South Australia, in 1963 and served continuously and actively from that time. He served as president, district governor and council chairman, but it was his sight-saving activities that established him as a Lion of immense stature and contribution. In 1965, together with the former Liberal premier Dr David Tonkin, Dr Bob helped organise the first major Lions sight project in South Australia, a week-long program of glaucoma screening and education about preventable blindness.

He introduced amblyopia (lazy eye) awareness to Adelaide kindergartens in 1971, which was later expanded throughout South Australia and the Northern Territory. Over the next 15 years, he conducted regular screenings for clubs in several districts, with over 600,000 tests completed in that time. The Lions Professional Chair of Ophthalmology at Flinders University is largely a result of his leadership in helping to raise the funds to endow that appointment, but it was his election to the Lions International Board in 1988 that would lead to his global legacy.

At his first board meeting, he put forward a plan to establish a worldwide sight conservation program, known as SightFirst. It has become one of the largest international sight-related programs and has put us on the path to eradicating preventable blindness around the globe. Millions of people owe their sight to the efforts of Dr Bob and others who were able to convince the Lions Club International Board that a worldwide fundraising campaign to combat preventable blindness was practical and achievable.

I understand that more than $US400 million has been raised throughout the SightFirst campaign. Many people have benefited greatly by the support, leadership and knowledge of this

great man, and it is clear from speaking to those who knew him and from the tributes that have flowed since his passing that he was always humble and an old-school gentleman. He was a friend and mentor to many and will be sorely missed. I extend my deepest sympathies to his wife, Jill, and to their family and my entire community in Blackwood, where I know that Dr Bob was such an active member.

Dr Bob was an outstanding Lion, inspiring in the spirit of his service to others. It is a spirit that fortunately lives on through the local Lions clubs in South Australia and around Australia, which make a significant and exceptional contribution to their immediate communities. Lions is always helping those who are less fortunate and in need all around the world. This year, Lions is celebrating 100 years of service in countries and communities across the globe. In my community, I am very fortunate to have three Lions clubs: my own club (Aberfoyle and Districts), Mitcham and the Lions Club of Blackwood.

The Lions Club of Blackwood has been around since 1965. They are best known for leading the annual Blackwood Christmas Pageant, a massive yet successful undertaking. It is the second oldest Christmas pageant in South Australia, behind only the Adelaide Christmas Pageant. The Blackwood pageant attracts over 10,000 spectators every year and has more than 1,000 participants. My community is certainly looking forward to the 2017 edition of the Blackwood Christmas Pageant, which this year will be held on 1 December.

Additionally, in my community Lions members can be found every Saturday morning at the club's bargain centre in Eden Hills where they sell a large range of donated items at incredibly cheap prices. Last year, they raised over $115,000 for the community, which has gone back to supporting grassroots organisations, individuals and deserving groups. Since its inception, the bargain centre has achieved sales of almost $2½ million. It is important that we thank and recognise not only the Lions clubs and their members for their outstanding efforts but also the nearly 400 community volunteers who help Blackwood Lions each year and the generosity of local residents who help make the fundraising efforts possible. In their centenary year, let's remember the Lions motto: where there's a need, there's a Lion.

HENLEY FOOTBALL CLUB

The Hon. P. CAICA (Colton) (16:23): Earlier this year, and you would remember this, Deputy Speaker, I stood in this place and detailed to the house many aspects of the great West Torrens District Cricket Club and the successful season it had last year, but today what I want to do is speak about another outstanding sporting club that is based at the Henley Memorial Oval—the great Henley Football Club, the mighty Sharks.

The 2016 season for the Henley Football Club was, to say the least, disappointing and certainly not what the players and members of the club have come to expect. At the end of that season, the club found itself in the bottom two positions in A grade, the senior competition and, as a consequence, found ourselves relegated to the second division. As I said earlier, this was disappointing and a bitter pill to swallow; however, we as a club did not drop our bundle. The club galvanised with one objective: to field the best possible team we could in 2017, to appoint a new coach, and put in place the necessary structures to deliver on this one and single objective—to ensure a return to the top division.

Rod Hill and his football department recruited a senior coach, Jarrad Wright (Boofa)—I will use their nicknames because that is how we all know them—who brought along with him Brent Reilly, the former Crows player, as his assistant coach. Also his dad filled in as part of the coaching team. Jarrad Parker (Pretzel) coached the Bs, and Chris Brown (Brownie) coached the Cs. We put together a very good coaching contingent throughout the senior grades of the club.

It was mentioned earlier by the member for Elder that clubs are really only as successful as the many volunteers who underpin the numerous roles within the club, and that includes our trainers, our team managers, those who cook the barbecue, those who cook the meals on the Thursday night and the Saturdays, and others who support the club in a variety of ways.

We were lucky enough to have a major refurbishment of the Henley Football Club clubrooms undertaken over the Christmas period late last year. This refurbishment has been an outstanding success to the extent that it is clear that all of the visiting clubs that have come to Henley this season

are so envious of our new clubrooms. There were many who contributed to this project, and I want to thank those club members who provided their time and resources in kind. In particular, I want to acknowledge the main drivers of the redevelopment and their roles who almost, if not did, acted as the project managers for this particular refurbishment. Club workhorse, Teresa Davoren, fulfils many roles. She was magnificent in managing this project, along with George Charalabidis. Like so many volunteers, these two in particular are always willing to put their hand up to help the club in any way they can.

Deputy Speaker, I know that you are sitting on the edge of your seat and asking yourself, 'How did the Sharks go?' I can inform you and everyone here that the Henley Football Club had a magnificent season. With our three senior teams, our A-grade team were minor premiers, losing only one game during the season, finishing minor premiers, and taking out the grand final in an exciting game against Athelstone, who were clearly the second best team in the competition.

Pretzel's B grade were undefeated minor premiers but lost the grand final against Sacred Heart, who were the better team on the day. They benefitted from the fact that they had no other teams in the senior competition playing in the grand final and were able to get some players who had not necessarily played throughout the season in that team, but the Bs can be very proud of the season that they had. The C-grade, Brownie's boys, undefeated premiers—what more can be said about that? A combination of experience and youth, a team that was magnificent all season. And, next year, we are back in the premier division.

I mentioned volunteers earlier. I also want to acknowledge the committee and recognise those who are standing down after outstanding service to the club: the treasurer, Vanessa Spaans; secretary, Mary Pavlich; Teresa Davoren, who stood down earlier in the season because of work commitments; and Nick Bridgeman. I also wish to acknowledge the work of other committee members, in particular, Michael Broadbent, our sponsorship officer. I would also like to mention the Henley Heroes, Trevor Sampson and his band of merry men who raise a lot of money for the club as well as the social committee known as the GLAMS.

I want to finish briefly by talking about the juniors. The juniors also have an outstanding committee and have been very successful this year. The highlight was the introduction of four girls teams. It is safe to say, more than anecdotally, that these girls teams are really changing the culture of the club, and changing it for the better. I want to acknowledge Peter Evans and his management of the girls and the development of the girls teams. Next season we will be looking at fielding an under-18 team in the girls' division. They, the girls, are transformational with respect to the culture that is now being bred and developed within the club. Henley Football Club had a fantastic season.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (16:29): I move:

That standing orders be and remain so far suspended as to enable the report of the Auditor-General to be referred to a committee of the whole house and for ministers to be examined on matters contained in the papers in accordance with the timetable as distributed.

Motion carried.

Bills

AUSTRALIAN ENERGY MARKET COMMISSION ESTABLISHMENT (GOVERNANCE) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 27 September 2017.)

Mr VAN HOLST PELLEKAAN (Stuart) (16:30): Regarding the Australian Energy Market Commission Establishment (Governance) Amendment Bill 2017, let me say straight away that the opposition supports this bill without any reservation or suggested change. The AEMC (Australian

Energy Market Commission) makes the rules that govern the electricity and national gas markets in the NEM and beyond. The governance arrangements for the AEMC are determined by the Australian Energy Market Commission Establishment Act 2004. South Australia is the lead legislator for national energy legislation, so of course, as you would know, Deputy Speaker, changes that have been agreed in principle at COAG get worked through our parliament before they go to the rest of the nation.

The AEMC act currently requires the AEMC to consist of three commissioners, inclusive of the chairperson. Following a review of the COAG Energy Council, it was recommended that the number of possible commissioners be increased to five and the minimum be three. The reason for increasing the number of commissioners is to manage the increasing workload of the AEMC by increasing the number of commissioners. It also seeks to increase the diversity of skills and experience that has been built into the appointment protocol and matrix used by the COAG Energy Council. The consequential amendments relate to the appointment process and quorum requirements relating to the appointment for additional commissioners.

To my knowledge, the appointment process has not changed at all. With regard to the quorum process, it is what you would typically expect, being 50 per cent plus one. They need to have 50 per cent plus one, regardless of the number that actually turns up. There must be three there to make it happen, so three, four or five would be required for the meeting to actually proceed.

