

## HOUSE OF ASSEMBLY

Thursday, 30 November 2017

The **SPEAKER (Hon. M.J. Atkinson)** took the chair at 10:31 and read prayers.

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

### *Parliamentary Committees*

#### **JOINT COMMITTEE ON THE 125<sup>TH</sup> ANNIVERSARY OF WOMEN'S SUFFRAGE**

**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) (10:32):** By leave, I move:

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

Motion carried.

### *Bills*

#### **ROAD TRAFFIC (HELMETS) AMENDMENT BILL**

##### *Committee Stage*

In committee.

(Continued from 2 November 2017.)

Clause 2.

**Mr KNOLL:** It seems that we have had some members of the government tread down the road—

**The CHAIR:** Hold on a second, member for Schubert. You are addressing clause 2?

**Mr KNOLL:** Yes.

**The CHAIR:** What is your question?

**Mr KNOLL:** I am the mover of the bill; I do not ask questions. But, to explain where we are for the information of the house—

**The CHAIR:** You are moving that clause 2 stand as printed.

**Mr KNOLL:** Yes. It seems that we have had some tread down the road to Damascus where, after six or seven months of obfuscation by the government, we are a good 15 to 20 seconds to midnight and the government has seen fit to move an amendment to this bill.

In essence, what that amendment does is take out the specific reference we had in relation to the fact that helmets can have either cameras or Bluetooth devices attached to them as long as the device is affixed by means of a frangible mounting and that that frangible mounting does not penetrate or fracture the outermost shell of the helmet. The wording we used was very much in line with what the ACT had in its legislation, and it has dealt with this issue for some years.

What the government is seeking to do through its amendments is to have that portion of the bill removed and, essentially, for that provision to move into the regulations. So instead of having this fixed in legislation, we are going to move what will and will not be allowed to be affixed to a helmet to the regulations. We know that the government is undertaking a COAG process to look at these issues and, although I find it extremely unlikely we will find time for its passage through the other house, its passage through this house means that through regulations we would be able to make the

necessary changes so that people can wear these attachments to their helmets whilst driving on the road.

We are happy to support that amendment; it is just frustrating that we did not get here even in just the last sitting week so that we could get this passed through the Legislative Council. Nevertheless, progress is made by small steps and, as we are inching closer, we are happy to accept that movement.

Clause passed.

Clause 3.

**Mr ODENWALDER:** On behalf of the Minister for Road Safety, I move:

Amendment No 1 [RoadSafety-1]—

Page 3, lines 5 to 11 [clause 3, inserted section 162D(4)]—Delete inserted subsection (4) and substitute:

- (4) However, the preceding subsections only apply in relation to a communication or recording device that is affixed to a helmet in accordance with any requirements set out in the regulations.

Amendment No 2 [RoadSafety-1]—

Page 3, line 16 [clause 3, inserted section 162D(5), definition of *approved motor bike helmet*]—Delete 'regulation 51 of'

For the member for Schubert's information the government, the minister and I absolutely support the intent of this bill. Obviously there has been some consultation with the police and with DPTI, and we have subsequently moved these amendments.

As a government, we put the safety of road users at the top of the list; they are our primary concern. We know that both motorcycle riders and bicycle riders are vulnerable road users and that motorcycle riders are almost 30 times more likely to be killed in a crash than drivers of other vehicles. As a government we must ensure that we are doing all we can to ensure the safety of motorcycle and bicycle riders. As I said, the government does support the intent of this bill, brought by the member for Schubert, to allow motorcyclists and cyclists to use cameras on their helmets where safe to do so.

Of course there are potential benefits associated with wearing these cameras, such as encouraging road users to comply with road rules. There is also the potential for captured footage to assist should accidents occur. However, as I said, we have had strong advice that a camera or another device attached to a helmet does create the potential for the helmet to lose its protective qualities and increase the risk of neck and head injuries for the rider, although formal research in this area is limited.

Other states and territories are looking at this. I understand there is a national process that is doing the rounds. There will be some national guidelines coming out of that, which is another reason for these amendments. It is worth noting that riders are currently able to use a camera on their helmet if it conforms with the approved standards. Riders are also able to attach a camera to their bike or clothing.

The member for Schubert's bill, as it stands at the moment, does lack a little detail in how it proposes to define what 'safe, frangible mounting' means. No research has really been put forward to support the premise behind the bill that allowing frangible—that is, easily breakable—mounted attachments to helmets will be safe for riders. The strong advice from SAPOL is that, without further specification regarding this device, it could lead to unsafe practices and would prohibit any opportunity for SAPOL to enforce the rules around it anyway.

Further work does need to be done. Therefore, the government has moved amendments to this bill that would mean that a camera used on a helmet must be attached in accordance with any requirements set out in regulations, such as those specifying what constitutes a safe, frangible mounting.

I understand, and it is my hope, that the mover of the bill has agreed to these amendments in general. I understand that the minister has undertaken to consult with a range of stakeholder

groups, both within the state and as part of that national framework I spoke of, and every effort will be made to provide clear guidance to riders about what constitutes a safely mounted camera.

Amendments carried; clause as amended passed.

Title passed.

Bill reported with amendment.

*Third Reading*

**Mr KNOLL (Schubert) (10:41):** I move:

That this bill be now read a third time.

In doing so, I merely comment on the fact that, whilst we have done some good work in the last few minutes, it seems that this will all be for nothing because, unless the upper house is forced to sit, we will be where we were 15 minutes ago and that is still without a workable piece of legislation having passed both houses of this parliament. That is sad, because I think we very easily could have done this. But, as I said, we must take the small progress that we can get. I expect that if and when we bring this bill back to the new parliament, obviously with us sitting on the other side of the chamber, the new Labor opposition will see fit to support this bill in the same fashion.

Bill read a third time and passed.

**FAIR TRADING (TICKET SCALPING) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 16 November 2017.)

**Mr TRELOAR (Flinders) (10:42):** This has been very topical of late.

**The DEPUTY SPEAKER:** You are not the lead speaker, are you, member for Flinders?

**Mr TRELOAR:** No. Have we not had the lead speaker? No, I am not the lead speaker.

**The DEPUTY SPEAKER:** I am just being asked questions. As far as I knew, it was the member for Mitchell and he has already spoken. That is right.

**Mr TRELOAR:** As I was saying, this has been very topical of late. It has recently resurfaced following the AFL finals in September last year and of course the upcoming Ashes test, which is beginning this coming Saturday. I think the Poms are already in town. There is much excitement around that, and tickets are much sought after.

It has been flagged that ticket scalping reform is imperative. Despite repeated media interest, no legislation that we have seen has been drafted to amend or to consider what is the biggest loophole under the current Major Events Act on the selling practices of ticket scalping websites, because technology is now impacting it. Once upon a time, you had to stand outside the gate and hopefully get a ticket for a few dollars more than the bloke prior to you had paid for it, but of course now with technology, eBay and the internet, it has become quite a big business.

The Attorney-General has avoided a specific response, but he did indicate that the government is awaiting a series of recommendations on the issue from Consumer and Business Services. Previously, we state Liberals were committed to a review of the Major Events Act and the introduction of legislation that would prevent people from selling tickets at a mark-up of more than 10 per cent of the market value, excluding booking fees and charges, without the need to declare an event a major event.

The issues that need to be addressed are: prohibition on ticket activity, providing affected parties with the right to commence proceedings against people using software to circumvent website security mechanisms and, as I mentioned earlier, prohibition on the resale of any sport or entertainment tickets above the original sale price of more than 10 per cent. There also needs to be a prohibition on the publication or hosting of an advertisement for ticket sales above the original ticket price—in other words, those inflated prices are not to be advertised—and a requirement that event

organisers publicly disclose details of ticket allocations for public sale, so consumers know exactly how many tickets are available and how many tickets are sold.

We are trying to combat inflated ticket prices. It is almost invariably around major concerts and major sporting events. When visiting rock stars or the Ashes Test or the AFL finals are here is when we are looking to impact on the advantage that some Australians are prepared to take over others. I notice the lead speaker has arrived, so I will conclude my contribution.

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

## **PUBLIC FINANCE AND AUDIT (AUDITOR-GENERAL'S REPORTS) AMENDMENT BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 16 November 2017.)

**Mr KNOLL (Schubert) (10:47):** I rise to support the Public Finance and Audit (Auditor-General's Reports) Amendment Bill. Essentially, what we are seeking to do here is give voice to what the Auditor-General outlined in his annual report that was handed down only a few weeks ago. What many members of the house may not realise is that on 17 October, on the Tuesday that the Auditor-General's Report was handed down, the Economic and Finance Committee saw fit, after having received the report at 2.30 in the afternoon, that, at 8 o'clock the next morning, we were to question the Auditor-General on his 3,000-page report. We did not have as much time as we are normally given to be able to apply scrutiny to the report and to ask him questions about it.

We did have a look, very closely, in those intervening 16 hours to understand the intent of what the Auditor-General was trying to achieve. He was trying to achieve two things: first off, he wanted to have greater flexibility because he believes that currently, when he publishes or undertakes supplementary reports, those reports have to in some way build upon the work that is undertaken in the annual report. There can be scenarios whereby an incident happens in July/August but it will not appear in the annual report until the year after, delaying his ability to provide his answers to what he sees as either proper process or improper process.

The second thing that he wanted was to be able to table reports whilst parliament is not sitting, something that has existed under the Adelaide Oval redevelopment process where he tabled reports in line with the reporting structure that parliament set out when the original legislation was debated and passed. We have sought through this bill to give voice and put through the parliament what the Auditor-General was trying to achieve.

As this is potentially the last sitting Thursday of this house, and not having passed the other house, this bill may not see the light of day in the Legislative Council. Running parallel to that, the other place has seen fit to use a motion in their house that will give the Auditor-General the opportunity to table reports whilst parliament is not sitting. This is something that we still potentially need to deal with on a more permanent basis, but we have managed to stave off the crisis at this moment.

But it is interesting because the government has said very, very little about the Auditor-General's request for legislative change. When we questioned the Auditor-General when he appeared before the Economic and Finance Committee, we said, 'Have you put these recommendations to the government?' The answer was yes. We said, 'Okay, what was their response?' He said, 'We haven't had a formal response, but what we did is put it into the government's simplify process.' There is a process by which all agencies get to submit ideas for red-tape reduction to the minister's office. It then gets considered, taken out to a range of stakeholders and then is culminated in the simplify bill, which I think is currently in the other house.

The Auditor-General said that he put these recommendations and proposed amendments to that simplify process. When I asked him, 'Did you get your homework in on time?' he said, 'Yes, we did.' I said, 'What sort of response did you receive from the government?' He said, 'Nothing formally, but we do note with interest that it did not form part of the legislative amendments proposed in the simplify bill.'

So it is very clear to the Auditor-General and very clear to us that by the government choosing not to act through that simplify process, they have chosen to ignore and not accept the legislative amendments that the Auditor-General has sought to put forward. That is an extremely sad day, because the only conclusion that we on this side of the chamber can come to is that the government has something to hide. The Auditor-General writes reports. Those reports are tabled at some point in time. The only reason that you would not want a report tabled whilst parliament is not sitting is that you would seek to delay the publishing of that report for a period of time.

It just so happens that we are coming into a period where we will not sit again until at least April next year. We know that the Auditor-General is undertaking a significant number of supplementary reports. We had four tabled this week, but there are still more to come. There is still a report to be tabled about the new Royal Adelaide Hospital. There are still reports to be tabled about other matters, both local government and state government, that the Auditor-General is looking into. So the real question for the government to answer here is: what have they got to hide? What is contained within that NRAH report that is so embarrassing that they have sought to make sure that it is not published before the election?

We know that this is a piece of infrastructure that has blown out by about \$650 million. We know that there have been huge issues in relation to disputes between the consortium that is building the hospital and the government. We have heard a lot from industry and from private developers about the sovereign risk that exists in South Australia when a government fails to honour its contracts and that that can have huge implications for future private investment and future public-private partnerships in this state.

In fact, some have suggested that the government's actions in relation to the NRAH mean that there are very few developers who will actually enter into a PPP with the government into the future, thereby starving the people of South Australia of much-needed private investment, private capital, flowing into our state. So what is it in this NRAH report that the government has to hide?

We are lucky that the Legislative Council has found for us a process by which the Auditor-General can report. According to the process that he told us he is currently undertaking, he has now tabled a report in relation to the Festival Plaza and the huge concerns he has had with the process in relation to that contract. He has made some extremely damning findings in relation to the One Community grant, and the Labor government is still refusing to give the money back. The government needs to watch out because we have put on paper a piece of legislation that will force the government to pay back money such as this. They really need to be careful about the way in which they are continuing to operate, spending half a million bucks a week on advertising in the lead-up to the state election.

We know that he has put down reports in relation to disaster relief planning. The scariest part of the report that I found was that SAFECOM itself, which is the board and overarching group tasked with keeping South Australians safe in emergencies, does not even have a disaster management and recovery plan. It does not have a disaster recovery plan. That is just scary. It comes off the back of failures of the Alert SA app, it comes off the back of failure on the progress of recommendations made by the Burns review, and comes after we had a report leaked to us about the staggering lack of preparedness by the SES and their state control centre. It is only a matter of time before we see the state control centre fail during a major emergency.

We wait with interest to see what is contained within the NRAH report of the Auditor-General when it is tabled in the coming months. We look forward to prosecuting that argument, in the interests of all South Australians, who deserve to know exactly how it is that the largest piece of infrastructure we have ever built has gone so badly wrong, and to make sure that we hold to account those who have made these mistakes.

In closing, can I say that I support the bill. I support the work of the member for Bragg in bringing this piece of legislation to this place. I look forward to the Auditor-General being able to continue to undertake his work unfettered and free from political interference so that we can hold all governments to account when they spend taxpayer money.

**The Hon. T.R. KENYON (Newland) (10:56):** I move:

That the debate be adjourned.

The house divided on the motion:

Ayes ..... 23  
 Noes ..... 18  
 Majority..... 5

AYES

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

NOES

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

PAIRS

Vlahos, L.A.	Hughes, E.J.	Whetstone, T.J.
Tarzia, V.A.		

Motion thus carried; debate adjourned.

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

*Second Reading*

Adjourned debate on second reading.

(Continued from 16 November 2017.)

**The Hon. T.R. KENYON (Newland) (11:03):** The Criminal Law (Forensic Procedures) (Emergency Services Providers) Amendment Bill was introduced by the member for Stuart on 19 October 2017. The bill seeks to add staff of the Royal Flying Doctor Service to the categories of emergency workers listed in the Criminal Law (Forensic Procedures) Act 2007 where a blood test may be directed by a senior police officer to be carried out on a suspect who is reasonably suspected to have assaulted an emergency worker in circumstances where there is a risk of the transmission of an infectious disease. The government is pleased to support this bill.

The Criminal Law (Forensic Procedures) (Blood Testing for Diseases) Amendment Act 2015 and the Criminal Law (Forensic Procedures) (Blood Testing for Diseases) Variation Regulations 2016 came into effect on 12 December 2016. This legislation passed with all-party support and seeks to provide enhanced support to those emergency workers who may be assaulted in the course of their occupations. The 2015 act amended the Criminal Law (Forensic Procedures) Act 2007 to provide that any offender who is reasonably suspected of having assaulted an emergency worker or having committed other specified offences of violence can be required, at the direction of a senior police officer, to undertake a blood test to test for the presence of infectious diseases in circumstances where the emergency worker is exposed to the alleged offender's bodily fluids.

This requirement arises where there is a risk that the emergency worker, in being so exposed, could have been exposed to an infectious disease. Such testing assists the treatment of the assaulted emergency worker. The 2015 act applies to healthcare workers at a hospital or an accident and emergency ward, paramedics, police officers, firefighters (including the Country Fire Service), State Emergency Service volunteers, St John Ambulance officers, lifesavers and Department for Correctional Services staff.

There is established evidence regarding the alarming incidence of workplace violence upon police, medical and nursing staff, and paramedics. Some of these assaults are committed in circumstances where there is a risk of the transmission of an infectious disease. Research indicates that medical and nursing staff in accident and emergency wards, and other contexts, and paramedics, are at an equal if not greater risk of contacting an infectious disease as a result of being assaulted in the course of their occupation than even police officers. To be clear, paramedics and emergency ward staff are at greater risk than police officers of being infected.

As the member for Stuart noted, Royal Flying Doctor Service staff are also subject to the same deplorable risks of workplace violence—notably, by offenders under the influence of alcohol or drugs—and the possible transmission of an infectious disease, as are other emergency workers. The RFDS and its dedicated staff play a highly valuable role especially in remote and rural communities. Its staff should have the same protection accorded to them as other similar emergency workers already have in relation to workplace violence.

The member for Stuart has raised a consequential change to amend the Criminal Law Consolidation (General) Regulations 2006, to provide that the Royal Flying Doctor Service will be an emergency services provider. This means that offences upon the Royal Flying Doctor Service staff will be treated as an aggravated offence under section 5AA of the Criminal Law Consolidation Act 1935. The government is pleased to support this change.

Policy and consistency suggests that the Royal Flying Doctor Service should be treated in the same manner as other emergency agencies and occupations listed in regulation 3A of the Criminal Law Consolidation (General) Regulations 2006 so that an aggravated offence under section 5AA of the Criminal Law Consolidation Act 1935 will extend to offences on RFDS staff. This amendment will increase public awareness of the gravity of offending upon RFDS staff and help ensure that any such offences upon RFDS staff are treated by the courts with the gravity with which such offences merit.

**Mr VAN HOLST PELLEKAAN (Stuart) (11:07):** I thank the Government Whip and very much thank the government for supporting this private member's bill. This is an important but very simple and very straightforward change. I will not go over all the reasons why both the opposition and the government have decided to support this, but I would like to thank Courtney White in particular, an RFDS staff member working at the Marree clinic, who brought this to my attention a few months ago and raised it with me. Very shortly after that I spoke with Mr John Lynch, the CEO of RFDS SA/NT, to be sure that that was something the organisation wanted as well, and certainly that was affirmed. This is incredibly important and incredibly straightforward.

For those members who may not have followed this debate too closely, the reason why it is important is that the nature of the work that the RFDS is doing and the nature of the service that the RFDS is providing to people in more remote places has changed over the years. While it still includes the traditional flying to a remote town or a remote sheep or cattle station to pick up a sick or injured person who is in need of urgent care, they now run some clinics in remote places and do emergency callout work—much in the same way as ambulances do work in metropolitan country areas, as most members here would be familiar with.

The nature of the work has changed so the nature of the risk to RFDS employees has changed, and the risks have increased. It is very appropriate that they get exactly the same protection as already exists under the law for other emergency services workers who face these risks, so thank you again to the government.

As well as moving the Criminal Law (Forensic Procedures) (Emergency Services Providers) Amendment Bill 2017 here, I also wrote to the Attorney-General back on 19 October this year with regard to the Criminal Law Consolidation (General) Regulations 2006 to make the change that the

Government Whip talked about because, while we need to change the law, we also need to adjust the prescribed employment list under 'emergency services provider'.

While I have not yet received a response from the Attorney-General, on the strength of the government's support for the bill in this place, I am of course very optimistic that the Attorney-General will write back to me very soon and confirm that RFDS will be included in that emergency services provider list. I thank my colleagues for their support on this bill many months ago, and I thank the government for their support today.

Bill read a second time.

*Third Reading*

**Mr VAN HOLST PELLEKAAN (Stuart) (11:11):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**ELECTORAL (GOVERNMENT ADVERTISING) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 16 November 2017.)

**Mr PISONI (Unley) (11:11):** I rise to support this bill brought to this chamber by the member for Bragg, the Deputy Leader of the Opposition, and I congratulate her on the bill. This is a bill that will bring this government to account. There must be an unwritten slogan that all members of the executive of the Labor government adhere to, which must be something along the lines of, 'Too much taxpayers' money is never enough,' when it comes to trying to hang on to their jobs.

It is extraordinary what we have seen from this government in the way of taxpayer-funded advertising, particularly since the budget this year. They have spent an extraordinary amount of money. It is obvious what the aim of this program is: it is about creating an illusion of action here in South Australia by this government after 16 years. Rather than going back to the people of South Australia on 17 March next year and saying, 'Look at our record,' they are trying to create an illusion that things have been done that have not been done, that things are better than what they are, that 'you are lucky to be here; look at what we have done for you'. People cannot see any of this on their own because it is simply non-existent.

The government is using this advertising, even going to the extent of using the Premier's face and voice, in clear breaches of the guidelines on government advertising in South Australia. These guidelines were set up by this very government. It is interesting, isn't it? You see this time and time again, and particularly with the Treasurer, where the Treasurer is always quick to hold others to higher standards than he is prepared to adhere to himself. I think it goes back to him accepting the job as the road safety minister with 60-odd traffic offences that he was aware of, many of the fines having not even been paid, but there he was telling South Australians how important it was to obey the road rules and consider road safety.