While of course there would be a cost for these commissioners, to my mind and my Liberal colleagues' minds, that cost is absolutely inconsequential with regard to any impact on consumers' bills, which of course is the first priority. In my opinion, based on the benefit to consumers, it is also inconsequential increasing the number of commissioners by two-thirds, essentially going from three to five possible appointments. As I have just said, it is about increasing not only the number of people to be involved in this work on behalf of the market but also the range of skills that the commissioners could have between five of them instead of between three of them, which makes good sense.

There is much debate all over the south-east of Australia about electricity at the moment, and of course, as I said, this does apply to gas markets as well, but South Australia is in the worst position of all of the states with regard to electricity, so I would hope that an improvement in the number and the breadth of skills of these commissioners would lead to a direct benefit to South Australia. The opposition supports the bill.

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (16:34): I thank the opposition for their support and for their remarks. This is in accordance, as you were told, with the findings of the Review of Governance Arrangements by the Australian Energy Markets, known as the Vertigan review, which responded to stakeholder feedback that the current three commissioner structure of the AEMC does not adequately provide for succession planning or diversity of oversight or diversity of background and experience appropriate to the range of projects for which the Australian Energy Market Commission is responsible. The expert panel considered that the appointment of additional commissioners was warranted and recommended that the number of commissioners be increased up to five.

I say this by way of comment: with the death of Matt Zema you can see starkly the need to make sure that there is corporate memory with people ready to step up to fill vacancies. One or two dramatic exits, through retirement, illness or some other reason can leave gaping gaps in the market, and this is far too important not to have a level of redundancy in the system. I thank the opposition for their support. I thank the COAG and Mr Vertigan for the recommendations and I commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (16:35): I move:

That this bill be now read a third time.

Bill read a third time and passed.

The Hon. A. PICCOLO: Madam Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

TOBACCO PRODUCTS REGULATION (E-CIGARETTE REGULATION) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 18 May 2017.)

Mr TARZIA (Hartley) (16:38): I rise today to speak to the Tobacco Products Regulation (E-Cigarette Regulation) Amendment Bill 2017 and indicate that I will be the lead speaker on this side of the chamber.

As we know, e-cigarettes are battery-operated devices that vaporise a solution into a fine aerosol that is inhaled into the lungs in a similar way to cigarettes. In 2016, only 1.3 per cent of those surveyed in South Australia were users of electronic cigarettes, but around 30 per cent were cigarette smokers. Currently, South Australia does not have legislation, as we are aware, that regulates the sale, use and promotion of e-cigarettes which do not contain nicotine and which do not resemble a tobacco product.

These products may be legally sold or supplied to children at the moment, which is wrong and which is what we are trying to correct. They can be advertised and displayed. They can also be used in enclosed public spaces. It is not illegal to market non-nicotine electronic cigarettes with therapeutic claims. In Queensland, there is regulation of e-cigarettes in the same way as for other tobacco products. In New South Wales, they have actually banned the sale of e-cigarettes to minors, and I understand the Western Australian government has successfully prosecuted an e-cigarette retailer for selling a vaporiser that looked like a tobacco product.

In 2014, a select committee of the House of Assembly was established to inquire into and examine possible legislative restrictions on e-cigarettes. The final report tabled in February 2016 presented 20 recommendations relating to the sale, display, advertising and use of e-cigarettes. In the past, you would note, Deputy Speaker, that I introduced a bill that sought to prevent children accessing e-cigarette products. I think it is imperative that we prevent children from accessing e-cigarettes. This is consistent with current legislation proposed. The government voted down the bill in early 2017. The government then introduced the Tobacco Production Regulation (E-Cigarette Regulation) Amendment Bill 2017 on 18 May, some 15 months after the tabling of the final report.

Obviously the potential risks and also potential benefits of e-cigarettes are currently disputed among tobacco control and public health experts. Some argue that e-cigarettes have the potential to reduce the number of smoking-related deaths and diseases by assisting smokers to quit or by providing a safer, less toxic alternative to tobacco cigarettes. However, some experts argue that the long-term health effects are unknown, which is why we need careful regulation in this area.

At a community level, there is concern that the potential benefits to smokers are outweighed by the risks posed by widespread e-cigarette use within the community. For example, we do not want to make it socially acceptable again to smoke, especially for young people. It is imperative that we send the right message to young people: that smoking is not good and it should not be done. There are also concerns that this does provide a gateway into nicotine addiction and tobacco cigarette smoking. Also, if the area is not properly regulated, it can undermine the regulation of smoke-free environments.

The World Health Organization concluded in it substantive report in 2014, which was updated in August 2016, that the evidence for the safety of e-cigarettes and their capacity to aid smoking cessation has not been established. The National Health and Medical Research Council (NHMRC) concurs with this conclusion. The CEO of the NHMRC has actually said:

> There is currently insufficient evidence to conclude whether e-cigarettes can benefit smokers in quitting, or about the extent of their potential harms. It is recommended that health authorities act to minimise harm until evidence of safety, quality and efficacy can be produced. NHMRC is currently funding research into the safety and efficacy of e-cigarettes for smoking cessation.

In the past, health organisations, such as the Cancer Council SA, Heart Foundation (SA Branch), Asthma SA and the Australian Medical Association, have sought a complete ban on e-cigarettes, but I understand that they are supportive of elements of the bill nonetheless. E-cigarettes are still a relatively new product on the market, and we would be ignorant if we thought that they were not out there, because they are. Much is still unknown about the short-term and long-term effects of the health outcomes associated with exposure to e-cigarettes, their components and associated aerosols. I was taught to be cautious, and I think it is wise to be cautious in this regard.

Whilst we are not proposing to ban the products, it is responsible to regulate them. As such, the bill seeks to regulate e-cigarettes in a similar way to tobacco products by amending the Tobacco Products Regulation Act 1997 and to introduce a range of measures to regulate the sale, supply and use of e-cigarettes. The bill seeks to regulate e-cigarettes in a very similar way to Queensland, New South Wales and the ACT and proposed legislation in Victoria and Tasmania, which I think we have proposed in the past, and also to regulate e-cigarettes in a manner that is consistent with many of the select committee recommendations. I know that some of the committee's recommendations have not been proposed. Perhaps the minister could elaborate on why he felt a certain way about certain recommendations. Now it seems that the government has changed its mind on some of these recommendations. I look forward to hearing the minister's comments.

Overall, we are supportive of the amendment bill. Perhaps a topic for future discussion is that while this bill does seek to regulate e-cigarettes, there are other products out there in the market. What we have seen is that part of the industry will always find another way to get around current regulation. We had cigarettes: they move to e-cigarettes. We regulate e-cigarettes: they will go to another product. I already see from doing a quick Google search that there are different products out there. Now there are even heated tobacco products.

The point I am making is that while we are doing everything we can as regulators to regulate e-cigarettes, what about heated tobacco products? I understand that there are heating tobacco products out there. While the idea of heating tobacco instead of burning it has been around for more than two decades, it is only now that companies have found a way to heat tobacco that results in a product that is satisfying to some of these users. What has happened is that these companies are able to actually heat the tobacco products in a distinct way.

One product I have seen on the internet actually uses an electronically controlled heater; another uses a carbon heat source. I think it is a topic for another day, perhaps in the other place. There should also be regard to these other products that are now ahead of the curve. With those remarks, I am grateful that the government has finally come on board to regulate a part of the market whose products we know are accessible to children at the moment. That is completely unacceptable. We want to set the right example for children, which is why we need to create a strong regulatory framework in this area. I look forward to hearing the minister's remarks and I commend the bill to the house.

Ms DIGANCE (Elder) (16:47): I rise to support this bill, which seeks to amend the Tobacco Products Regulation Act 1997 by introducing a range of measures to regulate the sale, supply and use of e-cigarettes. In the middle of 2015, I formed and chaired a committee to investigate e-cigarettes and all matters pertaining to them. I was of the view that a select committee inquiry into electronic cigarettes (or e-cigarettes as they are more commonly known) was necessary as they appeared to be a product about which little was known, including their effects on health. Also there was no age restriction to consumers. Anyone could buy them, meaning that children as young as three or four could actually purchase this particular product, and there appeared to be little known about the effect of the product.

In my proposal to the house in establishing a select committee to investigate and report on e-cigarettes, I identified all matters relating to any legislative or regulatory controls that should be applied to the advertising, sale and use of personal vaporisers and in particular:

- the potential for personal vaporisers to reduce tobacco smoking, prevalence and harms;
- the potential risks of these products to individual and population health from vapour emissions, poisoning and the reduced impact of tobacco control measures; and

- make recommendations on approaches to the regulation of personal vaporisers under the Tobacco Products Regulation Act 1997 including addressing the following areas:
    - availability and supply;
    - sales to minors;
    - advertising and promotion;
    - use in smoke-free areas;
    - product safety and quality; and
    - any other relevant matters.

With a bipartisan committee of members—the member for Fisher, the member for Kaurna, who is now our minister having carriage of this bill here in the house, and the members for Bright and Hartley—we called for papers and witnesses to inform our deliberations and ultimately our unanimously supported recommendations.

There was great interest and this was demonstrated by receiving 142 submissions and the calling of 11 witnesses from a broad range of sectors, including business, health, research, hospitality government and consumers. Committee members attended site visits to gain further depth and insights to better understand all things e-cigarette and the industry.

In South Australia, e-cigarette use is currently low, with only 1.2 per cent of the population using the device, according to 2014 statistics. However as the sector is unregulated and given overseas trends, this figure is likely to continue to grow, and I would suggest that it has already grown since the committee deliberated. The committee established that there are currently many unknowns around the health impacts of electronic cigarettes, including the vapour given off by the device and its impact on third parties. While studies are underway to explore the health effects of e-cigarettes, it will be some time, possibly decades, before we really know and understand how they affect a person's health.

The World Health Organization is calling on governments to regulate e-cigarettes until the safety of the devices and their peripheral components, such as the vaporised solution contained within them, are established. Europe and a number of states in the US are now looking to regulate e-cigarette supply and use. Internationally, e-cigarettes have become very popular in the UK and the US. While a Public Health England report, published in 2015, supported electronic cigarettes as a harm reduction technique for existing smokers, tough new laws came into force across Europe in May last year.

The committee explored the workings of the devices, the liquid or, as they were more commonly referred to, the 'e-juices', the profile of a typical consumer, effects of inhaled and exhaled substances on the aetiology of the lung and body, as well as the effects of passive inhalation of vapour on the aged and also pregnant women. The committee noted the great research that had already been undertaken here in South Australia and, as such, would be supportive of seeing these efforts and endeavours further progressed.

The committee noted the submissions and witnesses who claimed that the device aided in their decreasing or ceasing tobacco smoking. The committee explored the appetite by those who presented this point of view of having the product approved by TGA and, if approved, distributed accordingly. At the conclusion of the committee, 20 recommendations were proposed, covering a range of matters from sales, use, promotion, product safety, enforcement, research and taxation and I am pleased that this bill has adopted eight of the committee's recommendations to ensure safety of the user and the public in the interest of public health.

The bill focuses on critical recommendations that seek to limit sales to minors, licensed retailers, curtail indirect sales (including internet sales), prohibit temporary or pop-up outlets such as vending machines, confine the use of e-cigarettes in areas that are smoke-free under the act, prohibit advertising promotion and specials, and pricing promotions for e-cigarettes at the retail point-of-sale display of e-cigarettes.

The bill aims to have a positive public health impact by regulating e-cigarette products and reducing the potential for harms to the South Australian community. Importantly, and while the evidence is inconclusive whether the product facilitates tobacco smoking behaviour in children, these laws will ensure the strength of these measures and decrease the likelihood of gateway behaviours of children. These laws, importantly, while protecting children, will still allow access by adults who choose to purchase these products. It will also protect other members of the public from being exposed to e-cigarette vapour within the legislated smoke-free areas. With those few words, I commend the bill to the house.

Ms COOK (Fisher) (16:54): I rise to speak in support of the bill as a healthcare worker, a concerned member of the public around the harm that cigarettes can cause, and also as a member of the parliamentary committee moved by the member for Elder—I believe it was last year now—

The Hon. C.J. Picton: The year before.

Ms COOK: —the year before even, so a couple of years ago—and a very good committee it was. The Tobacco Products Regulation (E-Cigarette Regulation) Amendment Bill 2017 aims to bring about important changes to protect the public from the harms that may arise from e-cigarette use. Prohibiting the use of e-cigarettes in areas that are smoke-free under the Tobacco Products Regulation Act 1997 not only helps reduce the community's exposure to e-cigarette vapour but also sends an important message that the government is committed to reducing the harm that may arise from products, owing to emissions that we are not 100 per cent about at this stage.

We know that leading public health bodies in Australia and internationally have raised serious concerns about the potential for e-cigarettes to cause adverse health effects. Both the National Health and Medical Research Council and the WHO have stated that e-cigarettes may expose people to a range of harmful chemicals, and they conclude that action should be taken to minimise harm to users and to bystanders. An important component of this bill is that the use of e-cigarettes would be banned in legislated smoke-free areas.

This will help protect the community from exposure to e-cigarette vapour and risks that may result from the inhalation of these chemicals. It will also mean less confusion for the public and businesses about where these products can be used. Currently, e-cigarettes can be used in places where smoking is already banned. This can undermine the ability of, for example, a business owner to make sure that people are not smoking in their pub or cafe, particularly when the smoke from a cigarette and the vapour from an e-cigarette look very similar. The bill would remove that uncertainty and treat both products in the same way.

The passing of this bill would mean that e-cigarettes could not be used in workplaces or outdoor public areas such as outdoor dining areas, within 10 metres of children's playground equipment, covered public transport areas and in places that are declared outdoor smoke-free areas such as the Royal Adelaide Show, Mosley Square in Glenelg, and Henley Square. This would help protect the health of the community in a range of public places, including those that are often attended by families with children. The reason for regulating the use of e-cigarettes in legislated smoke-free areas is that the research is uncertain about the potential harms of passively inhaling e-cigarette vapour.

We know that for many years citizens smoked freely in restaurants, cars and public places that were confined. Many workers, families and children were exposed to the effects of side-stream smoke without us understanding the consequences, but we do now. I look at it very similarly to e-cigarettes. I have been subject to inhaling a lot of e-cigarette vapour in areas where people are smoking them, or vaping. I am happy for people to have the choice to be able to access e-cigarettes, and I would support that freedom to have that choice, but I also support wholeheartedly the freedom for people to be able to stay away from inhaling the vapour, particularly children.

When thinking about a young person in a car where people use e-cigarettes, people eating meals in outdoor areas and employees at workplaces where people use e-cigarettes, I think this bill will go a long way to supporting people's rights in terms of their own freedom from vaping and the consequence of the vapour. With those few words, I wholeheartedly support the bill which addresses the issue of e-cigarettes and helps to protect the air quality in spaces where people are having recreational time, keeping them from being subjected to the vapour. I support the bill.

The Hon. C.J. PICTON (Kaurna—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister Assisting the Minister for Health, Minister Assisting the Minister for Mental Health and Substance Abuse) (16:58): I thank all the honourable members who have spoken on this very important bill, particularly the members for Elder, Fisher and Hartley. I thank the opposition for indicating their support for this bill; in fact, all four of us, together with the member for Bright, were on the initial select committee established to inquire into this matter. It was initiated by the member for Elder. I thank her for her decision to bring this forward to the parliament, which has ultimately led to the bill we are debating today.

As has been discussed, this bill provides an important regulatory regime that balances adult access to these products with the protection of public health, including safeguarding our young people. It is very pleasing to note that tobacco smoking rates among our entire population, including younger people, have fallen dramatically in recent decades. In 2007, 23 per cent of people aged 15 to 29 were smokers. In 2016, that figure had reduced to 12.3 per cent, so it almost halved. The government's target for youth smoking in the South Australian Tobacco Control Strategy 2011-2016 was achieved two years ahead of time.

Strong tobacco control regulation and programs, including smoke-free areas, mass media campaigns, bans on advertising and increased excise have all contributed to the fall in youth smoking rates. I would add plain packaging as well, which I was involved in. What impact e-cigarette use has on human health is still unknown, particularly so for young people. There is also the potential for e-cigarettes to be a gateway to smoking. The South Australian government is not prepared to leave the door open to this possibility.

As members would be aware, this is something we have discussed in this parliament a number of times. I have made a number of contributions giving my thoughts and views on the subject leading into that select committee, all of which I will not be repeating, but we do need to take a precautionary approach to this new technology. We are not banning it outright, as some have proposed; at the same time, we are not allowing free and unregulated access, as some people would propose. We are taking a precautionary approach to this new technology.

Young people who avoid taking up smoking today are much more likely to be healthier and avoid a variety of diseases when they are older. The passage of this bill will have a positive impact on the health of the community. The ban on using e-cigarettes in areas that are smoke free under the Tobacco Products Regulation Act will reduce the likelihood of exposure to e-cigarette vapour in public places and reduce health risks that may be associated with this exposure.

I would like to take the opportunity to thank parliamentary counsel, the staff of Drug and Alcohol Services South Australia and everybody associated at SA Health for their support and assistance on the bill. I would like to thank the member for Elder and all the members of the Select Committee on E-Cigarettes for their work in examining the legislative and regulatory controls that could be applied to e-cigarettes. I believe the bill takes on eight of those recommendations. As a member of that committee, I am slightly biased, but I think there are some more regulations that I am sure the government will consider over time.

It is important that we continue to protect the community from the harms of smoking and I thank honourable members who have supported this. I would also like to thank the member for Taylor, the former minister for mental health and substance abuse, for her hard work on the bill and bringing it before the parliament, and I endorse it to the house.

Bill read a second time.

Third Reading

The Hon. C.J. PICTON (Kaurna—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister Assisting the Minister for Health, Minister Assisting the Minister for Mental Health and Substance Abuse) (17:02): I move:

That this bill be now read a third time.

Bill read a third time and passed.

Sitting extended beyond 17:00 on motion of Hon. C.J. Picton.

HEALTH CARE (PRIVATE DAY PROCEDURE CENTRES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 21 June 2017.)