That mantra or that style of the Treasurer has infected the entire government, and we see that in their government advertising and in their response to being caught out in the One Community grant. This is an extraordinary situation by this government, and the Premier said he would do it again. It is an extraordinary situation. It was so clear cut that it broke every single convention and every single rule in the book. It was purely a \$757,500 grant to supporters of the Labor Party here in South Australia that wanted to win more Labor seats for Bill Shorten. That is what it was all about.

It was dressed up as some community outrage campaign about policy issues but, when you have a situation where people are paid out of this money to hand out how-to-vote cards, you can come to no other conclusion that the whole intention of this grant to One Community was to get a political benefit for the South Australian branch of the ALP. It was very effective in the seat of Hindmarsh, for example, where they took that seat from the Liberal Party. It just so happened that, in a so-called bipartisan group of people they got together for this cause, Steve Georganas was invited to be a member but not the Liberal member of parliament.



It is an extraordinary situation. It is amazing how so many of those who were involved in One Community are or have been Labor political staffers. It is an extraordinary situation that this would get approval within 24 hours, not meeting any of the guidelines. Today's bill, put forward by the member for Bragg, will send a very strong message to this government that enough is enough. South Australians want their taxes used for the benefit of South Australians, not for the benefit of the South Australian Labor Party.

This bill will amend the definition of 'advertising' to include any government political advertising paid for using taxpayers' money. The definition would include an express use of the name, image or 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. It will provide the Electoral Commissioner with the power to determine whether political advertising material is such that spending thereon would fall under the electoral spending cap.

In other words, from 1 November, the money the government has been spending on government advertising that is determined by the Electoral Commissioner to be nothing more than political advertising will come off the cap that both political parties are allocated for state funding. This is the first state election where there is state funding. There are very tight rules with that. There is a penalty of 20 times, so if you spend \$1 more than your cap, you will lose \$20 in the funding. This will have the same effect for government advertising that is deemed to be political advertising by the Electoral Commissioner.

It is not another political party or somebody with a vested interest who determines whether it is political advertising: it is an independent body, the Electoral Commissioner, who will determine whether it is political advertising. The government has been warned; the Labor Party has been warned. This bill was introduced into the parliament before 1 November, so this is not retrospective if this bill is passed today. The government was well aware that this was going to be on the agenda and be voted on in this parliament.

If we look at a quick snapshot of the \$10 million of advertising that has happened over the last few months of this government, we have seen \$840,000 for JOBEX. It just happens to be a few months before an election, and this is the first time ever that we have seen any interest in the government being involved in job exhibitions or expos in South Australia.

As a matter of fact, in recent years every government department that has participated in the two job expos that have been run by private operators have cut their budgets, cut their sponsorship, cut the space they have taken in those job exhibitions. The reason for that is that it does not suit their agenda, and that is to create the illusion that this government is creating jobs within South Australia. Of course, we all know that governments do not create jobs, governments create the environment that creates jobs, and I can tell members that the environment here in South Australia is a long way away from encouraging small business, in particular, to create jobs.

There has been \$2.6 million spent on advertising an electricity plan, \$1.8 million on a recent addition to the illusion of action here in South Australia by this government spent on the education plan. You cannot even look at Instagram without getting a government ad, that is, an ad for the Labor Party paid for by taxpayers here in South Australia. There has been \$1.5 million spent on advertising for the Job Accelerator grants—the largest billboard in Adelaide at Gepps Cross has that ad displayed on it—as well as the multiple media ads.

There has been \$1.3 million for the Future Jobs Fund, \$523,000 for advertising the state budget, \$450,000 spent on advertising the new Royal Adelaide Hospital. It goes on and on. So this bill sends a very strong message to any government, current and future, that taxpayers' money is not for the benefit of political parties.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:21):** I thank members of the parliament—

**The Hon. T.R. KENYON (Newland) (11:21):** Ma'am—

**The ACTING SPEAKER (Hon. S.W. Key):** I saw the member for Bragg—

**The Hon. T.R. KENYON:** If she speaks she closes the debate.

**Ms CHAPMAN:** I thank those who have made a contribution on this debate, and appreciate—

**The ACTING SPEAKER (Hon. S.W. Key):** Order! I am getting some clarification here. Member for Newland?

**The Hon. T.R. KENYON:** I seek to adjourn the debate. I was standing. You have to give the warning that if she speaks she closes the debate.

**The ACTING SPEAKER (Hon. S.W. Key):** If the member for Bragg speaks she closes the debate. I did see her first, so—

**The Hon. T.R. KENYON:** You say that, ma'am, to give other members the opportunity to speak.

**The ACTING SPEAKER (Hon. S.W. Key):** Would other members like to speak?

**The Hon. T.R. KENYON:** Yes, ma'am. I move:

That the debate be adjourned.

The house divided on the motion:

Ayes .....	22
Noes.....	18
Majority.....	4

#### AYES

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

#### NOES

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

#### PAIRS

Hughes, E.J.	Whetstone, T.J.	Vlahos, L.A.
Tarzia, V.A.		

Motion thus carried; debate adjourned.

#### *Motions*

#### **DIESEL GENERATOR EVIDENCE**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (11:31):** Thank you to the house for the indulgence of allowing this motion to be considered. I move:

That evidence regarding the state government's procurement of diesel generators, that was heard in camera by the Public Works Committee on 10 August 2017, be made public.

Members would be aware that the consideration by the Public Works Committee of the installation of hybrid turbines as a long-term backup power plant, which was reported to the parliament on 15 August 2017, was subsequent to the work and inquiry of the Public Works Committee, chaired by member for Elder.

The members for Mount Gambier, Colton, Unley and Torrens were represented and took evidence on that occasion. For the purposes of that hearing, they received a submission from the Minister for Mineral Resources and Energy, dated 2 August 2017. Curiously, there was nothing presented directly, by any written submission, from the Department of the Premier and Cabinet in relation to what is normally a departmental submission; in this case, it would be the portfolio responsibility of Energy.

Nevertheless, what I would call a political pamphlet was prepared as a submission from Mr Koutsantonis, and that was the written submission that was relied upon for the purpose of consideration. Additionally, evidence was given by five members of the Department of the Premier and Cabinet, led by Mr Sam Crafter, the executive director of the Energy Plan Implementation, and one representative from SA Power Networks in relation to some work that had been undertaken by the SA Power Networks on behalf of the government and who were going to have an ongoing role in this project. Remember, this was a project that the government announced as part of a planned recovery to deal with the haemorrhaging energy provision in this state, both its reliability and cost.

In that evidence, a request was made and accepted by the committee that matters of financial aspects in particular should be heard and received and questions asked by the committee. The documents that were presented for consideration were not only mercifully thin, I suppose, but did not have any of that material in them. Questions were requested to be asked, obviously, on a confidential basis and in camera.

My understanding, from the material published on the website by the committee—and, of course, the report has been tabled in the parliament together with the submissions that were made and the transcript taken—is that all other evidence received, that is oral submissions from witnesses to the committee, was not transcribed. What I am advised now is that essentially this further material and questioning was not recorded by Hansard. Essentially, the representatives from Hansard, at the request of the committee chair, vacate the room; that is, they do not even take it down.

I do not know the answer to that. If that is the case, I will say to the parliament that I would be utterly appalled and disgusted if that has occurred; that is, that the information from witnesses—whilst the committee agreed to hear it in camera for maybe quite legitimate reasons—has not even been recorded at all. That would be most disturbing.

I can understand if an interim decision is made by a committee to hold certain aspects confidential until they give them further consideration, or until there is any further determination or adjudication about it, particularly by this parliament. After all, that is what the committee is there to do. It is there to conduct inquiries and report back to the parliament for the very purpose of giving us guidance, in this instance, in respect of major contracts for infrastructure that are under consideration by the government. We need to have some confidence that that is occurring.

I make this point: if in fact it turns out that the further information that was presented, either in the form of documents or oral evidence by witnesses to the committee, was not retained or recorded, then that is a very serious matter. It is a matter that I suggest any future parliament—obviously, it is our last day—should take into very serious consideration. It is information that should not just be destroyed. It should not just evaporate. It may need to be called upon at a later time. It may be needed purely for the purposes of identifying the bona fides of information that is disclosed at a certain time, as distinct from the accuracy of the information that is provided.

I am deeply disturbed by the assertion that there is no other evidence in existence. It has either not been recorded or, if it was received in any document form, it has not been retained by the committee. In courts of law, there would be offences punishable by imprisonment potentially for shredding evidence. I am not asserting that at this point. I just make the point that I consider the destruction, disposal or non-retention of material that is under consideration, in this case by the Public Works Committee, to be a completely unacceptable practice. If that is the case, I will certainly pursue this matter next year.

On the other hand, other material may have been retained and is in the possession of the committee secretary or the like for the purposes of bringing it back. For example, if in such a project there is any change of condition—which we now know there has been under this particular project; the government have purported to sign other documents that will change the nature of the implementation of this project—under the terms of reference of the Public Works Committee—that change of course needs to be brought back to the committee.

Whether the Public Works Committee continues to receive that material, or even asks for it from the government to be continued to be considered, even between now and the resumption of parliament, which a number of our committees do as they continue to undertake their good work obviously outside of parliament sitting and can make their reports available, I would expect not only would they need to have retained that material but, if they have, then I ask this parliament to agree to make it available.

Secondly, it certainly should be made available for the purposes of the committee, which, of course, can change in composition because we now know the parliament has determined that the member for Mount Gambier is no longer a member of that committee. I think the member for Flinders is now a member of that committee and he would not have been present of course in the August hearings in respect of this application.

That would be another important reason regarding that material—if it has not been destroyed or not retained in the first place, that is, not recorded in the first place for the purpose of oral submissions—as he will clearly be at a disadvantage in respect of being able to understand the background of the first report of this project. For a lot of projects, they come in, they are considered, witnesses attend and provide extra material, and there is a determination after consideration by the committee. It then comes to the parliament and we might discuss it. The government moves on and actually implements a number of these anyway, irrespective of what the Public Works Committee says, actually. Nevertheless, that is the usual process.

A number of these do not come back onto the agenda of the Public Works Committee, but we now know, from the government's own admission, that it is proposing to change the terms of this arrangement to apparently bring forward the acquisition of the capital works in question. We have never seen the contract: we are told we are not allowed to see it, and we are told that we are not even allowed to know what it is going to cost. I am ever hopeful that the Public Works Committee will be able to do its job and that committee members will have that material in front of them so that they can give it due consideration.

I would be expecting that committee, given the government's announcement, to have convened another meeting—if they have not already done so—to ensure that they are reviewing the next stage of this amended proposal by the government. We want open, transparent consideration by the committee. We as a parliament rely on that committee for the purpose of ensuring that capital works are following proper process, and that they are a good use of public money, etc.

Most members understand the reason why we have a Public Works Committee: it is very valuable to the parliament and it ought to be a transparent process to give assurance to the parliament that the government's nominated expenditure—which is all a secret to the rest of us at the moment—is something of value, is value for money, and further, that if it is amended, it will be given appropriate scrutiny. For all those reasons, I ask the parliament to support this resolution.

In the event that there is a response from the committee stating that there is no evidence, other than what has been published, that exists for the purpose of production to public, that will be a matter I will raise next year. If there is, with the passage of this resolution, then I would ask that it be made available, either by being placed on the website and/or the provision of electronic or hard copies to the parliament forthwith.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (11:42):** I rise to oppose the proposition that has been advanced by the member for Bragg. Yesterday, the member for Bragg, in something that has become characteristic of her contributions, overreached in the most extreme fashion. She was attacking the South Australian government's decision to purchase a publicly owned state power plant, and she did so in extreme terms. She did so in a fashion which has served to elevate the question of the privatisation of power assets into this state as the

key political issue that will be debated at the next state election. For that, I am sure she will have the undying gratitude of her side of the house.

The Leader of the Opposition instinctively became aware of the risk associated with this, and so he went out soon after the deputy leader and sought to try to slightly crab walk away from the proposition that was put very firmly on the table by the Deputy Leader of the Opposition when she was squarely asked the question: would you rule out privatising an asset? She would not; she said it would have to abide the judicial inquiry. So what the Leader of the Opposition then had to do was walk out and suggest, 'We don't to sell it; it's not our wish to sell it.' He did not fundamentally change the position, but he could see the political risk to which the Deputy Leader of the Opposition had exposed the opposition.

That risk is this: the next election will be a referendum on the privatisation of the state-owned power plant—nothing more, nothing less. That will be our mantra from this day until 17 March. There is no escaping it. They are locked and loaded on this question. You can squirm and try to get out of this any way you like, but the Deputy Leader of the Opposition has locked and loaded those on the other side of the chamber to a privatisation agenda. She has done that because the Liberal Party are attracted to privatisation like a moth is attracted to the light. It is instinctively in their DNA. Whenever there is a public policy challenge, the Liberal Party reach for the private market. The Liberal Party put their faith in large, powerful interests—the large, powerful interests that govern the Liberal Party. They will always whistle up the Liberal Party to dance to their tune and they have done so again.

When there was a massive challenge here in South Australia, as there was around the blackout and the subsequent load-shedding event, back on 8 February, the South Australian Labor Party in government consulted its values and constructed a public policy response which was about putting the public interest first and using the power of the state to actually exercise its authority on behalf of its citizens.

What did the Liberal Party do? They looked at our plan. They could not think; they were paralysed for six months—in fact, nine months—and when they ultimately came up with an idea what did they reach for? They reached for a very long extension cord to New South Wales and they reached for the private sector to own and supply the backup power that was necessary. This demonstrates more clearly than any other public policy issue the poverty and emptiness of the policy formulation process of those opposite. It also demonstrates that at a critical moment in the politics of this state the member for Bragg is always there throwing a spanner in the works and upending the Liberal Party strategy.

Do not ask me about this: ask the Leader of the Opposition why he was out there crab walking away from the Deputy Leader of the Opposition's remarks? Because he saw the political risk. He must have been thinking, 'Thank you, member for Bragg.' Imagine the look on his face when he heard that the Deputy Leader of the Opposition had raced out there, elbowed the member for Stuart out of the way—and that requires some doing—almost pulled a hamstring getting out there before the Leader of the Opposition could get out there, wanting to make some political point.

Of course, they put the poor old Hon. Rob Lucas in a closet because they did not want him emerging because he had his fingerprints all over the privatisation contract—

**The Hon. A. Koutsantonis:** And his signature.

**The Hon. J.W. WEATHERILL:** —and his signature—and then they sheepishly rolled him out at the end of the day to actually promote some non sequitur because the Minister for Energy was a bit unkind to him during the day.

This is a central issue in the next state election campaign, and we are grateful to the Deputy Leader of the Opposition racing out there a few days ago and making it such. We are grateful to her for moving the resolution that she has just moved to get this particular notice of motion on the books so that we can spend time exploring this question in great detail, because you are going to be hearing an enormous amount about this between now and the next state election.

The next state election will be about these issues: the privatisation of South Australia's publicly owned state power plant, the scrapping of the 50 per cent renewable energy target that the

South Australian government supports and, finally, energy self-sufficiency, South Australians taking control of their own energy future and putting the control of the energy sector in public hands.

**Mr PISONI (Unley) (11:49):** The important issue that is being canvassed here today is not about privatisation, it is not about state-owned assets—that is what the government wants it to be about. At the last election, I do not remember a single negative campaign from the Labor Party about the sale of ETSA by a previous government because electricity was not an issue; it was not the issue back then that it is now. The only thing that has changed since the last election is that this government has mismanaged the transition into renewable energy—

*The Hon. J.M. Rankine interjecting:*

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

**Mr PISONI:** For ideological reasons alone, and to try to get a political advantage that they misjudged because they sent prices through the roof and reliability of electricity to the ground, they closed the Northern power station prematurely. Remember? The Northern power station could have been kept open for \$8 million a year of which about \$3 million would have been returned in state taxes, namely, payroll tax and other taxes, royalties and so forth that the mine and the power plant were paying to the state government. It was a very sensible offer.

The technology for renewable energies needed to catch up before we switched off the coal-fired plant at Port Augusta. But, no, this government wanted to pound its chest and say, 'Look at me, look at me. Look what we have done here in South Australia.' They wanted to tell the world. They wanted to be world leaders in renewable energy. They did not care about the consequences; they were only interested in any political advantage, but that backfired. Now, all of a sudden we see the government's solution costing more than half a billion dollars, much of which goes into the purchase of what is a temporary power plant.

These power plants are leased all over the world. The Public Works Committee was told that this power plant is a temporary power plant. Never anywhere in the world has it been used for a permanent solution. South Australia is going into another experiment in electricity provision. We do not need to take on all the risk in South Australia. You need to be in a very desperate position to be a client of this company for temporary power sources.

Its own brochure was supplied to the Public Works Committee via the Treasurer in his capacity as Minister for Energy. Algeria is a customer. Greece is a customer—and Greece is a lovely place but, boy, it is going through some economic problems at the moment. Angola is another country that is a customer of this power plant supplier, and Egypt is another. South Australia is in great company as a customer of GE for their temporary power plants, and nowhere else in the world has it been used as a permanent solution—another first for South Australia, another massive risk, hundreds of millions of dollars, to taxpayers here in South Australia.

What was the real motivation to committing to purchasing a power station before you have even turned it on? You have a lease arrangement in place for up to two years—a lease arrangement in place for 13 months, and then for another 12 months after that as an option—but instead, before you have even turned the thing on, you have signed up to purchase it. I will tell you what the motivation is: so that this government can invent a campaign in the lead-up to the election that is about buying back the farm. They have bought a temporary power station that provides a fraction of the power that South Australia needs, and they are going to say that they have bought that.

As I said in an earlier contribution, too much taxpayers' money is not enough money as far as this government is concerned to try to save its hide. It needs to create an illusion of action out there in the community. People know how badly this government has run the energy portfolio in South Australia. What is interesting is the trail of destruction that the Treasurer leaves behind him.

When he ran urban development, we had Gillman and the Festival Plaza, both with damning reports, one of which even came back from ICAC. Now we have had to spend hundreds of millions of dollars of taxpayers' money that we did not have to spend because of an ideological journey and some political pointscore that this Treasurer and this government were more interested in delivering than an outcome for South Australians.

The early signing of this contract is a massive variation to the conditions that were presented to the Public Works Committee, so I will be calling for a new hearing of the committee so that we can examine the reasons for the early signing of this purchase document. It was not what the Public Works Committee was told. We were told that what we were receiving was what was approved by cabinet, yet just a month later we hear that the government has changed its mind. This government owes South Australians an opportunity to get an understanding of what the benefits of this premature signing of this document are, and the best way of doing that is through a public hearing of the Public Works Committee.

We all know that the Public Works Committee is controlled by the government of the day. Of course, the government of the day is the Labor Party. They have three votes on that committee and the Liberal Party have two votes, so it really is not up to those committee members—

**The Hon. P. Caica:** And you only come to meetings when you think you can politicise it. I didn't see you there this morning. I didn't see you there last week.

**The SPEAKER:** The member for Colton is called to order for commenting on the regularity of the member for Unley's attendance.

**Mr PISONI:** —it is up to the Labor Party and the Premier himself as to whether they agree to open up the hearings into this power plant. This is one of the biggest capital expenditures that has gone through the Public Works Committee in a very long time. It is an enormous amount of money, hundreds and hundreds of millions of dollars. It is a challenge for this government to agree for the Public Works Committee to reopen the examination into the temporary come permanent solution, as described by this government, of the power plant purchase and the changes to the arrangements that were spelt out to the Public Works Committee not much more than a month ago.

**Ms Chapman:** Excellent—here is the one who actually sold ETSA.

**The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence and Space Industries, Minister for Health Industries, Minister for Veterans' Affairs) (11:57):** No, actually, you were the president of the Liberal Party, I think, at the time, Vickie, or just before it.

**The SPEAKER:** No, I was never the president of the Liberal Party.

**The Hon. M.L.J. HAMILTON-SMITH:** Well, the deputy leader was and it was in fact her party that sold ETSA, just to clarify the facts. I do want to make a contribution to this debate because I have the unique viewpoint of having seen it from both sides of the house. I remember the Keating reforms and the Keating proposal to form a national electricity market and to undertake significant infrastructure reform, and I think that was the right decision.

I remember being a candidate in the 1997 election when promises were made that ETSA would not be sold, then I do recall the party room meeting soon after where it was put to us that ETSA would be sold, and I was a bit surprised.

**Mr van Holst Pellekaan:** How did you vote?

**The Hon. M.L.J. HAMILTON-SMITH:** I can tell you: I supported it. I supported it for two reasons. I supported it with some reservation, but with two assurances. One was that the regulatory regime that would be put in place would give South Australians confidence that the big end of town, the big multinationals, would not rip them off, drive prices up in order to grab profits and drive small business and households into the ground. There was an absolute assurance that the regulatory regime that was designed at the time under the guidance of the then treasurer, the Hon. R.L. Lucas in another place, would ensure that would not happen.