Mr KNOLL (Schubert) (17:03): I indicate that I am the lead speaker on this bill. I rise to make a contribution to the Health Care (Private Day Procedure Centres) Amendment Bill 2017. Not wanting, Winston Peters style, to hold out the suspense, I will say that we will be letting the bill go through this house—not that we have much other choice—but we will be seeking some assurances between the houses to discuss this matter further.

The bill seeks to amend the Health Care (Miscellaneous) Amendment Act 2016 to remove the requirement for facilities performing procedures under local anaesthesia to be licensed as part of the Health Care (Private Day Procedures Centres) Amendment Bill 2017. The bill regulates stand-alone private day procedure centres through various licensing arrangements and the setting of standards for construction, facilities and equipment.

The minister for health, the member for Playford, clearly stated when he tabled the 2016 bill that the government intended that some local anaesthesia procedures would be regulated. The Australian Nursing and Midwifery Federation and the Australian Day Hospital Association proposed that local anaesthesia be included in the act rather than the regulations, as proposed by the government. On 17 May 2016, the Legislative Council supported opposition amendments which brought local anaesthesia services into the act.

The government drafted and put a related amendment that included local anaesthesia whilst exempting health services provided by a medical or dental practitioner in the course of general practice. The bill passed both houses, including the lower house where the government has the numbers, and covers the following scope of services. A prescribed health service is:

(a) a health service that involves the administration of general, spinal, epidural or major regional block anaesthetic; or

(b) a health service that involves intravenous sedation (other than conscious sedation); or—

and this is the operative clause—

(c) a health service that involves the administration of local anaesthetic; or

(d) a health service, or health service of a class, prescribed by the regulations for the purposes of this definition.

In the second subsection:

Paragraph (c) of the definition of prescribed health service does not apply in relation to the following health services involving the administration of local anaesthetic:

(a) a health service provided by a medical practitioner in the course of practice as a general practitioner;

(b) a health service provided by a dentist in the course of general dentistry practice;

(c) a health service, or health service of a kind, prescribed by the regulations.

The 2016 bill, which references local anaesthesia, has not been proclaimed. In June 2017, the government introduced the Health Care (Private Day Procedure Centres) Amendment Bill 2017, which would remove reference to local anaesthesia from the bill. The government claims that the amendment is necessary because of a concern in the medical community that the act would prohibit specialists and other practitioners from performing routine surgical procedures in their private medical consulting rooms or office-based surgeries without being licensed as a private day procedure centre.

I understand that the government considers that all relevant local anaesthesia procedures should be brought within the scope by a regulation under paragraph (d) but, if this bill passes, the act itself would not regulate local anaesthesia. Currently, several day hospitals only provide services under local anaesthesia. New local anaesthesia-only hospitals will continue without regulation if this

amendment goes through. In early September, another death occurred in a clinic in Sydney from breast surgery under local anaesthesia.

Day Hospitals Australia, the body representing day hospitals, considers that the act should cover facilities providing procedures under local anaesthesia because, firstly, many procedures performed under local anaesthesia should be undertaken in an operating environment to reduce risks of complications such as infection, anaphylactic shock and excessive bleeding. Secondly, private health insurance funds may refuse to fund procedures performed in a day hospital setting under local anaesthesia on the ground that such procedures are not required to be performed in licensed premises.

I understand that the Australian Medical Association and the Australian and New Zealand College of Anaesthetists consider that compliance with ANZCA guidelines and other patient safety issues should be addressed in the regulations by listing relevant procedures that, if done under local anaesthesia, need to be done in a licensed facility. Day Hospitals Australia is concerned that such a list would take time to develop and has the potential to change considerably with new and advanced surgical techniques allowing more and more procedures to be undertaken under local anaesthesia.

Day Hospitals Australia suggests that procedures that require a hospital setting could be better defined using Type B and Certified Type C procedures defined under the rules of the Private Health Insurance Act 2007. Any procedures falling outside this classification would not be funded by private health insurance and would most likely be performed in medical practitioners' rooms.

I am handling this bill in this house on behalf of the shadow minister for health, as the Minister Assisting the Minister for Health is undertaking this for the government in this house. As I understand it, we would all like to get to the same outcome, but there is a disagreement legislatively about how this is best achieved. I will attempt to unpack it in my layperson's understanding with the hope that we can get some clarity as we go through the committee stage of the bill so that, in the other place, any of these so-called disagreements and so-called misconceptions can be cleaned up.

As I understand it, if we pass this amendment, local anaesthesia-only practices will not be regulated. That makes sense, and in fact in the 2016 bill that is why a section was made for local medical practices as well as for dentistry. There is a set of people who only do local anaesthetic in surgeries and private centres. We then have a situation, though, where we have day hospitals that undertake local as well as general anaesthesia. They undertake both types of procedures.

The crux of the matter comes down to putting in local anaesthesia as part of the act. The understanding is that all day hospitals be regulated, whether they undertake general or local. If you have day hospitals that are undertaking general and local, and local is not included as part of the act, the local procedures that I am going to call a 'hybrid' day hospital provides will not be regulated, and that may cause some issues in terms of insurance companies funding those procedures, but also we could have day hospitals that undertake local-only procedures also not being regulated. The idea behind putting it in the act is to make sure that those two situations are covered.

I understand that what we are trying to capture here is that day hospitals are regulated no matter what they do, and I assume that that is because they undertake more serious types of surgeries and different types of procedures. We are essentially trying not to put a regulatory burden upon more simple, basic procedures in relation to dentistry, medical practitioner and, as has been put in the second reading explanation, certain types of cosmetic surgery.

The question for me becomes: why not, as we have done with dentistry and general practice, create a broader set of exemptions for those that we seek not to be regulated for their local anaesthetic procedures? Why is that not an acceptable answer? I do accept the argument that this is an evolving space, and if we are going to have to get to the point of regulating procedure by procedure through the regulations we are asking the government of the day to be able to keep up with changes to medical advances. We in the opposition are genuinely trying to come to the best understanding of what legislative requirement achieves that outcome so that everybody that should be regulated is regulated but everybody that should not is not.

I think it is a genuine disagreement, and I think that the interjections from the former minister for health earlier are a bit unfair because we are trying to get to the right outcome, and essentially

there are two competing sets of advice. In the committee stage, we would like to see (not necessarily today but between the houses) if there are any draft regulations that have been put together so that we can make an assessment, if I am correct in what I have just said, of whether or not that is what is achieved by passing this amendment bill, as it is in conjunction with those regulations, and seek an assurance that local anaesthetic procedures in any day hospital, whether they be centres that provide both general and local or local only, are all covered.

It is interesting when an association comes and says, 'No, we want to be to regulated and we need to be regulated because we believe that that lowers the risk we have with insurance companies paying for these procedures.' I think that that is a legitimate concern to raise. I think that if we can actually come to an understanding about what I think is the central conflict in this amendment bill, we can actually reach a workable conclusion.

I sit next to the deputy leader, who this week and many other weeks has to come into this place as the government furiously comes in because they need a piece of legislation to fix a previous piece of legislation which they passed and it all needs to be done quite urgently because they have made mistakes and they are a bit red-faced. We would prefer to get it right, and that is why we will be seeking the assurances that we are to ensure that we can get a decent outcome and get back to what we essentially are trying to do, that is, to balance over-regulation and under-regulation with patient safety and ensure that we find the most appropriate way forward.

Mr SNELLING (Playford) (17:15): It is very gallant of the member for Schubert to come in here and defend the indefensible. I hope that the Hon. Stephen Wade, when he speaks to this bill in another place, at least has the decency to admit his error and stupidity in moving an amendment to a bill that would have had the effect on GPs who provide local anaesthetic to put in stitches—and not just GPs; specialists as well do minor procedures in their rooms and administer local anaesthetic—of banning those practices or at least forcing medical practitioners to become licensed day procedure sites in order to do those procedures, which is just absurd.

The original intention of this bill was to bring into the scope of state regulation day procedure facilities. This is effectively facilities which, for all intents and purposes, operate as a hospital but do not have inpatient beds. They are there for day procedures, so people come in the morning. With the increase in day surgery, we have seen a number of these sites established where they do not have the opportunity for patient stay overnight, to be admitted as an inpatient. They are effectively seen and discharged the same day.

Previously, those day procedure sites had to be licensed by the federal government. The existing state legislation did not cover those day procedure centres. The purpose of the original bill was to bring those centres under the scope of state regulation so that they could be appropriately licensed in exactly the same way that private hospitals are licensed. In the other place, the Hon. Stephen Wade, trying to be clever, decided to move an amendment, which passed through the other place, which would have had the effect, as I said, of bringing into scope not only the day procedure centres the government was seeking to regulate but, in fact, any GP clinic where the GP used local anaesthetic as a fairly routine matter.

The effect that would have had on our emergency departments and people just needing a couple of stitches not being able to be done in the rooms of a GP, or people needing to have a mole removed or anything like that, which can all be done safely and appropriately either by a GP or sometimes a specialist in their rooms, would have meant those things would have been brought into the scope of the act, which was never ever the government's intention.