**The SPEAKER:** R.I. Lucas, I think.

**The Hon. M.L.J. HAMILTON-SMITH:** R.I., is it? Whatever.

**The SPEAKER:** Robert Ivan.

**The Hon. M.L.J. HAMILTON-SMITH:** The other assurance that we in the party room were given at the time was that there would be renewed interconnection, that there would be a second

interconnector to New South Wales, Riverlink, and that the interconnection would ensure that competition was maintained so that, again, there would be no gouging of businesses or households by the multinationals that were buying this entity.

I must say that a trade sale was not the option that I favoured as a newly arrived backbencher in the party room. I put to then premier John Olsen and Lucas an alternative. My preferred alternative would have been a 49 per cent float, Telstra 1-2 style. I went further, I am quite happy to say so, and thought that a better way for us to proceed as a state would have been to combine ETSA and SA Water into a major utility and float 49 per cent of that only through an IPO to the share market, with the government to retain 51 per cent.

The reason I put that argument to the party room and the then premier and treasurer was that I felt we would create, in effect, another Santos. We would create a large public utility that was 51 per cent owned by the people of South Australia through their government, but we would free up 49 per cent of that capital value through an IPO to be sold to Australian superannuation funds, preferably to Australians in the first instance. We would have created far more capital, in my opinion, than what we did raise, which I think was in the order of around \$6 billion, through a trade sale.

I did not favour the trade sale option. I did not think that it kept ownership of the entity sufficiently in public hands. That was a pretty radical proposal for a newly arrived backbencher to make in a government of the day, and it was not accepted. The feeling was that a trade sale of ETSA alone would basically generate more money. The party room agreed to that proposition on the basis that the regulatory regime and the interconnection would be assured. At a later point in the debate—it was a fairly long and turgid debate—the interconnection option was dispensed with. The additional interconnection never occurred.

There was no doubt in my mind, as a member of the party room, that the reason for that was that additional interconnection would have turned the price down. We would not have received as good a price for it with the additional interconnection, but what we would have had was a guarantee that prices would not be gouged and there would be greater flexibility on the grid. I was disappointed with that decision, but by then we were locked onto a pathway from which there was no return.

The further concern that I and others had was that the regulatory regime would not be robust enough to ensure sufficient competition within the network, but, again, the party was on a pathway from which it could not return. In the end, as we all know, two members crossed the floor in the other place, the matter was agreed to and the thing went ahead on the basis of it being a trade sale, with the interconnection not being provided and, in my opinion, with inadequate regulatory arrangements having been put in place. I voted for that. In fact, I was supposed to be away at the time, and I had to come back to be here to vote for that. It was very close. That is what you do when your party goes down a pathway from which there is no return.

I still think that, in principle, having these assets in private hands is the right thing to do. I am not sure if it would have worked out any better if we had just kept ownership of ETSA as we have, but what I have observed is that the whole thing has gone pear-shaped. I think that everyone observed that in the years that followed. I just want to dispel a couple of absolute myths, and one is that renewable energy is the problem. In my opinion, renewable energy is the solution.

I accept that the regulatory regime we have is a national regime and the state has an ability to influence it through the relevant council of ministers, but one of the problems with it is that it is not sufficiently flexible to enable renewables to adequately play their role within the grid. We saw that demonstrated recently during the challenges we faced in the last year or two. When the grid is suddenly disrupted through a weather event, we need to be confident that the gas turbines that are the backup for renewables are able to swing into play very swiftly indeed. That is why the Treasurer has made the decisions he has made about getting battery storage into the network and establishing additional, quickly accessible gas and diesel-driven generation capability.

We need a regulatory regime that is extremely flexible and agile, and we need capabilities like battery storage and immediate gas or diesel backup that can swing into action in minutes rather than hours in order to fill the gap when the wind stops blowing, the sun stops shining or there is a major weather event that causes a disruption to the system. That is something that the regulatory system at a national level should have required, and it did not. The national regulatory system is



stuffed, and, as a consequence, the state has been left with no alternative but to take the actions it has taken.

I must say that I listened to the quality of the debates when I was in the Liberal party room on this subject. I have now listened to the quality of the debates in the Labor government cabinet on this subject, and I must say there is daylight between the two parties in terms of the quality of the arguments, the evidence that has been given and the consideration that has been put into arriving at the decisions taken.

It is not a perfect grid, it is not a perfect national system, and we do not live in a perfect world, but I note that every state in the country is experiencing similar problems to us. Prices are going up everywhere; even in those states where the assets are predominantly still government-owned there are significant issues both on price and reliability of supply. We are now in the hands of multinationals who are closing down coal-burning capabilities station after station and who, I have no doubt, are gouging us on price. I would love to know what return on investment the people who bought our assets have made, after they purchased them in the late 1990s. I reckon they would have paid it off in droves by now and be well into the black.

The responsibility the government has—and it is a responsibility that the Premier and the Treasurer, as Minister for Energy, have not shied from—is to do their very, very best to ensure that the people of South Australia have reliable and affordable electricity over the summer period, in particular, but also going forward into the future, while at the same time encouraging the Prime Minister and the other states, the nation as a whole, to ensure that the regulatory system is changed to make it more responsive, agile and flexible.

The government is doing both those things; it is doing the right thing. You can ruminate on issues like the closure of the Northern power station and so on and so forth, but hindsight is a wonderful thing. What I am sad about is that there has been no alternative vision and no alternative plan from those opposite. That is not the way I liked to operate when I was the leader of the opposition. My view is that rather than criticise everybody else's plan it is a good idea to have one of your own. There is none.

I think the plan the government has developed is the right one for the circumstances. Facing very difficult circumstances, the government has taken action, and it is the right action. I am hopeful it will deliver the required results while, as a nation, we sort out this mess.

**Mr KNOLL (Schubert) (12:07):** I also rise to make a contribution to this debate. It is interesting that on potentially the last day of sitting we see many members trying to rewrite history in relation to this topic.

*Members interjecting:*

**The SPEAKER:** The Minister for Investment and Trade and the Treasurer are called to order.

**Mr KNOLL:** Our electricity system was privatised; I think all of South Australia is aware of and can understand that fact. What the government attempts to do in rewriting history is to somehow tie the problem we have today to that issue. I understand; privatisations are not a popular thing and there was a context in which that was undertaken, and the government seems to be trying to tie these two issues together—but they simply do not go together.

If privatisation was an issue why is it that the government responded only earlier this year to issues with our electricity system? It was privatised in 1999. Why is it that it took 17 or 18 years before the government decided to act, re this disgusting privatisation? We have been here for 16 years, and it took the government this long to put two and two together in its own mind.

The reason the government has not acted before now is that it was not a problem before now. We used to have amongst the lowest electricity prices in the country. It has been borne out over a long period of time—

*Ms Cook interjecting:*

**The SPEAKER:** I call the member for Fisher to order.

**Mr KNOLL:** —that we have had a decent and working electricity system. It is only in recent years that we have had issues. You have to ask yourself: is it something that happened back in 1999 that is causing these issues, or is it the changes to our electricity market over the last few years in South Australia? Why is it that South Australia is having these issues more so than other jurisdictions in the rest of the country? Why are we the first ones to have this problem?

The answer is: because we were the ones that went headlong into intermittent energy sources more than anywhere else in the country. The Premier stands up and spruiks that we are a national leader in wind farm generation. You cannot have it both ways. You cannot say that we are out there on the fringe on renewable energy sources and then somehow say, 'No, that's not the cause.' Hang on, it is exactly the cause.

The reason we know it is the cause is that the government's own advice told them. In 2003, a parliamentary select committee, which the member for West Torrens sat on, heard evidence from Lew Owens, who said that you can have a small level of renewable intermittent energy generation in your market. You can have a few hundred megawatts. You can potentially have a little bit more. He belled the cat in 2003 when renewable technologies were first coming onto the market that there is a limit to how much we can have in this current climate. What did the government do? They ignored that warning. In 2009 the government commissioned two independent reports to answer the question about whether or not they were going too far with renewable energy. What did they do? They ignored the advice of those reports.

There are only so many times that a government can be told that it is going the wrong way and for it to ignore that advice before something goes wrong. Now we are in the situation where last year we had 53 per cent of our electricity generated by intermittent sources—53 per cent. That is far beyond any advice given to the government at any point in time over the past 16 years.

The member for Waite has had some sort of brilliant and marvellous epiphany that somehow he has changed his mind on all the issues. I want to know where the member for Waite has been for the past 16 years or since 1997. Why is it only now that he has decided to open his eyes? The reason is that he has been paid off—ministerial office, ministerial salaries.

**The Hon. A. KOUTSANTONIS:** Point of order.

**The DEPUTY SPEAKER:** We have a point of order. Member for Schubert, sit down; we have a point of order.

**The Hon. A. KOUTSANTONIS:** Point of order: the member should withdraw that imputation that the member has been paid off. That is appalling.

**The DEPUTY SPEAKER:** It has been confirmed; it is appalling. Withdraw and apologise. It is unparliamentary.

**Mr Knoll:** Doesn't the member have to be here to ask for the apology?

**The DEPUTY SPEAKER:** I think if it is unparliamentary—

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! Unfortunately for everybody here, I am actually the one who is ruling on this. I appreciate everyone having an opinion on it. If it is unparliamentary, member for Schubert, it is unparliamentary and that is all there is to it.

**Mr KNOLL:** I withdraw and apologise.

*An honourable member interjecting:*

**The DEPUTY SPEAKER:** Order, whoever opened their mouth! I presume it is you because you have gone red, member for Stuart.

*Members interjecting:*

**The DEPUTY SPEAKER:** No dobbing. Order! Everyone needs to understand that it is still a working day.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order on my right! Member for Schubert.

**Mr KNOLL:** The member for Waite has stated just now that he wants to see more renewables onto our already fragile system. He then goes on to talk about battery storage and solutions to help balance out the intermittency of renewable sources. He talks about a battery that has only been turned on in the last couple of weeks, in fact this week. Where was the government when we were talking about this as a solution when the problems first started? Where were they? Nowhere, against all their independent advice.

The government cannot argue that we have anything other than the highest electricity prices going around. The Treasurer from time to time tries to selectively quote figures that suit his agenda by trying to say there is nothing to see here, everything is okay.

But he said in *Hansard* in February this year, 'The best forecast we have, of course, is from the ASX forward prices,' which at the time gave him the cover that he has tried to get. The ASX forward prices, the summer contract prices for the NEM, as of yesterday, showed that, for the March quarter in 2018, South Australia has the highest prices in the country: \$173.25, compared with \$145 in Victoria, \$99 in Queensland and \$108 in New South Wales. They are the facts, the facts that the Treasurer in February told us we are to believe, but he still says, 'Oh, it's not true.'

We will go to this next election with energy being the central key policy, the key election issue. South Australians will be waiting to make a judgement on a 16-year government who ignored all the warnings they were given, who did not act when the issues—

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Order!

**Mr KNOLL:** —first arose. It was only when it became a political imperative that members opposite chose to act, and that is too late. Instead of helping us manage our transition, instead of helping to keep Alinta open so that we can transition to these new technologies as they come on board, instead of halting the renewal of intermittent energy at a level that is much more stable, that Lew Owens told you back in 2003 that we should have, we are spending half a billion dollars to fix your mistake. The people of South Australia have had enough. They are waiting with baseball bats. Come March next year, they will pass judgement on a government—

**The Hon. A. Koutsantonis:** Baseball bats for you, yes, orange ones—

**The DEPUTY SPEAKER:** Order!

**Mr KNOLL:** —that has refused to open its eyes and see the problems that have existed over the past couple of years in our electricity system and stopped them from happening in the first place. Instead of cheap prevention, we have expensive cure, and that is 500 million bucks that we cannot spend on other things like educating our kids or keeping people safe or helping to reduce taxation—half a billion dollars that the government has to spend to fix its own mistakes. It is an absolute disgrace.

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Order! I am on my feet. Stop the clock. Now—

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** On my feet! Over here, I am sure I will have to speak to your mother about how to—

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Order, the Treasurer! I will have to call him to order. He has already been called to order, which means I would have to warn him for the first time, which would mean his last question time this year would be very, very quiet, wouldn't it?

**Mr Duluk:** His last question time on that side for a long time.

**The DEPUTY SPEAKER:** No, for this year, I said. Do not put words in my mouth. If everyone has had a deep breath, member for Schubert.

*The Hon. A. Koutsantonis interjecting:*

**The DEPUTY SPEAKER:** Order! I have to warn you for the first time. I am sorry, that was just flagrant, so you are on your first warning already and we have not even started. Member for Schubert.

**Mr KNOLL:** The central myth that the government is trying to perpetrate is that somehow privatisation is the problem. All South Australians should know that it is a myth because between 2002 and 2017 the government did nothing about it—nothing. If it was a problem, they had 15 years to act, and did not, and now they are trying to conflate issues for their own political advantage. Well, South Australians are not that stupid. Next year, they will make judgement on the half a billion dollar debacle that this government has put them through, and we will get to turn around and fix our electricity system with a plan that will help to increase competition in the marketplace, to increase flexibility in our energy marketplace and return to a more simple and normal state of operation in our electricity market in South Australia.

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (12:18):** It gives me great pleasure to rise and speak against this motion. As the Premier foreshadowed earlier, of course it does bell the cat on what the Liberal Party strategy is with this issue going forward, and it is the immediate, unfettered, instantaneous privatisation of any assets that the state might own in order to make sure that South Australians have access to reliable, secure and affordable energy. They cannot help themselves—they absolutely cannot help themselves—and it is endemic in the approach that the Liberal Party takes: whenever there is a powerful vested interest that needs to be supplicated towards, the Liberal Party is there with bells on. We have seen it time—

**Ms Chapman:** Point of order.

**The Hon. S.C. MULLIGHAN:** —and time—

**The DEPUTY SPEAKER:** Order! There is a point of order on my left.

**Ms CHAPMAN:** I am just hoping that somebody in this debate will get back—

**The Hon. S.C. MULLIGHAN:** This is not the time for a speech. You have had a crack. Make a point of order.

**The DEPUTY SPEAKER:** Order! I am on my feet. I know the minister is aware of standing orders. I can only think he is very eager to make his points, but they have to be made according to the standing orders, which means that if someone has a point of order I need to hear it.

**Ms CHAPMAN:** My point of order is obviously the relevance to this debate. I am just reminding the house that this relates to the provision of evidence being disclosed from the Public Works Committee. I accept that there is broad debate about a number of aspects, but we have had all these speeches about what the Liberal Party does or has not done and nobody is addressing the important substance of this motion.

**The DEPUTY SPEAKER:** We are going to listen very carefully to the remainder of the debate. I am sorry, but I have not been in the chamber all morning for this debate, which just proves I should never leave the chair. We would like to get back to the point of the debate, if we possibly could.

**The Hon. S.C. MULLIGHAN:** Before I recommence my remarks and the clock starts again, I would like to raise a point of order—

**The DEPUTY SPEAKER:** As long as it is not frivolous. Here is the Speaker. He will be able to rule on it.

**The Hon. S.C. MULLIGHAN:** —and that is about standing order 137: an obstruction of the business of the house. We are nearly an hour into this debate and all of a sudden the deputy leader decides that, during debate, she does not like to hear debate. It is outrageous.

**The SPEAKER:** Mon dieu, a frivolous point of order.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. We will miss you greatly. As I was saying, any time there is a powerful vested interest, there to provide supplication is the Liberal Party, and that was the case back in the 1990s when it came to the sale of the electricity assets that this state owned. Not only are they still shamefaced and humiliated about the devastating mistake they made for the future of this state but inexplicably they are seeking to repeat the same activity again.

Now that the government is investing in assets to make sure that South Australians have access to reliable, secure and affordable electricity, the first thing the deputy leader could say to the media is that she was open-minded to selling them. It is absolutely extraordinary, and that is the context for the debate. Now they are seeking, through this motion, to undermine the ownership by the state of electricity assets. It is an extraordinary approach, but unfortunately for the Liberal Party, it is not unprecedented when it comes to this issue.

Never mind the revisionism that we hear from those opposite who have already contributed to this debate, trying to say that there was some context that forced their hand into the sale of ETSA. If that was really true, why is it that we see each year in every budget paper—Budget Paper 3, table B10—those numbers that show the four budget deficits which the then treasurer, Rob Lucas of the other place, ran? While he was busy going through the process of selling ETSA assets for \$3.4 billion, there he is with a government credit card racking up another \$1.1 billion dollars worth of debt. Not only was he racking up that debt, he was racking up that debt spending \$70 million on consultants during the sale process. No wonder this profligacy required them to sell these assets.

For the member for Schubert to then say, 'Oh, there was no impact over the last 15 years. It has all just happened in the last six months,' really? I can remember the first price increase: January 2003 of 23 per cent—the immediate impacts of the Liberal Party's privatisation of ETSA. This is what South Australian families have had to put up with. This is what happens when you hand to the private sector a revenue-generating machine that can run unfettered against the interests of electricity consumers in this state, year after year after year—massive price increases and massive surplus revenues generated through these assets by people based over in Hong Kong, and South Australians remember.

*The Advertiser* ran a poll only a few weeks ago. Well over 50 per cent of people recognised that this fault lies at the feet of the Liberal Party and the privatisation of these assets. But inexplicably, the Liberal Party again decides that they will continue selling assets, and that they will continue to do whatever they can to line the pockets of vested corporate interests. We have seen it in the last couple of sitting weeks with the issue of the banking levy. Never mind the egregious rates of credit that South Australians are having to pay on credit cards, on home loans and on businesses—

**The SPEAKER:** Point of order.

**Ms CHAPMAN:** Again, relevance: we are now onto the bank tax. We are on about the evidence being published from the Public Works Committee in respect of a piece of equipment? It has nothing to do with the bank tax.

**The SPEAKER:** I uphold the point of order.

**The Hon. S.C. MULLIGHAN:** I will move on. Then of course there is the retail industry, making sure that we can deregulate trading hours to favour Coles and Woolies against the tens of thousands of South Australian businesses.

**Ms CHAPMAN:** Point of order: how can the—

*The Hon. A. Piccolo interjecting:*

**Ms CHAPMAN:** How can the deregulation—

*The Hon. A. Piccolo interjecting:*

**The SPEAKER:** The member for Light is called to order for interjecting, and not only interjecting but interjecting while he is on his feet in the gangway.

**Ms CHAPMAN:** Not in his place.

**The Hon. A. Piccolo:** I'm not interjecting if I'm not in my seat.

**Ms CHAPMAN:** I would ask you, sir, to bring the minister back to the substance of the debate in respect of the publication of the evidence from the Public Works Committee in respect of this piece of equipment.

*The Hon. A. Piccolo interjecting:*

**The SPEAKER:** I cannot recognise you with that moustache. As the Hon. J.M.A. Lensink would know, I uphold 95 per cent of opportunity points of order, and I uphold this one.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. I will join my comments back up. I feel for those electricity consumers who rely on training. Those people like the IGAs, the Foodlands, the corner delis, the local takeaway shops—not only copping it the neck as a result of the ETSA privatisation in the late 1990s but the future policies—

**Ms Chapman:** Oh, come on.

**The SPEAKER:** Let's see where it goes.

**The Hon. S.C. MULLIGHAN:** —that are now being proposed by the Liberal Party. Now the Liberal Party is back onto it.

**Ms CHAPMAN:** Point of order: this is debate about the Liberal Party. I make the point of order.

**The SPEAKER:** Let us see—

*The Hon. J.M. Rankine interjecting:*

**The SPEAKER:** The member for Wright is warned. Just let us see if the Minister for Transport and Infrastructure can link up his remarks to the motion.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. And now the Liberal Party is back at it, undermining the process of South Australia investing in our own electricity assets to provide that secure, affordable electricity. They cannot stand the fact that South Australia might own its own assets, and that the people of South Australia might have some direct role and control over the supply of their electricity, how reliable it is and how affordable it is.

It is complete anathema to them because they think the market is just to be trusted holus-bolus with anything, particularly this electricity network. Their policy, flimsy as it is, is to finally roll out an extension cord to New South Wales and hope that that state will supply our electricity from their power. We have seen the risk of them being browned out only in the recent months. Do we honestly think that the Liberal Party plan will see people in New South Wales say, 'I don't feel like consuming today. We'll send all our power over the border because South Australia seems to be having some problems'?

The extraordinary lack of insight and understanding from the Liberal Party of the problem that we are in, and the fact that they caused it, is absolutely galling. The member for Schubert, again rewriting history, says, 'We all know what the problem is: it is the investment in renewable generation.' Every single person in this country, apart from the federal Liberal caucus room, understands that the future of power generation in this country is renewable generation. Everyone does. So, in campaigning against renewable electricity, the member for Schubert finds himself speaking in support of a motion—

**Ms CHAPMAN:** Point of order: how on earth can a diesel generator and the evidence about that have anything to do with renewable energy? For goodness sake, how far do we have to go with this? Bring him back to the topic.

**The SPEAKER:** The point of order was expressed most infelicitously and I do not uphold it. Minister.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. In the comments that the member for Schubert made about intermittent generation and campaigning against it, he finds himself supporting a motion undermining dispatchable generation. That is the remarkable position that those members opposite find themselves in. For them, this is not about how to better manage the grid or about South Australian ownership of these assets. They want to do everything they possibly can to

ensure that South Australians do not have access, control or influence over South Australian generation. They are merely seeking to oppose the government and seeking to maximise the number of opportunities they have to privatise assets in this state for the benefit of corporate interests.