I remember the outrage from the Australian Medical Association and the specialist colleges who wrote to me absolutely appalled, and I took no pleasure in directing them to the office of the Hon. Stephen Wade, who had sponsored the amendment. So let there be no doubt that the reason we are here is to clean up the Hon. Stephen Wade's mess. Should he ever occupy the office of health minister, if this tells us what to expect from a Wade health minister, then God help us if he makes such bumbling mistakes on something so straightforward. All he was seeking to do was try to score a cheap political point and it blew up in his face.

The Hon. C.J. PICTON (Kaurna—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister Assisting the Minister for

Health, Minister Assisting the Minister for Mental Health and Substance Abuse) (17:20): I thank the speakers on the bill, particularly the member for Playford and the member for Schubert. I have to say that I dare to agree with the member for Playford's comments more than the member for Schubert's comments.

I do appreciate the extent to which the member for Schubert went to try to explain away the problems with the shadow minister for health, Stephen Wade's stuff-up that led to our having to bring the bill in, as though there are some sort of deep public policy issues at stake here and that there are all sorts of technological things in the future that we need to consider, rather than the fact that this was just an absolute stuff-up by Stephen Wade and something that, regretfully, we have had to come back to the house to try to fix up.

You just have to talk to any of the key health bodies to understand how problematic this amendment by Stephen Wade would have been to the provision of health services across South Australia. I will read a letter that we have received from the Australian Medical Association outlining their very strong concerns about what was put in place by Stephen Wade in the other place in terms of the bill. It states:

> The Australian Medical Association… is greatly concerned and disappointed over the amendment to the Health Care (Miscellaneous) Act 2016 and specifically part 10A—Private day procedures centre, s89(1) and s89(2)(a).
>
> The above amendments to the Health Care Act… have led to overwhelming uncertainty and anxiety amongst our medical specialist members and the wider medical community. The amendment places a significant number of diagnostic and treatment services currently conducted safely, for and on behalf of the public of South Australia, at significant risk.
>
> Our main concern is the effect of Part 10A, which states 'local anaesthetic' is included as a 'prescribed health service' for the purposes of licensing of stand-alone private day procedure centres, meaning that outside of general practice and dentistry, ALL services provided by specialists requiring a local anaesthetic will need to be performed in one of the soon to be licensed private day procedure centres.
>
> Whilst the AMA(SA) appreciates the reasoning behind seeking to introduce a licensing framework for such centres, it is reprehensible that the broad effect of this legislation, due to commence on 1 July 2017, will severely restrict the practice of all specialists who undertake to perform minor surgical procedures outside of a private day procedure facility.
>
> Public access to a wide range of specialist services including, but not limited to urology; gynaecology; dermatology; pathology; radiology; plastic and reconstructive surgery; ophthalmology and others will be significantly reduced.
>
> The public inconvenience and outcry caused by this restricted access will be significant. The increased service costs due to the unnecessary but mandated (under the new provision), infrastructure service requirements will be burdensome. Patient costs for minor procedures will be increased and delays in diagnosis and treatment unacceptably lengthened. In addition there will be flow-on effects to the public health sector.
>
> To further highlight the discriminatory impact, general practitioners and dentists are excluded within the new amendments! We believe this anomaly must be the result of oversight, as it cannot be made on any credible grounds of public safety.
>
> The above is totally unacceptable to the AMA(SA) and we seek an urgent review of this disruptive and carelessly drafted legislative change.

You could not get a more damning indictment on the provisions in legislation, of the drafting of provisions that have gone into a bill, than the AMA has given in this letter against what Stephen Wade put in the Health Care Act. It is absolutely shocking that somebody would put into legislation something so poorly thought through without considering what ramifications there were going to be down the line in terms of our healthcare provisions. It is something that we have had to change in terms of what we bring here today. Unfortunately, I think that it is something that if it had been sorted out in the beginning, we would not have to have spent the parliament's time on. I hope that this is something that the opposition will see as important to fix both in this place and the other place. I endorse the bill to the house.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr KNOLL: As I said in my second reading contribution, I think there is a central disagreement here, but I find the sanctimony of those opposite galling because they voted for it in this chamber. If you guys thought—

The CHAIR: Do you have a question on the bill?

Mr KNOLL: If you guys thought that this was a problem, why didn't you amend it? Do not come in here and get all sanctimonious—

The CHAIR: Member for Schubert, order! Do you have a question?

Mr KNOLL: I do.

The CHAIR: What is the question, member for Schubert?

Mr KNOLL: Does the government have a draft set of regulations in place in relation to this amendment?

The Hon. C.J. PICTON: The government has drafted regulations to be under the new act. In fact, it was in the process of consulting with the medical profession on the drafting of those regulations, in which bodies like the AMA and a whole range of other medical bodies came to us and said what their significant, fundamental problems were with the proposed changes that were put in place by the Hon. Stephen Wade.

After the passage of this act, hopefully, we will go back and have another look at the draft regulations that we have proposed to see whether there needs to be any changes to them. Draft regulations were provided and publicly circulated, and we are happy to share them with the opposition.

Mr KNOLL: If this amendment goes through, will day hospital centres that only conduct local anaesthesia procedures be covered by this?

The Hon. C.J. PICTON: I understand that existing day hospital procedures that have a provider number will be deemed to fall within the prescribed class under the act, to happen from 1 May next year.

Mr KNOLL: For those day hospital centres that undertake both local and general, will the local procedures that they perform be covered if this bill passes?

The Hon. C.J. PICTON: The idea is that this is about prescribing the centre. So if you are a prescribed centre, the activities that take place in that centre are prescribed. The issue is that the scope of what was being proposed by the Hon. Stephen Wade was so broad that it would suck up all the times in which local anaesthetics were used in the community in a whole range of different clinical settings, in a whole range of different consulting rooms and, as I understand, even to the extent of areas like podiatry, etc. They would fall under this as well.

In regard to actual day procedure centres, their activities are covered in terms of the fact that they are operating under this section as prescribed centres. We are proposing that other people who just provide local anaesthetic should not have to be under the burden of excessive red tape that the original provision would have had.

Mr KNOLL: How many centres are likely to be covered by this legislation?

The Hon. C.J. PICTON: There are 32 private day procedure centres that have provider numbers and they will automatically be deemed to be covered under the legislation.

Mr KNOLL: How many of those use predominantly local anaesthesia?

The Hon. C.J. PICTON: I understand that about five or six of those 32 would predominantly use local anaesthetics.

Mr KNOLL: If this bill is passed, what will the next steps of the implementation plan be?

The Hon. C.J. PICTON: After this is passed, we will go back to working on the regulations, which was a process that had to be stopped while we brought this back to the parliament and then continue to implement it after that.

Mr KNOLL: Is there a firmer time line than that?

The Hon. C.J. PICTON: We have to try to get everything in place by 1 May. That is the time line that the SA Health people will be working towards

Clause passed.

Remaining clauses (2 to 7) and title passed.

Bill reported without amendment.

Third Reading

The Hon. C.J. PICTON (Kaurna—Minister for Police, Minister for Correctional Services, Minister for Emergency Services, Minister for Road Safety, Minister Assisting the Minister for Health, Minister Assisting the Minister for Mental Health and Substance Abuse) (17:31): I move:

That this bill be now read a third time.

Bill read a third time and passed.

ENVIRONMENT PROTECTION (WASTE REFORM) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

APPROPRIATION BILL 2017

Final Stages

The Legislative Council agreed to the bill without any amendment.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO NO 3) BILL

Second Reading

Adjourned debate on second reading.

(Continued from 27 September 2017.)

Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (17:33): I rise to speak on the Statutes Amendment (Attorney-General's Portfolio No 3) Bill 2017.

The DEPUTY SPEAKER: Are you the lead and only speaker?

Ms CHAPMAN: Mercifully, I think I will be the only speaker. I am not sure that I will be brief, but I will endeavour to be. The bill introduces a suite of amendments, which are largely uncontroversial, to the Young Offenders Act, the Bail Act, the Construction Industry Long Service Leave Act, the Guardianship and Administration Act, the Legal Practitioners Act and the Second-hand Dealers Pawnbrokers Act. The last of those does raise some concerns, but in any event, we on this side have no objection.

The matter that does raise concern, however, is the provisions to amend the Magistrates Act of 1983. That is a proposal that has been introduced in this bill to allow the Chief Magistrate to appoint the Deputy Magistrate with a term to be determined by the chief, but not exceeding five years. This is a novel addition to this position. No explanation has been given by the government as to why we need to do that. It follows a period of the time that I have been in the parliament when the government have been up to all sorts of mischief in respect of the positions of the Chief Magistrate and the Deputy Magistrate, so it does not come with a very satisfactory history where we can rely on the bona fides of the government as to why this is being progressed.

On the briefing, it purports not to be any further attempt to deny Mr Andrew Cannon some responsibility or continuity or elevation or promotion, or anything else, because he is to retire and will

be away from the attempts by the government to do all sorts of things to his position and/or capacity to be appointed on the last occasion as the Acting Chief Magistrate. We do not need to traverse the history there but it does leave a rather sour taste in the consideration of this matter. That is particularly so because when this draft bill was circulated for consultation it went, as you would expect, to the Law Society of South Australia, obviously a significant interest in ensuring that our legislation is appropriate and is going to be effective with the reforms proposed, and there was no reference whatsoever in that draft for consideration by the Law Society.

It may be that it had been circulated to other interested parties—if it were, I would be interested to know who they are in respect of the draft bill—but it is fair to say that for a number of the amendments I would expect there to be a fairly narrow distribution. For example, in relation to the Construction Industry Long Service Leave Act, an amendment which comes to us on the recommendation of the board, it would be reasonable to put the proposed amendments back to the board for at least their chief executive's consideration; after all, they recommended it. One would not necessarily expect that there would be a large amount of interest in parties other than those who represent those in the construction industry who are eligible for the benefits of accumulating long service leave for the purpose of entitlement.

It is curious why this should now be in and that another provision will be out, namely, the Spent Convictions Act proposals. But, as we would expect with the government, at the last minute, in fact yesterday, they presented to us an amendment to include the provisions for the Spent Convictions Act, so we are now back on that matter for consideration. For obvious reasons, we have not considered that because, although we were alerted to concerns of stakeholders as to the applicability of the exemptions that were proposed in the amendments in relation to the Spent Convictions Act, it was not necessary for us to discuss it because when the bill came to us there was no mention of it.

I do not know whether the Attorney is going to explain to us in due course, when he presents these amendments and gets the suspensions of this parliament to receive it and be able to deal with it and open another act to do that, but I certainly expect he should, not just because I have asked for it but because he owes it to this parliament to explain why it was not in the bill to start with and why he is now going to ask to introduce it. It certainly comes with some concerns. I will have something to say about that if and when the Attorney proposes to advance it.

Nevertheless, as indicated, we are not happy with the Magistrates Court amendments. We need some explanation as to why we would go against the time-immemorial responsibility of the executive to make the appointment, usually on recommendation of the Attorney-General, and not leave it as a job for the Chief Magistrate to pick her or his deputy as they see fit. That, I would suggest, totally politicises the appointment. There may be some valid reason for it; I would be interested to hear it if there is.

I will certainly be expecting to have some opportunity to consult further on it, given that it appears that no-one else has been asked except the Chief Magistrate, together with a copy of the draft being sent to the Chief Justice about a month ago. Whatever he has to say about it we are yet to hear. With those comments, I indicate that all but the Magistrates Court amendments in the bill at present will be opposed.

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) (17:41): I thank the deputy leader for her remarks. I will do my best to provide a response in a moment. I am wondering if we can adjourn consideration of this matter on motion briefly to deal with a message. I seek leave to continue my remarks.

Leave granted; debate adjourned.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO) (NO 2) 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. Long title, page 1—Delete 'various Acts within the portfolio of the Attorney-General' and substitute:

the Child Sex Offenders Registration Act 2006; the Correctional Services Act 1982; the Criminal Law Consolidation Act 1935; the Cross-border Justice Act 2009; the Justices of the Peace (Miscellaneous) Amendment Act 2016; the Real Property Act 1886; the Summary Procedure Act 1921; and the Surveillance Devices Act 2016

No. 2. New Parts, page 2, after line 8—After clause 2 insert:

Part 1A—Amendment of Child Sex Offenders Registration Act 2006

2A—Amendment of Schedule 1—Class 1 and 2 offences

Schedule 1, clause 2(ea)—delete paragraph (ea) and substitute:

(ea) an offence against section 50 of the *Criminal Law Consolidation Act 1935* (persistent sexual abuse of a child);

(eab) an offence of persistent sexual exploitation of a child (see section 50 of the *Criminal Law Consolidation Act 1935* as in force before the commencement of Part 1C of the *Statutes Amendment (Attorney-General's Portfolio) (No 2) Act 2017*);

Part 1B—Amendment of Correctional Services Act 1982

2B—Amendment of section 4—Interpretation

(1) Section 4(1), definition of *child sexual offence*, (ba)—delete paragraph (ba) and substitute:

(ba) persistent sexual abuse of a child;

(2) Section 4(1), definition of *sexual offence*, (ba)—delete paragraph (ba) and substitute:

(ba) persistent sexual abuse of a child;

Part 1C—Amendment of Criminal Law Consolidation Act 1935

2C—Amendment of section 49—Unlawful sexual intercourse

(1) Section 49(5a)—delete subsection (5a)

(2) Section 49—after subsection (8) insert:

(9) For the purposes of this section, a person is in *a position of authority* in relation to a person under the age of 18 years (the *child*) if—

(a) the person is a teacher and the child is a pupil of the teacher or of a school at which the teacher works; or

(b) the person is a parent, step-parent, guardian or foster parent of the child or the de facto partner or domestic partner of a parent, step-parent, guardian or foster parent of the child; or

(c) the person provides religious, sporting, musical or other instruction to the child; or

(d) the person is a religious official or spiritual leader (however described and including lay members and whether paid or unpaid) in a religious or spiritual group attended by the child; or

(e) the person is a health professional or social worker providing professional services to the child; or

(f) the person is responsible for the care of the child and the child has a cognitive impairment; or

(g) the person is employed or providing services in a correctional institution (within the meaning of the *Correctional Services Act 1982*) or a training centre (within the meaning of the *Young Offenders Act*

1993), or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or

(h) the person is an employer of the child or other person who has the authority to determine significant aspects of the child's terms and conditions of employment or to terminate the child's employment (whether the child is being paid in respect of that employment or is working in a voluntary capacity).

2D—Substitution of section 50

Section 50—delete the section and substitute:

50—Persistent sexual abuse of child

(1) An adult who maintains an unlawful sexual relationship with a child is guilty of an offence.

Maximum penalty: Imprisonment for life.

(2) An *unlawful sexual relationship* is a relationship in which an adult engages in 2 or more unlawful sexual acts with or towards a child over any period.

(3) For an adult to be convicted of an unlawful sexual relationship offence, the trier of fact must be satisfied beyond reasonable doubt that the evidence establishes that an unlawful sexual relationship existed.

(4) However—

(a) the prosecution is not required to allege the particulars of any unlawful sexual act that would be necessary if the act were charged as a separate offence; and

(b) the trier of fact is not required to be satisfied of the particulars of any unlawful sexual act that it would have to be satisfied of if the act were charged as a separate offence, but must be satisfied as to the general nature or character of those acts; and

(c) if the trier of fact is a jury, the members of the jury are not required to agree on which unlawful sexual acts constitute the unlawful sexual relationship.

(5) The prosecution is required to allege the particulars of the period of time over which the unlawful sexual relationship existed.

(6) This section extends to a relationship that existed wholly or partly before the commencement of this section and to unlawful sexual acts that occurred before the commencement of this section.

(7) A person may be charged on a single indictment with, and convicted of and punished for, both—

(a) an offence of maintaining an unlawful sexual relationship with a child; and

(b) 1 or more sexual offences committed by the person against the same child during the alleged period of the unlawful sexual relationship.

(8) Except as provided by subsection (7)—

(a) a person who has been convicted or acquitted of an unlawful sexual relationship offence in relation to a child cannot be convicted of a sexual offence in relation to the same child if the occasion on which the sexual offence is alleged to have occurred is during the period over which the person was alleged to have committed the unlawful sexual relationship offence; and

(b) a person who has been convicted or acquitted of a sexual offence in relation to a child cannot be convicted of an unlawful sexual relationship offence in relation to the same child if the sexual offence of which the person has been convicted or acquitted is one of the unlawful sexual acts that are alleged to constitute the unlawful sexual relationship.

(9) A person who has been convicted or acquitted of a predecessor offence in relation to a child cannot be convicted of an unlawful sexual relationship offence

in relation to the same child if the period of the alleged unlawful sexual relationship includes any part of the period during which the person was alleged to have committed the predecessor offence.

(10) For the purposes of this section, a person ceases to be regarded as having been convicted for an offence if the conviction is quashed or set aside.

(11) A court sentencing a person for an offence against this section is to sentence the person consistently with the verdict of the trier of fact but having regard to the general nature or character of the unlawful sexual acts determined by the sentencing court to have been proved beyond a reasonable doubt (and, for the avoidance of doubt, the sentencing court need not ask any question of the trier of fact directed to ascertaining the general nature or character of the unlawful sexual acts determined by the trier of fact found to be proved beyond a reasonable doubt).

(12) In this section—

adult means a person of or over the age of 18 years;

child means—

(a) a person who is under 17 years of age; or

(b) a person who is under 18 years of age if, during the period of the relationship that is the subject of the alleged unlawful sexual relationship offence, the adult in the relationship is in a position of authority in relation to the person who is under 18 years of age;

predecessor offence means an offence of persistent sexual exploitation of a child, or of persistent sexual abuse of a child, as in force under a previous enactment;

unlawful sexual act means any act that constitutes, or would constitute (if particulars of the time and place at which the act took place were sufficiently particularised), a sexual offence;

sexual offence means—

(a) an offence against Division 11 (other than sections 59 and 61) or sections 63B, 66, 69 or 72; or

(b) an attempt to commit, or assault with intent to commit, any of those offences; or

(c) a substantially similar offence against a previous enactment;

unlawful sexual relationship offence means an offence against subsection (1).