What is it about the Liberal Party that they do not believe in South Australians' capacity to look after themselves? They do not believe in our capacity to make sure that we have an electricity generation network that is secure, reliable and affordable. They do not trust us to do that. They would only trust somebody based over in Hong Kong. They do not trust Holden workers to build cars, they do not trust people at Techport to build submarines and they do not trust doctors and nurses in our hospitals or teachers in our schools. That is why they will not campaign to get our fair share of funding. They cannot stand South Australia and yet, inexplicably, they ask to govern it. They do not deserve to be here at all, let alone govern this state.

**Mr DULUK:** Point of order: that is just rubbish. We all love South Australia—

**The SPEAKER:** No, it is not a point of order to say to the Speaker, 'Point of order: this is rubbish.' Could you come up with something a little more substantive?

**Mr DULUK:** It is definitely debate.

**The SPEAKER:** Debate.

**The Hon. J.M. Rankine:** It is a debate.

**The SPEAKER:** It is a debate; it is not question time. I cannot uphold the point of order. The member for MacKillop.

**Mr WILLIAMS (MacKillop) (12:32):** I rise to support the motion brought by the deputy leader that evidence regarding the state government's procurement of diesel generators that was heard in camera by the Public Works Committee on 10 August 2017 be made public.

It is very important that the public is aware of what is going on. Let me go back a moment to the previous speaker. The minister would have us believe something that is obviously not based in fact. The minister would have us forget that there was ever a man called Hilmer who called for competition, particularly amongst government-owned assets, and particularly within electricity generation and distribution across this—

*Members interjecting:*

**Mr WILLIAMS:** We will not go into Marcus Clark. We all know that.

**The SPEAKER:** The member for Stuart is called to order and the Treasurer is warned for the second and the final time.

**Mr WILLIAMS:** If anybody in South Australia honestly believes that privatisation caused the current dilemma, then their belief is founded on ignorance. Our current problems have been caused by the undermining of economically efficient generation in South Australia and by the plethora of investment in renewables, which only run for part of the time, only supply for part of the demand period and even then are unreliable. The reality is this government plans to spend \$500 million—a bit more I think—of taxpayers' money to paper over its own failings.

The Minister for Energy revealed to this house earlier this year, I think it was in March, that some \$7 billion has been spent on renewable generators in this state in recent years. That is \$7 billion on renewables, and we now have to go out and spend another \$5½ million of taxpayers' money because that \$7 billion worth of generation capacity does not work; it does not provide for our needs. How much money does this government believe needs to be expended in South Australia before renewables can provide for our needs?

The reality is that if we spent another \$7 billion we would still have blackouts. We would still not be able to provide electricity 24/7 if that \$7 billion was to be spent on renewables. Rooftop solar panels and wind farms do not run 24/7. We do not have the capacity to store electricity. The technology to store electricity at the grid scale is just not available. In saying that, I mean it is not available in an economic sense.

We could build a battery. If we pooled all the resources of the state and the nation, we might build a battery that could store 20 or 30 per cent of our needs. The reality is that if the battery of this government (the biggest lithium ion battery in the world we are told) was the only supply available, on the average usage in South Australia, which is about 1,200 megawatt hours, it would provide supply for about six minutes.

We have been told so much nonsense by a government that has made so many mistakes in this area. I recall being the opposition spokesperson when the first feed-in tariff scheme went through as a piece of legislation in this parliament—

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Presumably, the minister would like to be here to reply?

**The Hon. A. Koutsantonis:** Yes.

**The SPEAKER:** Good, splendid.

**Mr WILLIAMS:** —when I supported Mark Parnell in the other place, who increased the length of the feed-in scheme from five to 25 years. I think it was minister Conlon who was promoting that piece of legislation, which the government was adamant to get through so that the then premier, who was making a keynote speech at the February 2008 solar cities conference here in Adelaide, could claim to have the first piece of feed-in tariff legislation in the nation—and he got it. He got it because he acquiesced to the Liberal Party's and Mark Parnell's demand, that if you were going to have a feed-in tariff it had to be meaningful.

I remember saying to the house at the time, and it is in *Hansard*, that we as a parliament will have to revisit this regularly. The government told the parliament at the time that once we got to a point of 10 megawatts of installed capacity, we would have a review of the scheme. We passed 60 megawatts of installed capacity of rooftop solar, and the review still had not started, notwithstanding the member for Light at the time telling the parliament that the review had started. I think that was in September 2009. The review was not announced and did not start until the end of October of that year.

By the time the review was concluded, we had gone through the next election cycle, and it was some six months later. What did the premier then do? He wanted to increase the feed-in tariff from 40¢ to 64¢ a kilowatt hour. When I argued this outside the chamber with the then minister, Michael O'Brien, he said, 'I know, Mitch, but you are going to stop us. We are not going to withdraw it. We know it is a nonsense, but you are going to stop us.' That is what happened.

This government has been absolutely derelict in its handling of the electricity supply in this state, telling the people of South Australia a few years ago that by deregulating electricity prices those prices would come down.

**The Hon. A. Koutsantonis:** You said we didn't do it fast enough.

**Mr WILLIAMS:** I think you did it, minister—by deregulating, the prices would come down. You got that one wrong, too, just as you are getting this one wrong. You could spend another \$7 billion on renewables and every time the wind stopped blowing the lights would go out, and you know it. You could spend another \$7 billion on rooftop solar panels and every time the sun goes down the lights will go out, and you know it.

The sad reality is that anybody who understands anything about the production and distribution of electricity knows that you need 24/7 production. Even this government now accepts that because it is going to waste—sorry, that is the wrong language; it is going to use—another \$5½ million of taxpayers' money putting in some consistent generation.

**Mr van Holst Pellekaan:** 550.

**Mr WILLIAMS:** \$550 million putting in some fossil fuel-driven generation. All of a sudden, that is the big, 'Wow, we got it wrong,' from the government. That is the admission that you cannot run an electricity grid on renewables. That is the admission. The unfortunate thing is that, yet again, the taxpayers will have to foot the bill. If this government had any common sense whatsoever it would



not have allowed the Northern power station to close. If this government had been half sensible it would have planned a transition, and that transition will occur.

I agree that we will move to renewables, but it is going to take time and it is not going to happen in two or three years. It might be 20 years or it might be 50 years. Nobody knows because we do not know exactly the technology that we are going to turn to. In the meantime, those zealots who are driving us into this world of renewables without any storage are causing the lights to go out, they are causing the prices to go up and they are causing us to spend more of the taxpayers' money.

For God's sake, let the taxpayers understand what is going on by freeing up a little bit of the information. Every time the government hides information from the public I become more and more cynical. Unfortunately, I will be leaving this place as a very cynical man.

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (12:42):** Didn't that sound all very reasonable, other than that none of it is factual. This is one of the members opposite who sat here as an Independent when the privatisation of ETSA occurred and made arguments to the parliament that the reason he was supporting the sale was not about maintaining base load generation, was not about integrating renewable energy but was about de-risking the state. That was his argument.

His argument was that, by owning an electricity asset, it exposed the taxpayer to risk and cost. He talked about ideology causing the problems of intermittent renewable energy impacting on base load generation, but his fiscally conservative ideology of hating public ownership of essential utilities and handing it over to the private sector is different.

**Ms Chapman:** Like the LTO.

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

**The Hon. A. KOUTSANTONIS:** So here we are comparing electricity to the processing of titles.

**The Hon. C.J. Picton:** That is what you just did.

**The Hon. A. KOUTSANTONIS:** That is what she just did.

**The SPEAKER:** The Minister for Police is called to order.

**The Hon. A. KOUTSANTONIS:** So the fridge is not on but I can process my title once in every 20 years. The interesting thing about this motion is that it calls for more transparency through the Public Works Committee by making evidence that was received in camera public, but the deputy leader does not mention that there were two members of the opposition in that in-camera inquiry who heard that evidence and agreed to it being in camera. However, now for publicity and now as a stunt, to subvert the parliamentary process and the committee process, she moves this motion. The honourable member for Unley—who was the other member?

**The Hon. P. Caica:** I don't know who it was; they have had that much turnover. It could be Peter Treloar.

**The SPEAKER:** He is not 'the honourable'. He is the member for Unley.

**The Hon. A. KOUTSANTONIS:** That is true. He has never held executive office. As part of the energy plan announced in March 2017, the South Australian government committed to building a brand-new gas-fired generator. We committed to it, we said it publicly, we announced that we would. In the interim, we planned to design and construct, with South Australia's distribution company, SA Power Networks, temporary generation to help AEMO get us through the next two summers.

Two separate procurement processes were undertaken for the temporary generation at the power plant. During the procurement process, it was identified that the best option was to purchase the TM2500 turbines from APR Energy, to be relocated to a permanent site, to present an opportunity to achieve better value for money whilst using similar technology as proposed by a number of

permanent-solution bidders. That is, we announced that we were going out to tender for temporary diesel generators and we were going to have a permanent gas-fired solution.

What we got out of the tender was both through one procurement; that is, we had generators that could operate on two fuels. They could operate temporarily as diesel generators and be moved to a central site later to be operated as a permanent solution on gas. During this process, the South Australian government, with SAPN, issued an RFI to 15 potential suppliers of temporary generation. Three were short-listed for further technical and commercial negotiations. There was an evaluation team comprised of the head of SAPN's procurement and a team including consultants from KPMG and engineers experienced in generator installation and electrical infrastructure connection requirements.

The government worked with SAPN to understand the market capabilities, identify an optimal approach and balance cost, timing and capacity to deliver in accordance with the requirements of AEMO, ESCOSA, the EPA and the Development Act. Importantly, the work was overseen by the chief procurement officer, the executive director of energy plan implementation and other members of the energy plan implementation task force. APR represented the lowest cost necessary for the commencement date, had the highest compliance with AEMO connection requirements and EPA licence requirements and also achieved the highest rating of all the suppliers evaluated.

Following the recommendation by SAPN to government, contracts were negotiated between the government, SAPN and APR with the support of the Crown Solicitor's Office and external technical and commercial advisers, Aurecon and PwC respectively. Concurrently with the temporary generator process, procurement was undertaken for the 250-megawatt permanent generator. Following the assessment of an open expression of interest process advertised on the South Australian tenders and contracts website that received 31 proposals, the DPC Accredited Purchasing Unit (APU) approved the short list of several responses received to the invitation to supply in an RTF process.

In accordance with that plan, the evaluation team assessed the response, aided by report specialists from JWS legal, Aurecon technical and PwC commercial. During the procurement process, the energy implementation team identified the option to purchase the TM2500 turbines from APR Energy, to be relocated to a permanent site. What this argument gets down to is that we have a window of time when we can purchase these generators. That window opened earlier this month and closes at a later date. The opposition's argument is that we should exercise this option at the end, not at the beginning.

Given our procurement, given the processes we went through, we were satisfied that there was no benefit in waiting. In fact, it could have caused a delay because, if we had been spending money on developing the permanent site, engaging consultants and having public consultation on where to locate these generators, the opposition would be saying to us today, 'Why are you spending public money on the allocation of funds to put some temporary generation on a permanent site, sign gas contracts, clear the site, achieve the approvals and get the development approvals when you don't even own the assets yet?' They would be criticising us for doing this work for assets we do not own yet because we have not exercised the option. Of course, whatever we did they would have complained. If we had not exercised the option and were spending this money they would say it was a waste, but because we exercised the option they are saying it is a waste.

What this is really about is that the opposition bungled its energy plan by the hapless shadow minister saying publicly that they will not need to exercise the option of purchasing the generators, they are going to have a reverse auction to get that reserve trader option into the state. So he thinks that in two years' time these generators will be packed up and off they go, and that someone else in the private sector, in six months' time, is going to build new generation to meet his reverse auction.

What they are really doing is within that \$550 million envelope they are trying to take those savings out to spend them on other matters because they cannot balance the books for the extra commitments they want to make. What they are really doing is they want to privatise these assets to spend them on something else, and then claim they can get the same outcome through a reverse auction.

Of course we know—because the shadow minister bungled the announcement, he made it quite clear—that the savings from the energy plan through the reverse auction, through their interconnector to New South Wales, will save South Australians only \$60 to \$70 in five to six years. So we have to vote for them twice, two elections, to get savings of \$60 to \$70. I want to thank the shadow minister for pointing that out, because it is off to the advertising agency as we speak.

We have seen a few rushes of the ads on Twitter and on Facebook, but I can tell the honourable member that he is going to be famous. Every 30 minutes for 30 seconds we will have the shadow energy minister rolling his eyes, looking confused and dazed, and talking about how there is only \$70 worth of savings in five to six years. Thank you very much, I could not have done it better myself. I was really worried about how we deconstruct this, but I did not realise we had an asset and a friend in the shadow minister, and I want to thank him for it.

Now we are being told that even though they were in the Public Works Committee—they heard the evidence in camera, they know what it is, they agreed to get the evidence in camera—for a stunt they want to make it public. Well, the parliament should see this for what it is: a confused and scared opposition fighting on two fronts. They are fighting in their backyard, because members are creating all these open seats for the Xenophon group to quite nicely come in and take them on.

The shadow minister has taken the one ship they thought they had to carry them into office and he has bungled it. Everyone knows that, and that is why it is the shadow attorney general and not the shadow energy minister who is leading this. They do not trust him because he stuffed it up.

**Mr VAN HOLST PELLEKAAN (Stuart) (12:52):** What absolute and complete rubbish. Let me be very clear: the Minister for Energy clearly does not have the stomach to hear what I am about to say. I do not doubt for a second that he believes what he said, I am sure he practices it before the mirror several times a day. I am sure he believes that rubbish, but let me tell you it is complete rubbish.

What is so unfortunate about this debate is that the opposition is trying to do the very best it can for South Australia. The opposition wants to get information that the government wants to keep secret, and we want to make it available for South Australians and everybody who has an interest in this issue. All the government has wanted to do for the last nearly an hour and a half is waste the parliament's time debating the merits of two different energy policies.

The government spent \$2.6 million of taxpayers' money advertising their energy policy, so there is no need for them to do that. They are trying to sneak away from the issue of secrecy and just hope that everybody gets mixed up in the argument about the pros and cons of energy policy. Well, I will not do that. The deputy leader has brought forward a very clear, straightforward motion that says, 'Let's make the information public, the information about how much of taxpayers' money the government plans to spend to fix the mess they created in the energy department.'

The state government spends \$27 million per year on its own energy policy department, and it got us into this mess. It is absolutely disgraceful that they would do that. The current Minister for Energy has been in charge of energy for over six years, he is responsible for the mess we are in, but all he does is laugh and bluster and carry on and apparently swear to his departmental staff in the background, according to an ICAC report. He has no respect from people who—

**The SPEAKER:** Is this relevant to the question of whether evidence is going to be released, or is it just an ad hominem attack?

**Mr VAN HOLST PELLEKAAN:** It is relevant to the debate about this motion and the previous speaker's comments, sir.

**The SPEAKER:** I hope you will view with equal equanimity an ad hominem attack on a member of the opposition from a government speaker.

**Mr VAN HOLST PELLEKAAN:** Thank you, Speaker, for that advice. The reality is that this is not about the merits of the energy policy. We can do that anytime, anywhere. This is about the government being secret. This is about the government wanting to spend more than \$400 million of taxpayers' money to purchase generators that the government says they do not plan to use. The

minister made the fatal error of telling the public that he does not expect to use these generators and, if they are used, they will be used very rarely. It was a fatal error by the Minister for Energy.

Now, to cover up for that mistake, he has to cover up the amount of money he is spending on these generators because he is terrified that South Australians will find out how much of their money he is spending on these generators. It is absolutely disgraceful. His excuse for doing it is, 'Oh, if we divulge the information, that could disadvantage the company we bought them from in their negotiations with other states.'

He does not work for other states, he does not work for the company that is selling the generators: he works for South Australia. Why does he want to keep information secret from South Australians so that the company he bought the generators from can do a better deal with other customers? What on earth has that got to do with his ministerial responsibilities? Nothing. He is going to keep this information secret from South Australians and make sure that none of them knows how much of their money he is spending.

Let me just take it back to the beginning. Of course we need to transition away from fossil fuels towards renewable energy, but it must be done in a well-planned, well-managed way that does not place too great a price, a cost, a punishment upon South Australians along the way, the way the government's policy has done. The government says that it is okay for the prices to go up, it is okay for the reliability to decline, because the government thinks it is in the best interests of South Australians in the long run to get away from fossil fuels and towards renewable energy.

But here is the hypocrisy of the whole thing: the government says it is moving away from fossil fuels towards renewable energy. The opposition says, 'Yes, renewable energy, fantastic, but in a well-planned, well-managed way.' The government says, 'No, no, it's okay, we are rushing towards it and that's fine.' Then they hit a brick wall and say, 'The solution to the problem is more fossil fuels.' The government's own policy to move away from fossil fuels towards renewable energy has to be rescued by another gas generator. It is absolutely ridiculous logic.

Having been caught out in that ridiculous process of moving from fossil fuels to renewable energy and back to fossil fuels, and having been caught out by making it very clear that the Minister for Energy puts the interests of the company he is buying the generators from—their commercial interest and the interest of other customers who might buy generators from that company—ahead of South Australians, he now needs to try to keep this information secret.

The deputy leader is 100 per cent correct: this information should be made public. This information should be available for everyone to see. Do you know why? Because the people of South Australia do not trust the Treasurer. I challenge every single member of this house. We are all thinking of polls, we are all reminded of polls, we are all getting polling results everywhere. I challenge the government to release polling information they have about the personal rating, particularly when it comes to trust, of the Minister for Energy. Let me be wrong. If that information exists that says that the people of South Australia trust him, please bring it forward.

That is why the deputy leader has moved this motion. That is why we want this information. Because when the Minister for Energy says that the entire budget for the government's plan to fix the mess that it created is within the \$550 million, which it announced back on 13 March, we do not believe them and the public do not believe them. We want the information to be made public. The Liberal Party has a positive solution to the energy crisis in South Australia, which has been independently assessed. The government refuses to provide any independent assessment. I seek leave to continue my remarks.

Leave granted; debate adjourned.

*Sitting suspended from 13:00 to 14:02.*

#### *Petitions*

### **MODBURY HOSPITAL**

**Ms BEDFORD:** Presented a petition signed by 682 residents of South Australia requesting the house to urge the government to restore vital emergency and surgical services to Modbury Hospital, expanding its role within the Northern Adelaide Local Health Network and in particular, seek

to reinstate the High Dependency Unit at Modbury Hospital, and to fast-track the introduction of the Emergency Extended Care Unit.

*Parliamentary Procedure*

**PAPERS**

The following papers were laid on the table:

By the Speaker—

Local Government Annual Reports—

Kimba, District Council of Annual Report 2016-17

Port Lincoln, City of Annual Report 2016-17

Wudinna District Council Annual Report 2016-17

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

Work Health and Safety Act 2012—Report November 2017

Regulations made under the following Acts—

Legal Practitioners—Notaries Public

Notaries Public—General

Rules made under the following Acts—

District Court—

Civil—Amendment No. 35

Civil—Supplementary—Amendment No. 7

Criminal—Amendment No. 5

Criminal—Supplementary—Amendment No. 4

Special Applications—Amendment No. 1

Special Applications Supplementary—Amendment No. 2

Supreme Court—

Civil—Amendment No. 34

Civil—Special Applications—Amendment No. 2

Civil—Supplementary—Amendment No. 8

Criminal—Amendment No. 5

Criminal—Supplementary—Amendment No. 4

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

Regulations made under the following Acts—

Public Sector (Data Sharing)—Relevant Entities

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

South Australian Commercial Blue Crab Fishery Management Plan—29 November 2017

By the Minister for Investment and Trade (Hon. M.L.J. Hamilton-Smith)—

StudyAdelaide—Annual Report 2016-17

By the Minister for Small Business (Hon. M.L.J. Hamilton-Smith)—

Small Business Commissioner, Office of the—Annual Report 2016-17

By the Minister for Defence and Space Industries (Hon. M.L.J. Hamilton-Smith)—

Defence SA—Annual Report 2016-17

By the Minister for Veterans' Affairs (Hon. M.L.J. Hamilton-Smith)—

ANZAC Day Commemoration Council—Annual Report 2016-17

By the Minister for Local Government (Hon. G.G. Brock)—

Regulations made under the following Acts—  
Local Government—Financial Management

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

Regulations made under the following Acts—  
SACE Board of South Australia—Fees No. 2

By the Minister for Higher Education and Skills (Hon. S.E. Close)—

Construction Industry Training Board—Annual Report 2016-17  
TAFE SA—Annual Report 2016-17

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

Central Adelaide Local Health Network—Health Advisory Committee  
Annual Report 2016-17

Health Advisory Council—

Country Health SA Local Health Network Annual Report 2016-17

Northern Adelaide Local Health Network Annual Report 2016-17

SA Ambulance Service Volunteer Annual Report 2016-17

Southern Adelaide Local Health Network Annual Report 2016-17

Women's and Children's Health Network Annual Report 2016-17

Local Health Network—

Central Adelaide Annual Report 2016-17

Country Health SA Annual Report 2016-17

Northern Adelaide Annual Report 2016-17

Southern Adelaide Annual Report 2016-17

SA Ambulance Service Inc—Annual Report 2016-17

South Australian Mental Health Commission—Annual Report 2016-17

Women's and Children's Health Network—Annual Report 2016-17

#### *Ministerial Statement*

#### **DATACOM**

**The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence and Space Industries, Minister for Health Industries, Minister for Veterans' Affairs) (14:05):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. M.L.J. HAMILTON-SMITH:** I advised the house yesterday that the government's Investment Attraction strategy had been successful in achieving and exceeding targets for job creation and investment into the state. One project announced in late 2016 is now ready for immediate commencement, with IT services group Datacom confirming today the start of refurbishment work at the TAFE site at Modbury. They will be advertising the jobs this week.