(13) For the purposes of this section, a person is in *a position of authority* in relation to a child if—

(a) the person is a teacher and the child is a pupil of the teacher or of a school at which the teacher works; or

(b) the person is a parent, step-parent, guardian or foster parent of the child or the de facto partner or domestic partner of a parent, step-parent, guardian or foster parent of the child; or

(c) the person provides religious, sporting, musical or other instruction to the child; or

(d) the person is a religious official or spiritual leader (however described and including lay members and whether paid or unpaid) in a religious or spiritual group attended by the child; or

(e) the person is a health professional or social worker providing professional services to the child; or

(f) the person is responsible for the care of the child and the child has a cognitive impairment; or

(g) the person is employed or providing services in a correctional institution (within the meaning of the *Correctional Services Act 1982*) or a training centre (within the meaning of the *Young Offenders Act*

1993), or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or

(h) the person is an employer of the child or other person who has the authority to determine significant aspects of the child's terms and conditions of employment or to terminate the child's employment (whether the child is being paid in respect of that employment or is working in a voluntary capacity).

2E—Amendment of section 57—Consent no defence in certain cases

Section 57(4)—delete subsection (4) and substitute:

(4) For the purposes of subsection (1), a person is in *a position of authority* in relation to a person under the age of 18 years (the *child*) if—

(a) the person is a teacher and the child is a pupil of the teacher or of a school at which the teacher works; or

(b) the person is a parent, step-parent, guardian or foster parent of the child or the de facto partner or domestic partner of a parent, step-parent, guardian or foster parent of the child; or

(c) the person provides religious, sporting, musical or other instruction to the child; or

(d) the person is a religious official or spiritual leader (however described and including lay members and whether paid or unpaid) in a religious or spiritual group attended by the child; or

(e) the person is a health professional or social worker providing professional services to the child; or

(f) the person is responsible for the care of the child and the child has a cognitive impairment; or

(g) the person is employed or providing services in a correctional institution (within the meaning of the *Correctional Services Act 1982*) or a training centre (within the meaning of the *Young Offenders Act 1993*), or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or

(h) the person is an employer of the child or other person who has the authority to determine significant aspects of the child's terms and conditions of employment or to terminate the child's employment (whether the child is being paid in respect of that employment or is working in a voluntary capacity).

2F—Amendment of section 63B—Procuring child to commit indecent act etc

Section 63B(6)—delete subsection (6) and substitute:

(6) For the purposes of this section, a person is in *a position of authority* in relation to a child if—

(a) the person is a teacher and the child is a pupil of the teacher or of a school at which the teacher works; or

(b) the person is a parent, step-parent, guardian or foster parent of the child or the de facto partner or domestic partner of a parent, step-parent, guardian or foster parent of the child; or

(c) the person provides religious, sporting, musical or other instruction to the child; or

(d) the person is a religious official or spiritual leader (however described and including lay members and whether paid or unpaid) in a religious or spiritual group attended by the child; or

(e) the person is a health professional or social worker providing professional services to the child; or

(f) the person is responsible for the care of the child and the child has a cognitive impairment; or

(g) the person is employed or providing services in a correctional institution (within the meaning of the *Correctional Services Act 1982*) or a training centre (within the meaning of the *Young Offenders Act 1993*), or is a person engaged in the administration of those Acts, acting in the course of the person's duties in relation to the child; or

(h) the person is an employer of the child or other person who has the authority to determine significant aspects of the child's terms and conditions of employment or to terminate the child's employment (whether the child is being paid in respect of that employment or is working in a voluntary capacity).

2G—Sentencing for offences under previous law

(1) A sentence imposed on a person, before the commencement of this section, in respect of an offence against section 50 of the *Criminal Law Consolidation Act 1935* (as in force before the commencement of section 2D of this Act) is taken to be, and always to have been, not affected by error or otherwise manifestly excessive merely because—

(a) the trial judge did not ask any question of the trier of fact directed to ascertaining which acts of sexual exploitation, or which particulars of the offence as alleged, the trier of fact found to have been proved beyond a reasonable doubt and the person was not sentenced on the view of the facts most favourable to the person; and

(b) the sentencing court sentenced the person consistently with the verdict of the trier of fact but having regard to the acts of sexual exploitation determined by the sentencing court to have been proved beyond a reasonable doubt.

(2) Where, after the commencement of this section, a person is to be sentenced for an offence against section 50 of the *Criminal Law Consolidation Act 1935* (as in force before the commencement of section 2D of this Act) the following provisions apply:

(a) a verdict of guilt handed down by the trier of fact in relation to the offence is taken to be, and always to have been, a finding by the trier of fact that the person is guilty of the acts of sexual exploitation comprising the course of conduct alleged by the information;

(b) notwithstanding paragraph (a), in sentencing the person for the offence, the sentencing court may determine which alleged acts of sexual exploitation the sentencing court finds proved beyond a reasonable doubt and may disregard any acts of sexual exploitation that the sentencing court is not satisfied were proved beyond a reasonable doubt;

(c) for the avoidance of doubt, the sentencing court need not ask any question of the trier of fact directed to ascertaining which acts of sexual exploitation, or which particulars of the offence as alleged, the trier of fact found to have been proved beyond a reasonable doubt and, unless it has so determined in accordance with paragraph (b), need not sentence the person on the view of the facts most favourable to the person.

(3) This section does not apply in relation to the particular matter that was the subject of the determination in Chiro v The Queen [2017] HCA 37 (13 September 2017).

Note—

Except as provided in subsection (3), this section negates the effect of the determination of the High Court in Chiro v The Queen [2017] HCA 37 (13 September 2017).

No. 3. Part 5, page 4, lines 1 to 6—Delete Part 5 and substitute:

Part 5—Amendment of Summary Procedure Act 1921

7—Amendment of section 4—Interpretation

Section 4(1), definition of *sexual offence*, (ba)—after 'child' insert:

or persistent sexual abuse of a child

7A—Amendment of section 99AAC—Child protection restraining orders

Section 99AAC(8), definition of *child sexual offence*—after paragraph (d) insert:

(daa) an offence of persistent sexual abuse of a child under section 50 of the *Criminal Law Consolidation Act 1935*;

Part 6—Amendment of Surveillance Devices Act 2016

7B—Amendment of section 3—Interpretation

Section 3(1), definition of *review agency*, (a)—delete 'the Police Ombudsman' and substitute:

the reviewer under Schedule 4 of the Independent Commissioner Against Corruption Act 2012

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I can indicate that we are very pleased with the amendments made by the Legislative Council and happy to accept them.

Ms CHAPMAN: I indicate that the Statutes Amendment (Attorney-General's Portfolio) (No 2) Bill 2017 with the amendments made in another place today are accepted. I wish to make a few comments. Firstly, the further amendments that have been considered and included relate to the government's action to deal with the reform of law in respect of persistent sexual abuse of a child. Currently, under section 50 of the Criminal Law Consolidation Act there is an offence for sexual exploitation of a child, which has now been in operation for several years, which provides for an offence to deal with sexual misconduct against children that was not expected to be used as often as it is and has been.

It is a type of offence that was really designed to be utilised in the more exceptional cases where the child victim was primarily either too young or in a circumstance where they were not able to particularise the offending conduct in the usual way. I do not need to go into the detail about what our criminal law standards require, but I think it was an important initiative. This type of law was introduced around Australia to try to ensure that we did provide some relief to the appalling and vile behaviour of people who entered into these relationships and pursued sexual abuse of children.

It was an important initiative, but it has clearly been used routinely in sex cases now, even when the complainant is not a young child and in fact is quite capable of particularising the instances of the offending conduct in the usual way. Nevertheless, in the course of these cases, the rules to apply in relation to the process of the prosecution and the management of it in trial—in particular, where there is a jury trial—have led to some complication, and one of the South Australian cases of Chiro has ended up in the High Court.

I think members are familiar with the publicity in the last few days around this case. This determination was made on 13 September, and the High Court confirmed that Mr Chiro's sentence was to be set aside, because that process had not been properly followed, and that he is to be resentenced. In fact, as we now know, he is to be resentenced tomorrow. Anything we do in this parliament today is not going to affect that case. That is a matter which will follow its course.

On 14 August, so a month before, the Royal Commission into Institutional Responses to Child Sexual Abuse gave a number of recommendations in one of its interim reports, in this case on the criminal justice aspects and, in particular, recommendations 21 to 24 in respect of persistent child sexual abuse offences. I want to place on the record what they said about this. They said at that time:

Each state and territory government should introduce legislation to amend its persistent child sexual abuse offence so that:

a. the actus reus is the maintaining of an unlawful sexual relationship

b. an unlawful sexual relationship is established by more than one unlawful sexual act

c. the trier of fact must be satisfied beyond reasonable doubt that the unlawful sexual relationship existed but, where the trier of fact is a jury, jurors need not be satisfied of the same unlawful sexual acts

d. the offence applies retrospectively but only to sexual acts that were unlawful at the time they were committed

e. on sentencing, regard is to be had to relevant lower statutory maximum penalties if the offence is charged with retrospective application.