Once the \$22 million project is complete, the IT hub is expected to accommodate more than 600 full-time staff working in customer care, operations and training. Refurbishment work will be completed as quickly as possible so employees can access the Datacom facility and start comprehensive training programs in the new year. Service delivery to national clients is estimated to begin in February 2018. The state government will contribute \$5.335 million towards the centre through the Economic Investment Fund. The timing fits well, with former automotive industry professionals living in the area looking to start a new career path.

Jonathan Ladd, Datacom Group CEO, has advised the government that contractors working for Datacom have started work to convert an existing building on the TAFE SA premises to a

contemporary training and customer care facility and IT hub. This follows collaboration between the Investment Attraction agency, TAFE SA, Workskil, and employment training organisation SYC, to expand Datacom's operations in South Australia, and the company says it is excited to move forward with this project.

As the Premier recently advised the house, Datacom's development of this additional facility will create hundreds of new jobs. As I mentioned, the company is now advertising roles to be based at the Modbury site, including customer service representatives, as well as specialist training and management roles.

I note that last month the member for Morialta claimed this project was 'yet another example of this government overspruiking and underdelivering'. The member appears to have misunderstood some of the complexities of Datacom's negotiations with their contractors and been premature in denigrating the project's progress. Datacom is an example of the government working with the private sector to deliver investment and jobs. We made the promise and we have delivered.

I congratulate Datacom on its perseverance and its confidence in the South Australian economy. For the hundreds of people about to get new jobs at Datacom, many of them in the member for Newland's electorate, we look forward to them carving out new careers at the national training and operations facility. Once again, the optimism about South Australia's prospects outweighs the pessimistic views of those who were hoping desperately that the project, along with others, would fail. Well, they were wrong.

#### *Parliamentary Committees*

#### **PUBLIC WORKS COMMITTEE**

**The Hon. P. CAICA (Colton) (14:10):** I bring up the 595<sup>th</sup> report of the committee. It is a hardworking committee, isn't it?

**Mr Knoll:** And you don't even get the Chair's money.

**The Hon. P. CAICA:** I don't seek higher office like you; I am just happy doing what I'm doing. I bring up the 595<sup>th</sup> report of the committee, entitled Adelaide Her Majesty's Theatre Redevelopment.

Report received and ordered to be published.

#### *Question Time*

#### **RIVERBANK PRECINCT**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:11):** My question is to the Minister for Housing and Urban Development. Why did the government enter into a legally binding agreement to lease with the Walker Corporation four days before the commencement of the 2014 election caretaker period when, according to the Auditor-General, 'many matters' were unresolved, including the cost of constructing the car park?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:12):** We did enter into an 'agreement to lease', I think is how the document is termed, in February 2014, because of course, as we were discussing yesterday, there was a recognition of the need—let alone a market process, which we had gone through—to secure the services of somebody to rebuild the car park just behind where we are at the moment.

We had a cost estimate. It was a cost estimate which was provided by the former head of the infrastructure agency. I don't have the page reference, but I will try to seek it out. There is a later reference in the Auditor-General's Report that that cost estimate, particularly given that this was a car park being constructed below grade, in a challenging environment with soil conditions adjacent to the Torrens, etc., was reasonably accurate.

#### **RIVERBANK PRECINCT**

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:13):** Supplementary to the minister: does he agree with the Auditor-General that there was also a 'lack of transparency' about

the government's decision to grant ongoing exclusivity to the Walker Corporation in August 2015, and if so, will he now explain the reasons for this decision?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:13):** I again thank the leader for his question. I think the issue that we discussed yesterday in some detail about the level of appropriate documentation—or in fact the contrary: the lack of the maintenance of appropriate documentation, particularly around some of the meetings—and also, I think, the additional issue about whether those documents were available for the Auditor-General to comment on in his report, is what leads him to one of the findings that the leader just stated about transparency, or the lack thereof. I repeat my comments from yesterday, that certainly it is also noted in the Auditor-General's Report that there was analysis and advice that was provided to the government—to cabinet—as a basis for them to make decisions.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:14):** Supplementary: does the minister agree with the Auditor-General that there was a lack of transparency around the government's decision to enter into this legally binding agreement with the Walker Corporation four days before the 2014 election caretaker period and, if so, in the interests of transparency to this house, will he now disclose why the government did so?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:14):** As I have already outlined to the house, we entered into an agreement to lease because there was an urgent need for the government to procure a rebuild of that car park. As I have just said to the leader, and I am not seeking to disagree with the leader and the finding that the Auditor-General makes about what he has described as a lack of available documentation for him to base the comments in his report on, because a lot of that documentation was analysis and advice which was provided to cabinet. So the ability to reveal that analysis and advice is, of course, stringently limited. It is my reading, it is my understanding of the report, that that is the basis on which he makes his comments about transparency.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:15):** Does the minister agree with the Auditor-General that there was a lack of transparency?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:16):** This is really a question best directed to the Auditor-General because it's my understanding—

*Members interjecting:*

**The Hon. S.C. MULLIGHAN:** Yes, thank you. As I was saying, it's certainly my understanding that the Auditor-General was able to avail himself of some of the documents that were made available for government decision-making, in particular cabinet decision-making. I think his concern, or at least what I can glean from his report and the wording in his report, was that because that information is privileged it was considered by cabinet and hence is privileged, he feels somewhat constrained about what he can relate in his report and hence his comments about transparency.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:16):** Supplementary: will the minister admit that commitments made to the Walker Corporation by the Treasurer, when he was the Minister for Housing and Urban Development, locked the government into a deal with the Walker Corporation when important issues had not been resolved, including the cost of the project to taxpayers?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:17):** I don't think that assertion stands because, as we know, the subsequent agreement wasn't reached with Walker Corporation until the detailed deed of agreement was entered into some many months later. In fact, the final arrangements with Walker Corporation weren't entered into until 2016, when the superintendence of this matter and portfolio was not in the purview of the Treasurer; in fact, it was in mine. With that agreement, not only have I



made the information available to the opposition but I have also outlined the contents of that agreement into *Hansard* during a questioning during estimates.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18):** My question is to the Deputy Premier. After becoming the Minister for Housing and Urban Development following the 2014 election, did the minister seek the advice of an independent QC about the development of the Riverbank Precinct?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:18):** We canvassed this issue yesterday and it would be inappropriate for that sort of advice, if indeed it does exist, to be canvassed publicly. Legal advice is, by its nature, privileged and confidential to its recipient.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:18):** My question is now to the Premier. Following the government's decision to deny the Auditor-General access to advice provided to cabinet in his investigation of the Riverbank development, was the Auditor-General refused access to any legal advice sought by the government?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:19):** Perhaps the best person to answer in this instance is the Auditor-General, but it is my understanding that he was provided with very substantial documentation to enable him to undertake his review. As I have said in my previous answers, as far as I'm aware, and obviously I was not a direct party in the collation or transmittal of information to the Auditor-General (that's done between the management of agencies and the Auditor-General himself), but I have certainly been given the impression that some of the advice and analysis which was provided to government for its consideration and decision-making on these issues was provided to the Auditor-General.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:19):** Supplementary, sir: did the Auditor-General have full access to the government's legal opinion from private counsel referred to at page 52 of his report into the Riverbank redevelopment?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:20):** I thank the leader for his further question. I can't answer that conclusively because I wasn't involved in the production or the transmission of the information on which the Auditor-General based his inquiry. What I have been advised is that not only was very, very substantial documentation and analysis provided to the Auditor-General but some of that also included some of the information which he refers to by necessity somewhat obscurely in the report as being the analysis and advice the government relied upon in order to make decisions.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:20):** Supplementary, sir, to the Deputy Premier: when and why did the government commission this legal opinion from private counsel?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:20):** Putting aside the speculation about the nature of the advice—

**Mr Marshall:** It's on page 52 of the report.

**The Hon. S.C. MULLIGHAN:** —putting aside that matter—

*Members interjecting:*

**The SPEAKER:** The member for Mitchell and the leader are called to order. Minister.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. The seeking and the provision of legal advice through the course of these sorts of projects is highly usual and so, in that context, it would not be unusual for legal advice to be provided. In fact, those members opposite more practised in dealing with initiatives and projects like this would also understand that there is a Crown Solicitor's Office clearing of a project before it goes further through the process, for example, onto the Public Works Committee. In that context, it's not unusual for legal advice to be provided.

Of course, it's also the case that during the course of negotiations for this particular project, as there has been for many other projects, Crown Solicitor's staff were intimately involved in both the negotiations as well as the preparation of documents, including leases and other legal documents and contractual arrangements which the government entered into.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:22):** Supplementary, sir, to the Attorney-General: who commissioned the private counsel and the legal opinion sought by the government, who provided that private counsel, and what was the cost to the government of that legal opinion?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:22):** For the details of what advice was procured under what terms and what costs were attached to that is detailed information that I certainly don't have at my fingertips and would have to take on notice.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23):** Supplementary to the Attorney-General, sir: did the legal opinion advise that the government had a legally binding obligation to negotiate exclusively with the Walker Corporation on the entire Riverbank redevelopment and not just the car park?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:23):** This is, I think, the fifth or the sixth question now where the opposition has tried to elicit from the government confidential legal opinion and, as I have said—

*Mr Pisoni interjecting:*

**The Hon. S.C. MULLIGHAN:** —given the privileged nature of it, it is obvious that they are not going to release it.

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

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:23):** Supplementary to the Attorney-General: according to the legal opinion, what government actions prior to the 2014 election required the government to deal exclusively with the Walker Corporation on the entire Riverbank redevelopment?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:24):** Notwithstanding the infelicities in the making of that supplementary question, including it having no relevance to the answer just given and it being read, perhaps if I can also repeat my earlier advice to the parliament, that is, that it is based on an assumption of a particular opinion and based on an assumption of whether that opinion, if it was indeed made, drew that conclusion.

#### RIVERBANK PRECINCT

**Mr MARSHALL (Dunstan—Leader of the Opposition) (14:24):** A question to the Attorney-General: did the legal opinion identify any specific ministerial actions that left taxpayers exposed to legal action by the Walker Corporation should the government not continue to deal exclusively with the Walker Corporation on the entire Riverbank redevelopment?

**Mr Pisoni:** Was that you, Tom?

**The SPEAKER:** The member for Unley is warned.

*Members interjecting:*

**The SPEAKER:** It's your question time.

**Mr Wingard:** Yes, we're after an answer, just one.

**The SPEAKER:** The member for Mitchell is warned.

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:25):** Again, I have made it absolutely clear that it would be not only inappropriate but potentially also unprecedented for somebody to reveal the nature of confidential privileged legal advice which is given to the State of South Australia on behalf of taxpayers to know indeed how best to manage the state's interests.

*Members interjecting:*

**The SPEAKER:** Aren't cabinet documents released after 10 years now?

**Ms Chapman:** Yes. It's less than 10 years; that's unfortunate.

**The SPEAKER:** Shouldn't that be 'fewer'?

**Ms Chapman:** I have lots of documents that you did, sir, in the early 2000s.

**The SPEAKER:** And beautiful reading they will be. The member for Bragg.

#### RIVERBANK PRECINCT

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:26):** Interesting reading, indeed they are. My question is to the Premier. Did the Premier attend a meeting with a senior officer of DPTI which determined that the government would pay the Walker Corporation \$30 million for car parking spaces in the Riverbank development and, if so, does he agree with the Auditor-General's statement that this arrangement lacked financial analysis because no costings had been obtained to support it?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:26):** Sometimes you have to take your hat off to the deputy leader: she behaves like a Welsh longbowman. It is extraordinary that she would deliberately take that comment out of context in the Auditor-General's Report.

**Ms CHAPMAN:** Point of order, sir.

**The SPEAKER:** Could I hear, first of all, what the minister is saying and then I will rule whether it's out of order or not.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. It is remarkable to try to draw a connection between a costing that was given by the former head of the infrastructure agency for the provision or the procurement of 400 car parks at a cost of \$30 million and then coming up with a bogus allegation of some meeting on which it was based.

**Ms CHAPMAN:** Point of order: the question was quite specifically—

**The SPEAKER:** Yes, 'Did the Premier attend the meeting?'

**Ms CHAPMAN:** —whether the Premier attended the meeting at which this was decided.

**The SPEAKER:** Yes, I think the minister actually addressed that in his last sentence.

*Members interjecting:*

**The SPEAKER:** The member for Wright is warned.

**Mr Pisoni:** Last chance today.

**The SPEAKER:** The member for Unley is warned and he may join her.

**Ms CHAPMAN:** Point of order: all I have heard to date, sir, is the minister's assertion about drawing an inference between one piece of information and another, nothing to do with whether the Premier—

**The SPEAKER:** The minister is saying you may be mistaken.

**Ms CHAPMAN:** No, I don't think he is.

**The SPEAKER:** That is a tolerable answer.

#### RIVERBANK PRECINCT

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:28):** Supplementary: does the Premier have any recollection of attending the said meeting?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:28):** I unreservedly withdraw and apologise if there is no Welsh lineage within the deputy leader. It is absolutely extraordinary that she now frames her questions saying 'the said meeting', when of course the only person who said it was her. It is absolutely disingenuous.

**The SPEAKER:** The member for Playford, a brave, brave Sir Jack.

#### GOVERNMENT ACHIEVEMENTS

**Mr SNELLING (Playford) (14:29):** My question without notice is to the Premier. How was 2017 a year of significant achievements for South Australia?

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (14:29):** You support a bloke through his career, and he throws a question like that at you. Mr Speaker, 2017 has been a massive year for our great state, and my government has been standing up for the people of South Australia throughout the year. It has been a year of significant economic transformation for our state, in particular the closure of General Motors Holden last month, ending an industry that has been the backbone of the northern suburbs for decades. There is Sir Tom Playford, looking down at his legacy. He would realise the significance of this moment. It has been a very significant year.

Elsewhere, our economy has made significant strides. Compared with this time last year, there are now 12,400 more people employed in South Australia. More than half of those are in full-time employment. While Business SA, the big east coast banks and the state opposition talk South Australia down, economic growth figures put our state at the second fastest rate of growth in the nation and the fastest per capita. This year, our state budget, which is in surplus, is focusing on growing the areas of the economy where the jobs are growing fastest.

We have seen some extraordinary examples in just the last few weeks. We have become a leader in cybersecurity, with VeroGuard Systems planning to build a hub in Adelaide's northern suburbs—600 jobs. A video game development hub will create 500 jobs. We will build two offshore patrol vessels in South Australia as work ramps up to the future frigates and the future submarines, a fight that South Australia and this government led, and we won a great victory. The biggest new mine in Australia, Carrapateena, is underway with OZ Minerals, now proudly a South Australian company. With the advocacy of the member for Giles, we helped to save the Whyalla steelworks, saving thousands of jobs and growing even more.

The Northern Adelaide Irrigation Scheme, in partnership with the federal government, a plan to open up the agricultural opportunities of the Northern Adelaide Plains, is creating thousands of jobs. Elsewhere this year, we have opened the nation's most advanced hospital, the new Royal Adelaide Hospital, which our opponents did not want. We are investing a further billion dollars in hospitals across the state, including The QEH, the Lyell Mac and, of course, the great Modbury Hospital, which is so important to the people of the north-eastern suburbs.

Labor believes in the best public education for all students and the best education system for every student in this state. This year, we are building even better schools with our recently announced \$692 million capital works program, creating 1,700 jobs. We are building four new schools: the south, the north, the city and, of course, Whyalla. This is all on top of our \$500 million STEM program.

While others continue to talk, my government is delivering a plan for clean, affordable, reliable electricity.

**Mr Marshall:** How's that going?

**The Hon. J.W. WEATHERILL:** We'll see how it's going.

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** We announced the world's largest solar thermal plant, a game-changer for Port Augusta as the town goes from a city of coal to a world leader in renewable energy, with another 700 jobs to boot. We have taken charge of our energy future. South Australians, for the first time since the shameful privatisation of our energy network, are now back in the game of owning their own power generation. Finally, tomorrow, the largest lithium ion battery in the world will be launched near Jamestown, placing South Australia as a world leader in renewable energy with battery storage. Mr Speaker, 2017 has been a big year and, under a re-elected Labor government, 2018 will be an even better one.

**The SPEAKER:** Apropos of that election, some members are anxious that there is a film crew in the strangers' gallery. They are there with my permission. They are an independent film company, Living Not Beige Films, and they are doing a doco on the 2018 general election.

I call to order the members for Davenport, Hammond, Chaffey, Morialta and Finniss. I warn the members for Chaffey, Hammond, Davenport and the leader, and I warn for the second and final time the leader and the members for Adelaide, Mitchell, Hammond and Davenport. Deputy leader.

#### OAKDEN MENTAL HEALTH FACILITY

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:34):** My question is to the Attorney-General. Has the government retained Michael Abbott QC to represent members of the government at the current maladministration inquiry into Oakden and, if so, how much have his fees been to date?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:34):** On behalf of the government, I don't believe I have retained anybody in respect of any matters. The situation is that individuals who are appearing in the proceedings, which are presently being conducted concerning Oakden and are governed by the provisions of the Ombudsman Act, as a matter of routine are entitled to ask for or seek to have representation in those matters. It is a matter for those individuals to do that as they choose.

#### ROYAL ADELAIDE HOSPITAL SITE REDEVELOPMENT

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:35):** My question is to the Minister for Housing and Urban Development. At a meeting of the old RAH developers and their legal representatives held on 15 June 2017 at the Dame Roma Mitchell House offices, did they ask the minister whether they should consider removing residential apartments from their proposal, and did the minister say no to that question?

**The Hon. S.C. MULLIGHAN (Lee—Minister for Transport and Infrastructure, Minister for Housing and Urban Development) (14:36):** There has been a request from the developers who had been granted the opportunity to negotiate exclusively with government to meet with the government to understand a series of requirements the government had for the development that was to occur in the future, should they be successful.

I note with interest that there has been some reporting—although, of course, never attributed—that there was a suggestion that the developer could deliver a development, the nature of which they had outlined to the government, and that residential development would not be required, that that was somehow optional and could be dispensed with when it was made absolutely clear to the government, in their proposed construction schedule, that if they were to be successful in their development the first stage of what they were to build, after the government had gone through and done the necessary demolition and remediation works, was indeed residential development.

For them, of course, the necessity was to create sufficient cash returns and cash flows so that they could start to move on to some of the perhaps less commercial elements of the development. I certainly do not recall that being canvassed at that meeting and I certainly do not recall, based on the advice given to me by the government's negotiation team, that that was a feasible option for the developer at any point if they were able to deliver a development of the scale and mix of uses they were purporting to want to deliver on the old Royal Adelaide Hospital site.

#### ENERGY POLICY

**Mr VAN HOLST PELLEKAAN (Stuart) (14:38):** My question is to the Minister for Energy. Why has the minister still not given an explanation or an apology to the house since question time yesterday? In question time yesterday, when I asked the minister why the Australian Energy Market Operator predicts more involuntary electricity load shedding this summer than last summer, even after factoring in the government's energy plan, the minister said that AEMO had not factored in the government's plan.

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:39):** I stand by that, because, for the purposes the member is talking about, the RERT does not consider our generation—and I said that to the member at the end of question time yesterday. What the member is actually saying is that when AEMO put out their forecast for new participants to respond, our generator was not a new participant. Our generator is in the RERT and is under direction by the state government.

We are not a market participant. But I keep on saying this to the shadow minister and he keeps on ignoring it. What he is attempting to say somehow is that just because the government has invested in these generators, which he doesn't want, built the world's biggest lithium ion battery, which they don't want—they want to privatise our generators—what they are now saying is that even with that investment somehow we are short—

**Mr KNOLL:** Point of order: the minister has very quickly entered into debate.

**The SPEAKER:** I will listen carefully.

**The Hon. A. KOUTSANTONIS:** Thank you very much for your protection, Mr Speaker.

**The SPEAKER:** Well, it's always available to you.

**The Hon. A. KOUTSANTONIS:** It is. I have enjoyed it from the first time I met you, sir.

**The SPEAKER:** Yes, and you are on two warnings.

**The Hon. A. KOUTSANTONIS:** And, sir, for your generosity as well. I do stand by those remarks. What the shadow minister is attempting to say is, simply because AEMO know that they exist, that in their forecast and the forms that they use have all have been accounted for, which simply is not accurate.

#### ENERGY POLICY

**Mr VAN HOLST PELLEKAAN (Stuart) (14:40):** Supplementary: why was it then reported regarding AEMO forecasts on Tuesday that, 'But while the State Government claimed that the diesel generators would provide SA with an additional 276MW of electricity generation, AEMO was only banking on 170MW'?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:40):** Again, completely unrelated. Of course, this is exactly what the opposition do; they misrepresent what people say. For example, I will get to the first part of the question, which was, 'Why did AEMO say that?' AEMO were only factoring in a very small part of that generation in the work process.

*An honourable member interjecting:*

**The Hon. A. KOUTSANTONIS:** No, in fact I had a conversation today with the head of AEMO who said to me in a telephone hook-up exactly how happy she was that we had made these investments.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** That is why I said 'she'. They can't even get that right! This is really ridiculous. First, it's \$300 worth of savings, then they say only \$60 or \$70 in five or six years. After having that conversation with the head of AEMO, AEMO are very pleased that we have made these investments. Importantly, the Liberal Party put out a press release claiming that I said, and I quote, 'The best forecast we have, of course, is from the ASX forward prices,' dot, dot, dot. What was after dot, dot, dot? Why didn't they include the entire quote? It makes you wonder why would they not include the entire quote in their press release? Could the shadow minister be wanting to deliberately leave out something else that I had said? Well, let's read out the entire quote.

**Mr van Holst Pellekaan:** I've got it right here.

**The Hon. A. KOUTSANTONIS:** Do you? Then why didn't you use it? This is what I actually said:

The best forecast we have, of course, is from the ASX forward prices and the OTC prices. The over-the-counter market, which is a majority of the contracts written in the market...

He left that out. Why did he leave that out? Because hardly anyone trades the ASX listed prices. He didn't want to use that. It is unbelievable that he would leave that out. There are two reasons why he would leave that out: (1) he doesn't understand what it means, or (2) he is deliberately being dishonest.

#### CROWN SOLICITOR

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:43):** My question is to the Attorney-General. Is the government meeting the costs of legal counsel, including Mr Michael Abbott, of those represented and the maladministration inquiry?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:43):** Applications by anybody who is legally represented will be processed according to the standard policy and circular that apply to any person who is legally represented. Those processes involve the person concerned making submissions to the Crown Solicitor in relation to those matters. That is the way in which the matter would proceed.

#### CROWN SOLICITOR

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:44):** Supplementary: has the Crown Solicitor received an application and/or processed the same?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:44):** I am not aware of what has been received by the Crown Solicitor because—

*Ms Chapman interjecting:*

**The Hon. J.R. RAU:** I am not the Crown Solicitor. I also do not have access to the Crown Solicitor's letterbox or anything else. An application is made to the Crown Solicitor's. The Crown Solicitor as an independent individual—not me—makes these decisions. There's no reason—

**Mr Marshall:** Aren't you aware?

**The Hon. J.R. RAU:** As I said, I am not aware of anything that has been done by the Crown Solicitor about any application by anybody, but I can tell you that it is not unusual for the Crown Solicitor to receive requests in the ordinary course of the Crown Solicitor's business to manage all sorts of applications, and this application would be dealt with by the Crown Solicitor, if it is an application, in exactly the same way as any other.

### CROWN SOLICITOR

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:45):** Supplementary: is the Attorney-General aware of any application that has been submitted, is to be submitted, or has been processed?

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (14:45):** As I have indicated, I don't know what is on the desk of the Crown Solicitor, and I do not—

**Mr Gardner:** You sound like Mike Rann talking about the golf course.

**The SPEAKER:** The member for Morialta is warned.

**The Hon. J.R. RAU:** Because it's the end of the session, I know there are some people who are getting a little bit sort of Christmassy. It reminds me of something I have shared with the house before, and, Mr Speaker, I know you have recalled this but some others may not have. As a great American civil servant once said, there are the known knowns—

**Ms Chapman:** How many times do we have to hear this?

**The SPEAKER:** I won't have this interrupted. I want it completed and I want it completed correctly.

**The Hon. J.R. RAU:** Thank you very much, Mr Speaker. I can date this: I think it was late 20<sup>th</sup> century or early 21<sup>st</sup> century. The speaker is Mr Rumsfeld. At a conference, when he was being pressed, he made the point that there were the known knowns; the known unknowns, that is, the things you know you don't know; and then there were the unknown unknowns, which are the things you don't know that you don't know. And, of course, I am in that predicament presently.

What I can tell you is that, of the known knowns, there is a known known, and I know that the Crown Solicitor from time to time does receive applications and they are processed according to a set of rules. That I do know. I am confident that, in the event of the Crown Solicitor receiving any application from any person, that will be processed. The known unknown is that I know he will get various applications from unknown people but I don't know what he will do with them. So that really is where I am at this present point, if that helps.

**Ms CHAPMAN:** Supplementary, if I may.

**The SPEAKER:** Thank you, no. We are moving on to the member for Colton.

**Ms Chapman:** The last known unknown.

### SPACE INDUSTRIES

**The Hon. P. CAICA (Colton) (14:48):** My last question, yes. My question is to the Minister for Defence and Space Industries. How is the South Australian space forum helping to drive investment and create jobs in this state?

**The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence and Space Industries, Minister for Health Industries, Minister for Veterans' Affairs) (14:48):** I thank the member for Colton for asking this question about space, which goes out into the unknown where no-one else has been brave enough to go. In fact, we were doing it in 1967, when in November we launched our first ever satellite from Woomera out into the unknown. When we joined the global space club, we were the third country on earth, after the US and the USSR, to launch our own satellite, the WRESAT satellite, which was launched using a Redstone rocket from the United States and carried physics experiments created by the University of Adelaide.

Fifty years on and South Australia is home to a thriving space industrial ecosystem that is quickly building momentum. This year we established the South Australian Space Industry Centre (SASIC) that will support companies to drive investment and create thousands of highly skilled jobs.



On the back of our successful International Astronautical Congress, which saw 4,500 people gather from around the world—astronauts, scientists, experts in this area and overseas space agencies—the state government recently held its fourth South Australian Space Forum. For the first time, international space agencies and private companies attended to share their experience, expertise and international networks. Since the inaugural forum in May 2016, it has grown from 110 attendees to more than 230. We welcomed representatives from our leading universities and schools, venture capitalists and members from the United Arab Emirates Space Agency and the New Zealand Centre for Space Science Technology, along with companies from Italy, South Korea and the United States.

We also heard from our local industry leaders, including Myriota, Nova Systems, Neumann Space and BAE, about their unprecedented growth in the space sector and plans for the future in Australia. We continue to strengthen our alliance with the ACT and the Northern Territory, a relationship that will be integral to maximising investment and creating jobs in the space sector.

The federal government's Department of Industry, Innovation and Science presented its review of Australia's space industry capability and the establishment of the Australian space agency mooted for 2018. The much anticipated recommendations are expected to be released in March, and we look forward to working with the federal government cooperatively to drive this new industry forward.

In the past 18 months, the South Australian Space Forum has become a globally recognised event, and our state is now perfectly placed to capture a greater share of the \$420 billion annual global space revenue stream, an industry that is growing at 10 per cent per annum.

Mining, farming and tourism are extremely important to the state economy. They are massive industries important to us all. But South Australia can do more than that. We can be a smart, savvy, high-tech economy, full of jobs for well-qualified and dynamic people in exciting industries, and the space sector is one of them.

The space sector will be a major disrupter of existing industries, including communications, IT, medical science, mining and agriculture. This will present challenges, but also endless opportunities for growth. Our state's journey into these new frontiers and the new economy continues. South Australians should be proud of our rich space history and optimistic about its future.

#### PRIVATE SECTOR INVESTMENT

**The Hon. S.W. KEY (Ashford) (14:52):** My question is directed to the Treasurer. In the context of the Rumsfeld/Rau 'known knowns or known unknowns', can the Treasurer inform the house of any new Australian Bureau of Statistics data on private sector investment in South Australia?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:53):** Sir, you will be pleased to know that South Australia recorded a significant increase in private sector capital expenditure in the September quarter, according to the ABS data published today. Mr Speaker, you will be pleased to know that, in trend terms, the private sector capital investment was \$1.6 billion in the quarter—32 per cent higher than in the same quarter last year.

The increase in expenditure in South Australia was the highest in the nation, both when comparing the quarter with the same quarter last year and when comparing the September quarter with the preceding quarter, that is, the June quarter of this year. Clearly, growth in South Australia's private sector capital expenditure far outpaced the national average.

The September quarter, of course, came after the state budget was announced in June, when there was a shameless and dishonest campaign waged by the banks when they claimed that the private sector would stop investing in South Australia. The quarter recorded by the ABS would not have reflected much of the surging investments announced by the private sector companies since the budget, including:

- SolarReserve's decision to invest \$650 million in a solar thermal plant in Port Augusta;

- the SkyCity board's decision to go ahead with a \$330 million development just behind us;
- OZ Minerals' decision to invest more than \$900 million in the Carrapateena copper gold deposit in South Australia; and
- BHP's new investment to upgrade their smelter, employing 1,300 contractors and discussing, of course, the potential of a \$2.9 billion investment in an upgrade.

These announcements, on top of the last quarter's growth, will underpin momentum in the quarters in years ahead. They are a very encouraging measure of our economy indeed.

Today's ABS data shows an increase in both the measures used by the bureau—that is in 'buildings and structures' and 'equipment, plant and equipment'. It is the fourth highest quarterly expenditure ever recorded in South Australia—ever! I emphasise that the data is from actual private sector investment. The government's infrastructure investment in hospitals, in schools, in roads, in science labs and in sporting infrastructure is on top of all of this.

In collaboration with the business community, the government is helping to create a strong economy, despite the massive external blows inflicted on us by external forces, like the commonwealth government daring General Motors Holden to close and leave, the downturn in commodity prices and the deliberate extinction of the automotive industry. We were planning to try to help this economy grow. The tax cuts that we introduced to this parliament, which members opposite told us were unnecessary and demanded we bring forward, are having dramatic impacts on spending in South Australia.

On 1 July of next year, we will become the only state in the federation to charge no transactional taxes whatsoever on any commercial or business transaction, real or non-real—that is, on plant and equipment and building for the commercial sector. No other state has gone that far. No other state has done this much, and we are seeing the fruits of those tax cuts. Members opposite who derided those tax cuts and said that they were unnecessary and the wrong ones, and backed Business SA's calls for payroll tax cuts instead, have been proved wrong. They have been proved wrong time and time again.

**Mr GARDNER:** Point of order.

**The SPEAKER:** I uphold the point of order, whatever it was going to be.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** Yes, quite. The once and future member for Hartley.

#### **MINISTERIAL STAFF SALARIES**

**Mr TARZIA (Hartley) (14:57):** My question is to the Treasurer. Has the government made a recent decision to increase salaries of all ministerial staff and, if yes, what was the increase and was it backdated to 1 July 2017?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:57):** It's not my recollection, but I will go back and check and report back at the most opportune time.

#### **MINISTERIAL STAFF SALARIES**

**Mr TARZIA (Hartley) (14:57):** Supplementary: is the Premier aware of any proposal before Christmas to increase the salaries of all ministerial staff and, if yes, what will the increase be and will it be backdated to 1 July 2017?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:57):** I know that whenever a worker gets a pay increase, a little part of the Liberal Party dies, but I will go back and check and come back and report to the house as soon as I possibly can.

**FINES ENFORCEMENT AND RECOVERY UNIT**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:58):** Will the Treasurer now inform the house on whether the Treasurer's office of his department have undertaken an investigation, modelling or called for any expressions of interest into the sale of the fines and revenue from the Fines Enforcement and Recovery Unit, as he took on notice on 17 October 2017?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:58):** The government has no plans to commercialise or privatise the fines unit, or whatever the member called it, but I will go back and check to see if Treasury are doing any work. They are probably preparing their incoming briefs for both parties and, given the Liberal Party's addiction to privatisation, they are probably busily working up how to privatise the generators, how to privatise SA Water, how to privatise a whole series of things that members, like the Premier said, are attracted to like a moth to a flame.

**FINES ENFORCEMENT AND RECOVERY UNIT**

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (14:58):** Supplementary: given the Treasurer's answer, will he then rule out that there will be no sale of the Fines Enforcement and Recovery Unit, or any income stream thereof?

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (14:59):** We have absolutely no plans to do that at all.

**TOURISM**

**The Hon. J.M. RANKINE (Wright) (14:59):** My question is to the Minister for Tourism. Minister, can you provide an update on hotel occupancy rates in Adelaide for December?

**The Hon. L.W.K. BIGNELL (Mawson—Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Tourism, Minister for Recreation and Sport, Minister for Racing) (14:59):** I thank the member for Wright for that question and for all the questions she has asked in this place, and for the great service that she has done in her electorate and the house as well.

*Members interjecting:*

**The Hon. L.W.K. BIGNELL:** Of course, the opposition yell and scream because they hate good news, and isn't the tourism sector an amazingly successful part of our economy? The visitor economy is now worth \$6.3 billion a year. Four years ago it was worth—

*Members interjecting:*

**The SPEAKER:** The member for Newland is called to order. There are several people interjecting on the minister.

**The Hon. L.W.K. BIGNELL:** Can I get some time on the clock please, Mr Speaker?

**The SPEAKER:** Yes, you may.

**The Hon. L.W.K. BIGNELL:** Thank you. Take it back to the full four minutes.

*Members interjecting:*

**The SPEAKER:** The member for Schubert is called to order. The member for Chaffey is now on a full set of warnings.

**Mr Knoll:** You can't get the extension after 18 March.

**The SPEAKER:** The member for Schubert is warned. It is your question time. Minister.

**The Hon. L.W.K. BIGNELL:** Thank you again, Mr Speaker. This government has put an extra \$70 million into the visitor economy in South Australia in the past two or three budgets and it is money very well spent. It comes on the back of the \$535 million that we spent on the upgrade of the Adelaide Oval, which has been a resounding success.

On Saturday, we are going to have 50,000-plus there for the first ever day-night Ashes Test match. It is going to be terrific to have the eyes of the cricket world on Adelaide for that match—the first pink ball match. The match should go at least three days and we are expecting a crowd of 150,000 people, many coming from interstate and overseas and filling every hotel room across South Australia. This one match is expected to inject about \$30 million into the South Australian economy.

On Sunday, we have the Pacific School Games held in Adelaide. They start on Sunday and go through until 9 December. There will be 10,000 participants and their family members from every state and territory and from Pacific countries coming here. It is going to be a great mass participation event. It will be the 38<sup>th</sup> event that this government has secured since bringing in a major events bid fund. That has been a great thing from this government. I would like to thank the Premier and the Treasurer for the great support that they have given the visitor economy in South Australia.

I would also like to thank the hotel general managers around South Australia who have done a tremendous job, and the AHA, in particular Ian Horne, who is a very good leader of the Australian Hotels Association. We have seen an extra 2,000 hotel rooms come online in Adelaide and even that will barely be enough for the Ashes Test match and for the Pacific School Games. We have people staying in the Barossa, in the Adelaide Hills, at McLaren Vale and further afield, which is great if you are in the tourism business.

I mention one operator, Ben Neville, who has a company called Off Piste Tours in McLaren Vale—a great operator. He has come up with a wine, wickets and wildlife tour. He will come up to town, pick up tourists from their accommodation, take them out and show them the wonderful beaches, wildlife and wineries of McLaren Vale and then drop them to the cricket. Ben has just bought a new vehicle. He has been in business five years. Every year he has seen a 30 per cent growth in his business. These are the great champions we have here in South Australia who do such a good job in running their businesses, but more importantly, showing people from right around the world our wonderful state and all the fantastic produce that we have here.

#### SWALLOW AIRSPEED VELOCITY

**Mr SNELLING (Playford) (15:04):** My question, and it is a question I have been waiting 20 years to ask, is to the Minister for Agriculture.

*Members interjecting:*

**The SPEAKER:** No, I want absolute silence for this question.

**Mr SNELLING:** Minister, 'What is the airspeed velocity of an unladen swallow?'

**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) (15:04):** 'African or European?'

**Mr SNELLING:** 'I don't know.'

#### MEMBERS, COLOUR PREFERENCE

**The SPEAKER (15:04):** I have a supplementary question. 'What is your favourite colour?'

**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) (15:04):** 'Blue.' Blue, sir.

#### DISABILITY SERVICES

**Ms DIGANCE (Elder) (15:04):** I can't match that, sir, I'm sorry. My question is to the Minister for Disabilities. Can the minister update the house on services for people living with disability?

**The Hon. K.A. HILDYARD (Reynell—Minister for Disabilities, Minister Assisting the Minister for Recreation and Sport) (15:05):** I thank the member for her question. I am very proud of our government's record of achievements for South Australians living with a disability. Most significant is our progress towards the implementation of the National Disability Insurance Scheme. The NDIS is the biggest social reform since Medicare. It will result in more people receiving support, greater choice and control for people with disability, and a substantial jobs boost for South Australia.

South Australia was among the first to sign up to the NDIS, something our state can be immensely proud of. Our youngest South Australians began transitioning to the NDIS over the past few years: 15 to 17 year olds from 1 January this year, and 18 to 64 year olds from 1 July this year. Through the NDIS, funding is doubling for disability services and totals \$1.5 billion every year. Of this, our South Australian government has proudly committed \$723 million a year.

The NDIS will double the number of people with disabilities who will receive support. Around 32,000 South Australians living with disability will receive support when the NDIS is fully rolled out. That includes 9,000 people who will receive support for the first time through the NDIS. The NDIS means better care, choice, control and participation in everyday life for people living with disability.

The NDIS is also creating around 6,000 new jobs in the disability sector here in South Australia. These jobs are incredibly rewarding ones. We see our current dedicated disability work is focused on enabling people with disability to live their best possible life. The jobs will be in personal care; they will be in allied health, in areas like occupational therapy, speech pathology and physiotherapy; and they will be in transport, IT, management and administration.

Our government is investing in growing jobs and in ensuring that local workers are the ones to benefit. We have implemented a workforce strategy across South Australia to ensure that everyone can find out about what working in the disability sector is like and take advantage of NDIS jobs available. As well as focusing on the NDIS transition, our government has implemented many policies to support South Australians living with disability.

We have committed \$1.7 million to build Changing Places Toilets, which include full-sized changing tables and hoists. These toilet upgrades will ensure that people with significant disability are able to more fully participate in community life with dignity. We have also built a new respite home for children living with disability. Our government has invested \$460,000 to build Montrose House to provide more options for families and carers.

Our government has also committed to giving people with disability better access and more options for transport. We have ensured trains and trams are wheelchair accessible, and we have made 90 per cent of public buses accessible with a commitment to 100 per cent of the fleet being accessible by June 2021. We have also developed a free mobile phone app, BlueBays, to help people with disabilities share and locate accessible parking spaces around South Australia. The app has been downloaded more than 3,000 times, giving people with disability and their carers more information about where they can park enabling them to more easily travel and participate in community life.

Our government is also committed to ensuring that South Australians with disability can better access justice through the development of the Disability Justice Plan. This plan gives a voice to vulnerable people and aims to ensure that people with disability accused of a crime are able to participate in the criminal justice system. We are talking with and listening to people living with disability and their families.

Time expired.

**The SPEAKER:** The minister's office has been in touch with me to say that the airspeed velocity of an unladen swallow is roughly 11 metres per second or 40 km/h, beating its wings seven to nine times a second.

## MUSIC EDUCATION

**The Hon. A. PICCOLO (Light) (15:09):** My question is to the Minister for Education and Child Development, and I am sure this question is related to my surname. How is the government supporting music education in South Australia?

**The Hon. S.E. CLOSE (Port Adelaide—Minister for Education and Child Development, Minister for Higher Education and Skills) (15:10):** I am so delighted to be able to answer this question because, of course, although we talk a lot about STEM—and science, technology, engineering and maths are very important—we also talk a lot about languages, which are very important 21<sup>st</sup> century skills. So, too, are the creative industries essential for the future of our economy and they also are a joy for many of our students to study and to excel in.

We have a proud history in South Australia of teaching music, including instrumental music, and recently have refreshed our Instrumental Music Program with a funding increase of more than \$800,000 last year. We spend about \$11 million and we are able to teach about 7,500 students. This is an increase of some 26 per cent on two years ago when we started to make the changes in instrumental music. I am very proud and pleased that we are reaching more and more students with this exceptional offering and making sure that students, regardless of what school they go to, can have access to the wonders of learning a musical instrument.

But we are not resting on our laurels. We are also going to be working now—and members may have noticed the announcement recently—with the ASO and with the Elder Conservatorium on a new strategy. We have put \$5 million aside, which we are able to do because we have committed to our share of Gonski, so we are able to invest more in music education. What we want from that work is to increase the number of students who are completing high school with music, to increase the number of students who enjoy and have the opportunity to study music, and ultimately to only increase the magnificent contribution that music and the creative industries make to this economy.