They even helpfully provided a draft in recommendation 2 on the recommended reform and legislation to ensure that these aspects were covered. They went on to recommend that there should be the establishment of legislative authority for the course of conduct charges and, finally, that they should give some consideration to providing for two or more unlawful sexual acts that are particularised for the maintaining of the relationship.

The bill that has been returned to us incorporates a new section 50 and, in some ways, not before time. It comes for urgent deliberation by this parliament because the government clearly took the view that they would wait to see what would happen in the Chiro case before they would act, a bit like a lottery but we are playing with the prosecution of children's cases, which I think is unhelpful and really quite inappropriate; nevertheless, that is the approach they took. We now find ourselves with a bill that incorporates a new section 50 and largely incorporates the recommendations.

For the record, we accept that the provision in respect of recommendation 21(e) is that the lower statutory maximum penalties proposal is inconsistent with what we have had in respect of sentencing law for a decade and therefore it is appropriate that we do not progress that—I agree with that, and think that that is reasonable to be accommodated—and that the definitions in respect of the age of the child, together with the relationship in respect of the position of authority (I think we are moving it to 'prohibited relationship' or something of that nature), are also consistent with some standards which we have imposed in South Australia and which I agree should be continued.

The drafting of the legislation, after discussion with Mr Kimber and considering the Criminal Justice report recommendations of the royal commission, we suggest is on the face of it consistent. The question is: why are we being asked to deal with this in such an urgent manner? The government presented to us the day before yesterday that there was an urgent matter that needed attention because there are three pending cases awaiting sentencing. One of them is next week and the others are in mid-November. I think that two are for sentencing submissions to be made, where there has been a trial and a determination but sentencing is to be put. I think the third is where further submissions will be put on sentencing.

Everyone has been waiting for the High Court decision, and that has unfortunately told us, as we can best put it, that the process that has been followed falls short of being able to allow Mr Chiro's sentence to stand. I think it is fair to say, and the government have said this, that there was a general assumption that in the cases where this was going to be used the obligation in respect of directing juries, and therefore the reliance on the facts outlined in the factual situations to support the particulars of the offending relationship, was such that they believed they were able to rely on it. The High Court has said, 'No, the standards are these, and we need to have it remedied.'

I simply make the point that if the government get things wrong, or they want to play lucky dip on something, or they want to keep things to the last minute, then they can expect that the parliament will not be able to progress this matter in the orderly way it should in circumstances where there are obviously matters that, in full disclosure, justify some urgency. At all material times this week, the government have been offered the opportunity to discuss this matter, even last night under the umbrella of another piece of legislation but, no, they insisted that they wanted to do it the other way.

In any event, from the public's point of view, from the children who are victims' point of view, it is important that we get these things right and that we properly endorse this through the parliament and not be expected just to rubberstamp it. They want us to progress these matters when it is necessary to do so, but let me say this: when governments do this type of thing, and they throw this in, and they put in legislation that includes the retrospective applicability, it does raise the attention of those who work in this area and who are obviously very learned in respect of the legal arguments that have been presented. I am not confident, on the information that has been provided to me, that this is the end of these cases as far as them being resolved.

I suppose to some degree we might salvage the opportunity of bringing the full intent of those who are prospectively to be sentenced, and that way well be a very good thing. What we do not do by doing this legislation is exclude the fact that there will be any challenges in respect of the cases

and the people who are still sitting in our prisons. Because this piece of law has been used to a much greater extent than I had ever anticipated and probably others—nevertheless, it has been, and there are a number people who have been prosecuted and tried by a jury in the circumstances that attract the concerns raised by the model demanded by the High Court—I think we are a long way from being free of further litigation.

I am not saying that that is anyone in particular's fault, but I make this point: when we do this type of rushed legislation, we leave open a situation where we are not able to consider all of the matters. Just at first blush in having to deal with this matter in the last 48 hours, I am disappointed to note that it is probably unlikely that there will not be challenges to this.

That is disappointing because there will be more taxpayers' money spent because the government want to deal with something quickly, and they want to be able to protect themselves from criticism of not trying to cover all those others who are still sitting in prison. It is a shabby way of progressing it; nevertheless, on the face of it we obviously must do everything we can here to try to ensure for those who are victims of these offences that, where the offenders have been successfully prosecuted, they are appropriately sentenced. For that reason, we do not make any other objection to the amendments.

Sitting extended beyond 18:00 on motion of Hon. J.R. Rau.

The Hon. J.R. RAU: First of all, just to put it on the record and make it very clear, we have been moving very quickly to deal with this matter since the High Court determination was made, and this was the first available opportunity for us to use the parliament to rectify the problem. The second thing is that despite criticism from the deputy leader, it is not the practice of this government, or it is not the practice that I have adopted, of as a matter of course routinely seeking to legislate prospectively to prevent court determinations which may go against us ultimately when determined.

There may be exceptional circumstances where that is appropriate, but generally speaking you wait until the appeals process has been exhausted before you wade into the decision as to whether or not you wish to effectively use the parliament to overrule a decision of the courts, so that is why we have not been acting in relation to this matter until now. This was our first opportunity.

Regarding the comments made about being given a different opportunity, the different opportunity was to put it in portfolio bill No. 3. Portfolio bill No. 3 is one which we have just commenced the second reading speech for, and in the ordinary course that is exactly what would have happened, which would have meant that portfolio bill No. 3 had not even left this place at close of business today, which means it would not have then entered the Legislative Council for another period of time and then it would have been there for however long it would be there. That would have been completely unsatisfactory from the point of view of resolving this matter in a timely fashion.

I will not canvass the other things that have been canvassed here and elsewhere over the last day or two because it does not help anybody. What I thought I would do is just say that although it has been difficult getting to this particular moment in time, which is a moment where common sense has prevailed over other less desirable sentiments, nevertheless, here we are. Common sense has prevailed and the people of South Australia are better off because a number of absolutely despicable individuals who have committed horrible offences are going to be tried and sentenced according to the rules that everybody thought they were always going to be tried and sentenced according to, and that is obviously in the public interest. It is obviously the right thing to do.

I thank the crossbenchers in the other place for their assistance in foreshadowing that they would not support an adjournment of this bill in the other place, thereby making it necessary for this to be actually determined in the other place today. I would like to say thank you to all of them for that because, were it not for their determination to do that, we might still have been frustrated in doing this, but as it has turned out, as I said, all is well. This is a good outcome for everybody and I am very happy to accept the amendments.

Motion carried.

STATUTES AMENDMENT (ATTORNEY-GENERAL'S PORTFOLIO NO 3) BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

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) (18:04): Very briefly on this, the deputy leader indicated broad support for this, for which I am grateful. She did raise a number of questions about the issue of the Deputy Chief Magistrate. Can I make it crystal clear, and I put it on the record, that there is no issue about Mr Cannon. He is the Deputy Chief Magistrate. It is not my intention nor the government's intention that he cease being Deputy Chief Magistrate during the term of his office as a magistrate.

This is simply a question of whether or not, beyond Mr Cannon's tenure, there continues to be in the Magistrates Court a designated, distinctly appointed and distinctly set out position of deputy, unlike in the District Court and the Supreme Court. What happens in the other courts is that they make arrangements about whoever is going to be acting in the absence of the presiding member of the court, and those arrangements are done in a relatively informal and flexible way. They are not done by there being a deputy chief justice or a deputy senior judge of the District Court.

I have spoken to both the previous chief magistrate and to the current Chief Magistrate, both of whom say that it would be ideal from an administrative point of view if there were no particular role of deputy at all and they could just allocate additional administrative functions here and there, depending on where the magistrate was working. The Magistrates Court is a decentralised court, so you might have administrative functions in a number of different places in the state.

If the opposition is of the view that they do not want the five-year appointment, which I am not seeking to make—that will be in the hands of the Chief Magistrate, so it is not the parliament or the executive interfering with the judiciary in any way—I am open to having a conversation about whether we completely get rid of the designation of Deputy Chief Magistrate altogether, provided we provide a backup whereby if the Chief Magistrate is on holidays or something there is an appropriate method by which there can be a seamless filling of her responsibilities during her absence so that, when she returns, she can get back to her duties in an orderly fashion. I am open to that conversation between the houses.

I want to completely reject any suggestion that there is anything sinister or concealed about this. There is no secret that there is an anomaly between this court and the other two higher courts. I do not know of any other court, including the Employment Tribunal, which has a formal deputy of the court. We are saying that it is reasonable for the Magistrates Court to be managed in the same way as the District Court and the Supreme Court. That is basically the proposition.

Personally, I do not think there needs to be a formal position of Deputy Chief Magistrate at all, but if there has to be, let it be one that can be effectively managed by the Chief Magistrate from time to time and let him or her, as the case may be, run their court however they want to run their court. That is the point. I emphasise again that Mr Cannon will not be affected by this, and I think we have already drafted it in such a way so that it cannot affect Mr Cannon, but if there is any ambiguity about that I am happy to put that beyond doubt. I seek leave to continue my remarks.

Leave granted; debate adjourned.

At 18:09 the house adjourned until Tuesday 31 October 2017 at 11:00.