#### *Grievance Debate*

#### **VALEDICTORY**

**Mr SPEIRS (Bright) (15:12):** At the end of my four-year term as the member for Bright, I want to take this opportunity to put on the record some reflections of my time in this place and to thank some of the people who have walked this unique journey with me. This is a role that I do not take for granted.

Today, 30 November 2017, marks exactly 15 years to the day since I migrated to Australia. Sometimes 2002 feels like only yesterday; on other occasions, it feels like a lifetime ago. If you had told me that I would be a member of the state's shadow cabinet within 15 years, I would have scoffed at such a ridiculous prospect. For me, this has been an incredible journey. People often mention the terms 'honour' and 'privilege' when describing their time in parliament. While perhaps overused, those words accurately describe the role that has been granted to me by a community I have always lived in while in Australia. It is a community I love and to represent it I put far beyond personal ambition or politics.

It is easy for me to pick a highlight of my past four years, that being the development of the Beach for All program and the rolling out of a community-funded disability access mat at Seacliff Beach on Australia Day 2016. This is an example of how using this role to drive positive change, in strong partnership with the community, can deliver really good stuff for the people who need it most. As well as Beach for All, I am also proud of being part of a vision, articulated by the Liberal Party, for Glenthorne national park. It is such a phenomenal opportunity to secure a large tract of open space in the midst of suburbia for future generations to enjoy.

These two headline projects sit alongside the hundreds of individual relationships I have enjoyed as a consequence of this job, people whose path I have crossed because I am their local MP or, previously, their local councillor and whose stories and experiences have enriched my life far more than I have been able to help them. I have met many fascinating people who live the length and breadth of my electorate and beyond. I think of individuals like Joan Wallbank, John Wallace, Brian and Mia Taylor, Fran and Dennis Southern, Ron and Ted Skov, Andy and Michelle Fry, Jenny Tuck, Jacky Chant, Linda Batten, David and Linda Greenhough, Kym Rampling, Kaye Gaskin, Carol Bouwens, Felicity-ann Lewis and Cheryl Connor, Graeme Botting, and Tom and Jill Kimber to name but a few.

I count myself fortunate to have had a chance to engage with so many great clubs in my electorate, each filled with phenomenal volunteers who give their time and energy, ideas and passion to drive a better community. They are clubs such as the surf clubs at Brighton, Somerton and Seacliff; the incredible Lions Club of Hallett Cove and the other Lions clubs in Brighton and Marion; the Rotary clubs of Hallett Cove, Brighton, Holdfast Bay, Glenelg and Somerton Park; and the Kiwanis Club of Brighton. I have had a great time working alongside incredible people to establish the Hallett Cove Business Association, and it has been a joy to engage with the many environmental groups that look after the unique coastal environment that forms my electorate.

I have often heard it said that politics is a lonely job, where no real friends exist and where relationships of trust are mirages destined to disappear, but that has not been my experience. I have struck up genuine, solid friendships in politics, and I believe that these will continue for many years. In particular, I would like to draw attention to the friendships I enjoy with the class of 2014-15: the members for Schubert, Hartley, Davenport and, of course, my neighbouring MP with whom I have forged an amazing partnership, the member for Mitchell. I want to make special mention of the retiring member for Kavel, who has been an incredible support and encouragement for me personally through difficult times. We have enjoyed many laughs together and exchanged many thousands, perhaps tens of thousands, of text messages.

My time in politics has not been easy for me at a personal level. My life has changed immeasurably since my election four years ago, yet my faith has been strengthened, my resilience bolstered and my passion to make South Australia a better place strengthened. I could not be here today without the immense support that I have received from my friends and family, my amazing mum and my string of friends who hold me up when I feel like falling down: Tyson, Jodie, Tobias, Maisie, Brendan, Rachel and baby Jeffrey, Sarah and David, De and James, Chantel, Ryan, Ebony, Sophie and Stuart; and my wonderful staff: Meg, James, Chris, Maddi, Raelene, Thomas, Zoe and Aric.

In my maiden speech on 7 May 2014, I concluded by saying that I hoped that the sum of the things I do while in this house, whether my time here be short or long, when weighed up will show that I have used my role to nurture, to grow and to fasten a sense of community in Bright and in South Australia. As the sun sets on my first term in parliament, I hope that those people whom I have tried to enthusiastically, creatively and diligently represent would conclude that I have achieved this goal.

## YOUNG PEOPLE

**The Hon. P. CAICA (Colton) (15:17):** Deputy Speaker, I do not know if you do, but I often hear people being disparaging about or disrespectful to our younger people. They call them the 'me generation', only interested in themselves, in a hurry to get to where they want to be. Who can blame them for being in a hurry? It is we who have taught them to never die wondering and to work hard to achieve. I do not think that is necessarily a bad thing; in fact, I think it is a good thing. Today, I want to refute those claims that the younger generation is all about, 'It's about me.'

That is not to say that all the younger generation are perfect. Well, they are not. There are some shockers, just as there are older people who are shockers. You only have to look around this chamber and the small cohort we have here to realise that we are not all perfect. What this last 16 years have taught me, amongst other things and other lessons, is that in the main the younger generation is predominantly made up of decent young human beings, who I have no doubt will grow up to become very decent, caring adults. They will become great contributors to our communities, our state and our nation.

As a member of parliament closely connected to the schools in my area, I have witnessed firsthand young people going to extraordinary lengths as individuals and often as a collective to make their world—our world—a better place. There are many examples I can provide. There are the outstanding efforts of St Michael's College students, who not only recognise disadvantage but drive themselves to do something about it. There is Bahija from West Beach Primary School who, with her family, has established a project to send wheelchairs to Morocco, which has activated the broader community.

Any number of other primary schools in my area are doing great work on environmental issues. There is Hudson O'Neil from Star of the Sea School who, along with a small group of his fellow students, has educated his peers, teachers and school community about the implications of the Adani mine being proposed in Queensland, should it proceed. There are many other examples I could provide, but I am going to focus now on one: the story of Henley High School student Jed McDonald and the extraordinary efforts of his fellow students in supporting Jed.

On 5 June, after a short period of feeling unwell, Jed was diagnosed with a brain tumour and underwent surgery on 8 June. After seven hours on the operating table the surgery was stopped—

there were blood pressure issues—and the tumour remains in his head. As you would expect, it has had serious implications and effects on Jed's everyday life.

I did not know of these events until I recently attended a Henley High School graduation of year 12 students. At this graduation six year 12 students assisted a young man, Jed McDonald, onto the stage to accept his certificate. Sitting alongside the school principal, Eddie Fabijan, I asked him what was going on—initially I thought that Jed may have been a student from the Lyn Wright learning centre for kids with special needs. Eddie told me the story, the circumstances of which I have just spoken about.

I subsequently learned that Keon Doecke, a prefect and a member of the student executive, had emailed the student executive, the governing council and Henley High School staff, shocked at what he had witnessed at the graduation and at the circumstances in which Jed found himself. He decided to do something to help Jed and his family, and it was decided to do fundraising on behalf of Jed.

Jed and his family have said that what he misses most of all is his independence. Since his surgery Jed has had to miss out on so many things: 18<sup>th</sup> birthdays, being able to drive, playing soccer, Schoolies Week, and an end of year family graduation celebration trip that was planned for the USA that can no longer take place. Keon organised a GoFundMe page for Jed. Would you believe, Deputy Speaker, that within 24 hours \$14,000 had been raised for Jed on this GoFundMe page?

I also learned at a Henley High School governing council meeting last week that two impressive young women from the student representative council reported to the governing council on several matters, one being that the student fundraising activity on behalf of Jed at that time—a week ago—stood at \$21,000.

I want to finish off where I started. There are many incredible young people who are doing extraordinary things on behalf of their community in a variety of areas. In my view our future looks bright. These same young people will grow to be amazing adults who will, through their contribution, make their world, our world, a better place through their endeavours.

I want to thank those people—and there are many, many of them—who support our young students and citizens in achieving the outcomes they seek. Our future is certainly in good hands. I would just like to mention that those in this chamber who would like to contribute to this worthy cause can go to [gofundme.com/fundraising-for-jed](http://gofundme.com/fundraising-for-jed). I urge you to have a look at that page and consider contributing to this worthwhile cause.

#### **ADELAIDE HILLS FRUIT GROWERS**

**Mr GARDNER (Morialta) (15:22):** I want to take this opportunity, as I have on many occasions over the last eight years, to pay tribute, just before Christmas, to the cherry growers in Morialta, in particular, and other primary producers. I will start by touching on the apple and pear industry, which is very important to Morialta, both in its current boundaries and particularly after the redistribution.

About four weeks ago in late October apple and pear growers in the Adelaide Hills were hit by a concurrence of five or six storms over the course of a night, and woke on the following morning to discover that for many of them their livelihood for the next 12 months was put into severe jeopardy. The hail strikes that had hit much of their fruit as it was growing damaged that fruit such that when the fruit was fully grown it would be unable to be commercially sold in supermarkets because of the level of quality supermarkets require for fruit to be on their shelves.

I was joined by the member for Chaffey, the shadow minister for trade, the shadow minister for agriculture, Senator Anne Ruston, the federal Assistant Minister for Agriculture, and the minister at Lenswood Cold Stores. We had discussions with growers, Susie Green, the staff representative, and Ashley Green, the president of the Apple and Pear Growers Association, and we visited a number of farms in my electorate.

It was devastating for this community, and there are a number of measures that the Liberal Party is taking in the years ahead that will help in these matters and help them recover. We are going to make it much easier for them to get up netting; farmers who had nets up had, by and large, much less damage than those who did not. Unfortunately, on this occasion one of the problems was that a



lot of the farmers had nets but, because they have had issues with pollination, they were open. That is a serious problem.

There are serious impacts for this community and we are going to be working very hard over the next 12 months to ensure that two things, in particular, happen. The first is that everyone always looks for the opportunity to buy local; sometimes there is only local produce available, but you need to remind people that they need to be buying those apples and those pears.

Secondly, we need to be talking to the supermarkets about the grades of apples that they are going to be accepting. If something has a couple of blemishes on it because there was a hail strike when it was a young fruit, it is still a beautiful apple to eat, and it is important that supermarkets understand that. If we need to put some work into public relations to encourage people to buy those apples, even if they have a couple of blemishes, then we need to do that.

I will move on to the cherry season. I am very pleased to be an ambassador for the CherriesSA. It is a very exciting time. We know Christmas is coming when you can go up into the Adelaide Hills, up Norton Summit Road or Old Norton Summit Road, or Montacute Road, or the Basket Range Road and the orchards and packing sheds are taking cherry sales. You can pick your own. I particularly want to draw to members' attention and in fact all South Australians' attention to the Cherry Map which CherriesSA has this year put out so that people can experience a day in the Hills and know where they can go to try somewhere new. I encourage all members and all South Australians to try somewhere new. Buy a kilo of cherries this summer.

Particularly in the Morialta electorate, I want to pay tribute to those 'pick your own' places: Everlong Orchard in Forest Range, Cheron Enterprises in Lenswood, Forest Range Cherries, Marble Hill Cherries, Plummers Border Valley Orchards and Stella Creek. Those that have shed door sales and 'pick your own' include the Organic Cherry Farm at Cherryville, Cherrytime Orchard at Lobethal, Harrisville Orchards at Lenswood, Lennane Orchards at Montacute and Masons Orchards at Forest Range.

Shed door sales only include Cowlings Cherries, the cherry farm that I have been visiting pretty much every year for the last 30 years or so to get my first box for the season; John and Gill Cowling on Old Norton Summit Road; Ellimatta Orchards in Lenswood; Kenton Valley Cherries, which has a fantastic cafe there; the Norton Summit Farm; Montacute Valley Orchard, the Green family do a wonderful job and they also have a cafe and they make their own ice cream; Torrens Valley Orchards at Gumeracha; and Wotton's Cherries at Uraidla.

Congratulations to all those growers who make a really good contribution in our community. It is particularly good news this year, thanks to the work of the federal government. Again, I thank Senator Anne Ruston for the work she has done in ensuring that cherries can now be taken into China much more easily. So they can be picked, put on a plane and sold in China as a result of the work that the federal government is doing in this area. Particularly for an orchard like Torrens Valley Orchards, that is going to mean hundreds and hundreds of extra jobs, lots of export dollars, but it will also improve the market in South Australia for the rest. That is great news for cherries. I hope everyone enjoys their Christmas.

## TORRENS ELECTORATE

**Ms WORTLEY (Torrens) (15:27):** There have been significant milestones both locally and across our state. Today I want to mention just a few. Women's football has come a long way, with this year being the inaugural AFL Women's premiership, which was taken out by the Adelaide Crows.

At a local level, the GAZA women's football team in Klemzig, only in its second year, fought their way to the top of the ladder, taking out the 2017 premiership. It was a great effort for the team that in its inaugural season last year finished sixth out of eight on the ladder. I enjoyed being a spectator and supporting the women throughout the year, and it was my privilege to host a reception here in Parliament House for the team members and officials.

As a former teacher, I am passionate about education and all that our government has delivered to education in our state. It is my view that education is a window to the world and that every child should have the opportunity to develop to their individual level of ability.

Recent announcements included fully funding the electricity, water and gas bills of our public schools, freeing up more resources to invest in education and allocating \$30 million over four years to support more low to middle income families with the cost of education by lifting the School Card threshold from around \$37,000 to around \$57,000 for one child, and increasing by another \$1,000 for each additional child. Across my electorate of Torrens, this is expected to support an extra 260 families with the cost of living.

The \$67.5 million over four years with funding directly to schools to schools Literacy and Numeracy First, and \$16 million over four years to expand the number of behaviour coaches and child wellbeing practitioners is another commitment from our state Labor government. In addition, 11 full-time equivalent attendance officers have been allocated to work with families to get their children to school, and \$3.2 million over four years to work with children with complex and challenging behaviour, along with an extra 154 special option places for students with a disability. These all contribute toward achieving this ideal.

Also, next year will see three local schools—Hillcrest Primary, Hampstead Primary and Wandana Primary, making full use of their new STEM classrooms. I am continuing to work towards adequately addressing bullying in my community, our schools and in the workforce. In my previous role, I chaired the Joint Select Committee on Cyber-Safety and the Young, delivering a report that highlighted and addressed some of the issues I made reference to today. The work is ongoing.

I am pleased that the Premier, who delivered an apology to the women, adoptees and families affected by the forced adoptions of the past, has more recently unveiled a memorial named The Space Between on the banks of the River Torrens near the Adelaide University Footbridge to all those who suffered through the forced adoption. There is of course always more we want to do, and so I will continue advocating among my colleagues with whom I work side-by-side in this place for the introduction of appropriate shield laws while taking into consideration the ongoing development of media news platforms.

The health and wellbeing of our community is paramount, and for this reason I have been advocating since being elected in 2014 for a sport and recreation hub to be built in the local area. I was thrilled only last week to participate in the turning of the sod on the former Ross Smith (formerly Northfield High School) site with the mayor of the City of Port Adelaide Enfield. In my view, this is a great example of the state government and local government working together to deliver to our shared community.

Two local soccer clubs have benefited through grants delivering synthetic soccer pitches, one already complete, Adelaide City, and one in the process, MetroStars. I am very proud of the Klemzig-based MetroStars Soccer Club and the very important role it plays in the community in encouraging young children in the local area to participate in this growing team sport, gaining all the benefits it generates.

The amalgamation of Windsor Gardens Secondary College and Gilles Plains Primary School (currently named Windsor Gardens B-12) is progressing. After considerable community consultation, from the beginning of 2018 it will be known as Avenues College. Along with the school community, I too look forward to the planned move taking effect from the beginning of the 2019 school year.

Three projects in my electorate were successful as part of the Fund My Neighbourhood initiative, and I know the community is very excited about them. They include the Men's Shed in Oakden, which will have days allocated for women as well, and may even become known as the community shed; the community garden in Greenacres; and the protective weather cover for the Gilles Plains Hampstead RSL, which will protect members of our community from the often early-morning rain on ANZAC Day and the searing sun on Remembrance Day.

There are so many more topics I would like to speak about, including Our Energy Plan and the investment in our hospitals, but, alas, today time will not permit. I would just like to conclude in wishing year 12s every success in achieving the results for which they have worked so hard.

Time expired.

### OPPOSITION WHIP

**Mr TRELOAR (Flinders) (15:32):** I rise today to make what is most likely my last grievance for the year on the day that is most likely the last sitting day of the year. I speak as the Opposition Whip. It takes a lot of people to make a place like this operate and run smoothly. I would like to acknowledge a few of the people I have worked with throughout this past year when I have fulfilled the duties of Opposition Whip. It has not been without its challenges but, for the most part, it has been thoroughly enjoyable. I would like to thank my party room for electing me to that position.

To the Speaker, in all his sartorial splendour and germane rulings, we are sorry to see him go. The Deputy Speaker, the member for Florey, fulfils her duties diligently and very conscientiously, sitting for many hours not just in the Speaker's chair but also as the Chair of Committees as bills go through the committee stage. The Clerks, including Rick (who is not here at the moment) and his staff—I see David, Shannon and Shane are all here, and others as well—respond to every question that is put to them throughout the working day.

To Hansard staff, thank you. You make us all sound wonderful. I do not know how you do that, but we appreciate the work you do and the opportunity we have to check that work. Some of us take that up, some of us do not. I know when I take classes of schoolchildren through, they are always intrigued with Hansard particularly and the job that you do, so thank you for that.

To catering, building services, security, committee officers and all the staff, thank you. I am sitting on two committees at the moment—the Public Works Committee and the Natural Resources Committee—and the support staff that we get through our committee work is much appreciated.

Obviously, as Opposition Whip, I have had to work with the government on a daily basis, certainly Corey Harriss, and the leader of government business, who was for most of the year the member for Playford, but, since announcing his retirement, the member for West Torrens. I do not have necessarily much direct contact with them, but obviously they are key in laying out how the day unfolds and the *Notice Paper* each and every day.

I have enjoyed working with the manager of opposition business, who I sit next to, the member for Morialta, the former whip. The member for Morialta loves politics. He is really passionate about his politics and he is good at it, so as the manager of business he and I work closely together. To the Government Whip, I would like to acknowledge the member for Newland and the working relationship we have built up over this year. It is imperative that the Government Whip and Opposition Whip are able to work together, have frank discussions and can trust each other. That is the relationship we have had, so I thank him for allowing us to have that. Certainly, my conversations with him go on for the entire working day.

To the leader and deputy leader, the member for Dunstan and the member for Bragg, my congratulations to you on leading our team. I certainly am optimistic that next year we will be on the other side of the chamber, that the member for Dunstan will be the Premier of South Australia and that we collectively will be serving under him. I wish him and all my colleagues all the best in the upcoming election. To my parliamentary colleagues, thank you for the working relationship we have developed. My job as whip is to know where you all are all the time. I do not know that that necessarily happens, but certainly I have attempted to do it. You have done your best to inform me of your positions throughout the year, so thank you for that.

To retiring members, the members for Finniss, Goyder, Heysen, Kavel and MacKillop, I value your friendship. As senior members of the Liberal parliamentary team, I have certainly learnt a lot from you. You will all be missed in this place. People come and go in this place—we do, and that is the nature of the business—but we will miss you. I wish well retiring members from the government side—the Speaker, the member for Ashford and the member for Colton. I have struck up friendships and worked on committees with both the members for Ashford and Colton. I also wish well the member for Playford and the member for Wright.

Finally, in the closing seconds of this contribution, I would like to thank my staff back at the Flinders electorate office: Jacqui, Aimee and Myriam, who share days; Nicole, who has been temping for us; Di at Ceduna, who holds the fort in the Far West; and I would particularly like to thank in this

building Grace Paterson, who has come on board in the whip's office, for her work in helping assist the whip.

### VALEDICTORY

**The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence and Space Industries, Minister for Health Industries, Minister for Veterans' Affairs) (15:37):** I remember John Howard saying to me that there is no such thing as an election that cannot be won and one that cannot be lost, so I am going to take the opportunity for the next five minutes, just in case mine is lost, to reflect on the last 21 years here. I am sure that prospect will disappoint some and excite many more, but I do want to get a couple of things on the record.

I came into the place 21 years ago, into the Olsen government in 1997. It was a privilege to be here and a privilege to serve. I want to commend premier John Olsen, who did a good job in difficult circumstances, as did Dean Brown in the term before him. I served on the Economic and Finance Committee and struggled through an MBA at the University of Adelaide whilst being there. It certainly helped me find my way around a balance sheet.

I was privileged to serve as cabinet secretary in 2001 in the Olsen government and then as minister for tourism and innovation in the Kerin government. Although it was for a short time in late 2001-02, I was able to get \$13 million together for the Centre for Plant Functional Genomics at the Waite campus, which helped establish it as one of the top three centres of excellence in the world in the breeding of plants, something that has gone on to stronger and stronger things.

I want to talk about highlights. It is easy to be negative, but highlights and the positives are all that matter to me. It was certainly a highlight to be Liberal leader. In the 2½ years I served as Liberal leader, I think our party at the time achieved a lot of good things. The debate up until then had all been about law and order and we moved it to a discussion about Adelaide and the future of the city and investing in the future. Certainly, we were the first to raise concepts like expanding the Convention Centre, bringing up the Entertainment Centre, an alternative vision for the Royal Adelaide Hospital and, most particularly, moving football back to the city.

I do not think the Adelaide Oval would be there had I not, and had we not, championed the case at that time. It was a hard argument to run for 2½ years. In the end, it was an idea for which time had come. At the opening of the Oval, SACA President Ian McLachlan, the Premier and even *The Advertiser* acknowledged my role and the opposition's role in setting the agenda. I think it is fair to say that had I not been there, and had the Liberal opposition not taken that view, we would still be playing football at West Lakes. We are better off for the outcome.

I think another highlight has certainly been in the last four years, and I want to thank Premier Weatherill and all the cabinet for the privilege of serving with this wonderful group of people. My priorities have always been my country, my state, my local community, and party considerations last. It has been great to have that opportunity to serve. Saving the submarines and frigates was an absolute ordeal. I have no doubt that had we not acted swiftly, the submarines would right now be being built for Japan, or planned for Japan.

Everyone was advising me to give up on that. I recommended to the Premier that we not do so, and it was because of his leadership and his resolve, with the two of us working together and with others in the union and industry movements, that we managed to save the submarines and the frigates. That will set South Australia up for generations to come. The trade and engagement agenda which we have established now sees us going to every region in the world with significant missions, from up to 300 in China to smaller groups elsewhere. We are now more internationally engaged than ever. We are absolutely the poster boys of Austrade and DFAT in terms of the standards we set.

Can I add that the memorial walk down Kintore Avenue was delivered on budget and on time. It was a complex project involving all levels of government and Government House. It was dead and buried when I took it over; it is now up and running, and it is fantastic. We have done some good things with small business and with international students—we will hit the target of 35,000—and we have set up a space agency. Investment attraction is heading towards \$1½ billion and 7,000 jobs. It has been fantastic.

In my electorate, there has been over \$60 million worth of investment in schools, \$30 million at the intersection of Daws Road and Goodwood Road and \$3½ million for Blackwood. I got nearly 10 per cent of all the schools' funding into Waite. We were second on the grants to Fund My Community. None of this would have been possible had I not been working effectively, I think, and in a position to argue my case with the Weatherill government and my colleagues on this side.

I have met some wonderful people in both the Liberal and Labor parties; I could mention quite a few, but time is running out. There are some terrific people in this place on all sides. We are here to do a very important job: to serve our community. I have been privileged over the last 21 years to be able to make a small contribution.

*Bills*

**STATUTES AMENDMENT (TERROR SUSPECT DETENTION) BILL**

*Final Stages*

Consideration in committee of the Legislative Council's amendments.

(Continued from 29 November 2017.)

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

That the Legislative Council's amendments be agreed to.

Motion carried.

**LOCAL GOVERNMENT (FIXED CHARGES) AMENDMENT BILL**

*Introduction and First Reading*

Received from the Legislative Council and read a first time.

**CONSTITUTION (ELECTORAL REDISTRIBUTION) (APPEALS) AMENDMENT BILL**

*Final Stages*

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

No. 1. Clause 3, page 2, lines 15 and 16 [Clause 3(2)]—Delete subclause (2) and substitute:

(2) Section 86(2)—after 'elector' insert:

or a registered officer on behalf of a registered political party

No. 2. Clause 3, page 2, after line 21 [Clause 3(3), inserted subsection (5a)]—Insert:

; and

(c) sent by the Commission to each person who made a representation to the Commission under section 85.

No. 3. Clause 3, page 2, line 23 [Clause 3(3), inserted subsection (5b)]—Delete 'or registered political party'

No. 4. Clause 3, page 2, after line 25—Insert:

(4) Section 86—after subsection (9) insert:

(10) In this section—

registered officer and registered political party have the same respective meanings as in the Electoral Act 1985.

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

Motion carried.

## STATUTES AMENDMENT (YOUTHS SENTENCED AS ADULTS) 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. Amendment No 1 [Employment–1]-Clause 4, page 3, after line 2—Insert:

- (1) Section 3(2a)(a) and (b)—delete paragraphs (a) and (b) and substitute:  
regard should be had to the deterrent effect any proposed sanction may have on the youth

No. 2. Clause 4, page 3, line 7 [clause 4, inserted section 3(4)]—After 'reason' insert:

, including, for example, the gravity of the illegal conduct

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

I indicate that I am pleased that the opposition adopted the position.

Motion carried.

## FINES ENFORCEMENT AND DEBT RECOVERY BILL

### *Final Stages*

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

No. 1. Clause 2, page 5, line 6—Delete 'This Act will come into operation on a day to be fixed by proclamation.' and substitute:

- (1) Subject to subsection (2), this Act will come into operation on the day on which it is assented to by the Governor.  
(2) Sections 3 to 76 (inclusive) and Schedule 1 clauses 1 to 33 (inclusive) will come into operation on a day to be fixed by proclamation.

No. 2. Clause 3, page 5, after line 8 [clause 3(1)]—Before the definition of *authorised officer* insert:

*approved treatment program* means a treatment program of a prescribed kind that has been approved by the Minister for the purposes of this definition;

*approved treatment program manager* means a person who has general oversight of approved treatment programs and coordinates the implementation of relevant court orders and relevant determinations of the Chief Recovery Officer (and includes a delegate of such a person);

No. 3. Clause 3, page 6, line 5 [clause 3(1), definition of *case manager*—Delete 'intervention' and substitute 'approved treatment'

No. 4. Clause 3, page 6, line 13 [clause 3(1), definition of *debtor*—After 'means' insert:

(other than in Part 8)

No. 5. Clause 3, page 6, lines 18 to 29 [clause 3(1), definitions of *intervention program* and *intervention program manager*—Delete the definitions

No. 6. Clause 3, page 7, lines 6 to 13 [clause 3(1), definition of *pecuniary sum*—Delete the definition and substitute:

*pecuniary sum* means an amount payable pursuant to an order or direction of a court in proceedings relating to an offence, and includes—

- (a) a fine; and  
(b) compensation; and  
(c) costs; and  
(d) a sum payable pursuant to a bond or to a guarantee ancillary to a bond; and

- (e) a VIC levy imposed on a person on conviction of an offence;
- No. 7. Clause 3, page 7, after line 15 [clause 3(1), definition of *personal details*—After paragraph (a) insert:
- (ab) any former name of the person (including, if relevant, the person's maiden name); and
- (ac) any alias of the person; and
- No. 8. Clause 3, page 7, after line 18 [clause 3(1), definition of *personal details*—After paragraph (d) insert:
- (da) any former residential address of the person in the previous 5 years; and
- No. 9. Clause 8, page 9, line 33—After 'payable is' insert:
- to be taken for the purposes of this Act to be
- No. 10. Clause 8, page 9, after line 35—Insert:
- (2) Subsection (1) does not limit the ability of a person to take action to recover a sum due and payable to the person.
- No. 11. Clause 11, page 11, lines 29 to 31—
- Delete 'imposed by order of a court is payable within 28 days from (and including) the day on which the order was made.' and substitute:
- is payable within 28 days from (and including)—
- (a) in the case of a pecuniary sum imposed by order of a court—the day on which the order was made; and
- (b) in the case of a VIC levy imposed on a person on conviction of an offence—the day on which the person was sentenced for the offence.
- No. 12. Clause 12, page 12, after line 8—After subclause (2) insert:
- (3) Unless the Chief Recovery Officer determines otherwise, if more than 1 pecuniary sum is payable by a debtor, an amount paid in accordance with subsection (2) is to be taken to have been deducted from the pecuniary sum that the debtor was first ordered to pay and then, if necessary, from the pecuniary sum that the debtor was next ordered to pay, and so on so that deductions are taken to be made from each successive pecuniary sum in chronological order.
- No. 13. Clause 15, page 13, line 21 [clause 15(5)(g)]—Delete 'intervention' and substitute 'approved treatment'
- No. 14. Clause 15, page 13, line 30 [clause 15(7)]—Delete 'intervention' and substitute 'approved treatment'
- No. 15. Clause 15, page 14, line 30 [clause 15(13)]—Delete 'intervention' and substitute 'approved treatment'
- No. 16. Clause 16, page 15, after line 13 [clause 16(1)]—After paragraph (b) insert:
- (ba) the debtor has not, since the commission of the offence, been charged with, or been alleged to have committed, a further offence against that section; and
- No. 17. Clause 20, page 18, line 2 [clause 20(6)(g)]—Delete 'intervention' and substitute 'approved treatment'
- No. 18. Clause 20, page 18, line 14 [clause 20(8)]—Delete 'intervention' and substitute 'approved treatment'
- No. 19. Clause 20, page 19, line 20 [clause 20(14)]—Delete 'intervention' and substitute 'approved treatment'
- No. 20. Clause 21, page 20, after line 19 [clause 21(1)]—After paragraph (b) insert:
- (ba) the alleged offender has not, since the commission of the alleged offence, been charged with, or been alleged to have committed, a further offence against that section; and
- No. 21. Clause 22, page 22, line 3 [clause 22(10)(b)]—After 'relates' insert:
- (other than because the alleged offender did not receive an expiation notice or an expiation reminder notice as required under that Act)
- No. 22. Clause 22, page 22, line 6 [clause 22(10)(c)]—After 'Expiation of Offences Act 1996' insert:
- (other than because the alleged offender did not receive an expiation notice or an expiation reminder notice as required under that Act)
- No. 23. Clause 22, page 22, after line 17—After subclause (10) insert:
- (10a) The Chief Recovery Officer may only revoke an enforcement determination on a ground referred to in subsection (10)(b) or (c) if satisfied that there are exceptional circumstances

that justify the alleged offender's failure to make an election, or to apply for a review, under the *Expiation of Offences Act 1996*.

No. 24. Clause 22, page 22, after line 24—After subclause (11) insert:

- (11a) If the Chief Recovery Officer revokes an enforcement determination on the ground referred to in subsection (10)(b), a prosecution can be commenced for the alleged offence or offences within 6 months of the day on which the determination was revoked despite the fact that the time for the commencement of the prosecution may have already otherwise expired.

No. 25. Clause 22, page 22, lines 25 to 36 [clause 22(12)]—Delete subclause (12) and substitute:

- (12) If—
- (a) the Chief Recovery Officer revokes an enforcement determination on a ground referred to in subsection (10)(b) or (c); and
- (b) —
- (i) the alleged offender does not, within 14 days of being informed of the revocation—
- (A) elect under section 8 of the *Expiation of Offences Act 1996* to be prosecuted for the offence; or
- (B) apply under section 8A of the *Expiation of Offences Act 1996* for review of the expiation notice to which the determination relates on the ground that the offence is trifling; or
- (ii) the alleged offender applies under section 8A of the *Expiation of Offences Act 1996* for review of the expiation notice to which the determination relates but the issuing authority determines not to withdraw the expiation notice,

the Chief Recovery Officer may make a further enforcement determination in relation to the expiation notice.

No. 26. Clause 24, page 25, line 6—After 'been revoked, ' insert 'to be taken for the purposes of this Act to be'

No. 27. Clause 24, page 25, after line 8—Insert:

- (2) Subsection (1) does not affect the operation of section 17(2) or (3) of the *Expiation of Offences Act 1996*.

No. 28. Clause 25, page 25, line 18 [clause 25(2)(b)]—After 'charge on' insert 'an interest in'

No. 29. Clause 28, page 26, after line 34—After subsection (4) insert:

- (4a) Any power that the Chief Recovery Officer may exercise under this Act in relation to an expiation notice of this jurisdiction may be exercised by the Chief Recovery Officer in relation to an expiation notice of another jurisdiction if the exercise of the power is authorised under a multi-jurisdictional agreement.
- (4b) If an authority of a participating jurisdiction is authorised under a multi-jurisdictional agreement to exercise or perform functions or powers under this Act or the *Expiation of Offences Act 1996*, the authority will be taken to be the Chief Recovery Officer, and to have the functions and powers of the Chief Recovery Officer, when acting under the agreement.

No. 30. Clause 30, page 27, line 21 [clause 30(1)]—Delete 'contact' and substitute 'personal'

No. 31. Clause 33, page 28, line 7 [clause 33(1)]—After 'charge over' insert 'the interest of a debtor in'

No. 32. Clause 33, page 28, line 8 [clause 33(1)]—Delete 'a debtor' and substitute 'the debtor'

No. 33. Clause 33, page 28, line 13 [clause 33(2)]—After 'charge over' insert 'the interest of the alleged offender in'

No. 34. Clause 33, page 28, after line 14—After subclause (2) insert:

- (2a) Any number of pecuniary sums or amounts due under expiation notices may be aggregated for the purposes of exercising powers under this section.

No. 35. Clause 33, page 28, line 16 [clause 33(3)]—After 'Register Book' insert 'or the Register of Crown Leases'



No. 36. Clause 33, page 28, line 17 [clause 33(3)]—After 'created over' insert 'the interest of the debtor or alleged offender in'

No. 37. Clause 33, page 28, line 20 [clause 33(4)(a)]—After 'affecting' insert 'the interest of the debtor or alleged offender in'

No. 38. Clause 33, page 28, line 31 [clause 33(4)(a)(iv)]—After 'conveyance' insert 'or transfer'

No. 39. Clause 33, page 28, line 35 [clause 33(4)(b)]—After 'respect of' insert 'the interest of the debtor or alleged offender in'

No. 40. Clause 33, page 29, lines 3 to 6 [clause 33(6)]—Delete subclause (6) and substitute:

- (6) If an instrument registered under subsection (4)(a) has the effect of conveying or transferring the interest of the debtor or alleged offender in the land to another person, the charge will be taken to be cancelled by the registration of the instrument and the Registrar-General must take whatever action the Registrar-General considers appropriate to give effect to the cancellation.

No. 41. Clause 36, page 30, line 26 [clause 36(2)(f)]—Delete 'real or'

No. 42. Clause 36, page 30, after line 27 [clause 36(2)]—After paragraph (f) insert:

and

- (g) sell the interest of the debtor or alleged offender in real property owned (whether solely or as co-owner) by the debtor or alleged offender.

No. 43. Clause 36, page 31, line 2 [clause 36(3)(d)]—After 'respect of' insert 'an interest of a debtor or alleged offender in'

No. 44. Clause 36, page 31, after line 7—After subclause (3) insert:

- (3a) If the Chief Recovery Officer determines under this section to sell an interest in real property of the debtor or alleged offender—
- (a) the Officer must provide the Registrar-General with written notification of the determination; and
- (b) the Registrar-General must note the determination in the Register Book or the Register of Crown Leases; and
- (c) the determination will be taken to be a mortgage registered under the *Real Property Act 1886* on the day that it is provided to the Registrar-General.

No. 45. Clause 36, page 32, line 20 [clause 36(15)]—After 'sale of' insert 'an interest in'

No. 46. Clause 36, page 32, lines 22 to 32 [clause 36(16) to (18)]—Delete subclauses (16) to (18) (inclusive)

No. 47. Clause 40, page 35, line 20 [clause 40(2)(b)]—After 'Motor Vehicles' insert 'and the Commissioner of Police'

No. 48. Clause 40, page 35, line 31 [clause 40(4)(a)]—After 'Motor Vehicles' insert 'and the Commissioner of Police'

No. 49. Clause 40, page 35, after line 37—After subclause (5) insert:

- (6) The Chief Recovery Officer must notify prescribed officers of other States and Territories of determinations made under this section.

No. 50. Clause 41, page 36, lines 11 to 14 [clause 41(3)]—Delete subclause (3) and substitute:

- (3) The Chief Recovery Officer may exercise powers under this section in relation to a vehicle without notice to the debtor or alleged offender if—
- (a) the debtor or alleged offender is the only registered owner of the vehicle; or
- (b) the Chief Recovery Officer has made reasonable attempts to notify each registered owner of the vehicle (other than the debtor or alleged offender) of the Officer's intention to exercise those powers.

No. 51. Clause 43, page 40, after line 19—After subclause (10) insert:

- (11) In this section—

*public place* includes a road and a road-related area (both within the meaning of the *Motor Vehicles Act 1959*).

No. 52. Clause 46, page 41, line 14 [clause 46(1)(b)]—Delete 'intervention' and substitute 'approved treatment'

No. 53. Clause 46, page 42, line 2 [clause 46(6)]—Delete 'intervention' and substitute 'approved treatment'

No. 54. Clause 46, page 42, line 38 [clause 46(12)]—Delete 'intervention' and substitute 'approved treatment'

No. 55. Clause 46, page 42, line 40 [clause 46(13)]—Delete 'intervention' and substitute 'approved treatment'

No. 56. Clause 46, page 43, line 3 [clause 46(14)(a)]—Delete 'intervention' and substitute 'approved treatment'

No. 57. Clause 46, page 43, line 8 [clause 46(15)(a)]—Delete 'intervention' and substitute 'approved treatment'

No. 58. Clause 46, page 43, line 9 [clause 46(15)(a)(i)]—Delete 'intervention' and substitute 'approved treatment'

No. 59. Clause 46, page 43, line 15 [clause 46(15)(b)]—Delete 'intervention' and substitute 'approved treatment'

No. 60. Clause 47, page 43, line 20 [clause 47(1)]—Delete 'intervention' and substitute 'approved treatment'

No. 61. Clause 47, page 43, line 29 [clause 47(3)]—Delete 'intervention' and substitute 'approved treatment'

No. 62. Clause 47, page 43, line 33 [clause 47(4)]—Delete 'intervention' and substitute 'approved treatment'

No. 63. Clause 47, page 44, line 2 [clause 47(6)]—Delete 'intervention' and substitute 'approved treatment'

No. 64. Clause 47, page 44, line 14 [clause 47(8)]—Delete 'intervention' and substitute 'approved treatment'

No. 65. Clause 47, page 44, line 21 [clause 47(8)(b)(i)]—Delete 'intervention' and substitute 'approved treatment'

No. 66. Clause 47, page 44, line 25 [clause 47(8)(b)(ii)]—Delete 'intervention' and substitute 'approved treatment'

No. 67. Clause 47, page 44, line 29 [clause 47(8)(b)(iv)]—Delete 'intervention' and substitute 'approved treatment'

No. 68. Clause 47, page 44, line 31 [clause 47(8)(b)(iv)]—Delete 'completed' and substitute 'uncompleted'

No. 69. Clause 47, page 44, line 33 [clause 47(9)]—Delete 'intervention' and substitute 'approved treatment'

No. 70. Clause 46, page 43, line 15 [clause 46(15)(b)]—Delete 'intervention' and substitute 'approved treatment'

No. 71. Clause 48, page 45, after line 8 [clause 48(1)]—After the definition of *Court* insert:

*debt* means an amount of money owed to a public authority that is recoverable in a court of competent jurisdiction, but does not include a pecuniary sum or an amount payable under an expiation notice;

No. 72. Clause 49, page 45, after line 33—After subclause (1) insert:

(1a) A notification under subsection (1)—

(a) must not be given unless the public authority has provided the debtor with an invoice for, and given the debtor a reasonable opportunity to pay, the alleged debt; and

(b) must include advice to the Chief Recovery Officer as to whether the debtor is under a legal disability and, if so, the name of a person representing, or acting on behalf of, the debtor.

No. 73. Clause 49, page 46, line 1 [clause 49(2)]—After 'subsection (1)' insert 'and is satisfied that the requirements of subsection (1a)(a) have been met'

No. 74. Clause 50, page 46, line 20 [clause 50(2)]—After 'this section' insert 'and bears the onus of proving, on the balance of probabilities, that the debt is owed by the debtor'

No. 75. Clause 50, page 46, after line 22—After subclause (3) insert:

(3a) The Court may, in the Court's discretion, extend the time for making an application under this section even if the time for making the application has ended.

No. 76. Clause 50, page 46, after line 25—After subclause (4) insert:

(5) No fee is payable on an application under this section.

No. 77. Clause 51, page 46, lines 30 to 34 [clause 51(1)(a) and (b)]—Delete paragraphs (a) and (b) and substitute:

- (a) the debtor is taken under subsection (1a) to have admitted liability for the debt; or

No. 78. Clause 51, page 46, after line 36—After subclause (1) insert:

- (1a) A debtor will be taken to have admitted liability for a debt to which a civil debt determination relates if—

- (a) the debtor has not—

(i) within 1 month of receiving the determination—entered into an arrangement under section 57; or

(ii) within the time allowed under section 50—made application to the Court for the determination to be varied or revoked; or

- (b) an arrangement entered into with the Chief Recovery Officer under section 57 has terminated.

No. 79. Clause 53, page 47, after line 20—After subclause (1) insert:

- (1a) In proceedings under this section, the Chief Recovery Officer bears the onus of proving the correctness of the decision.

No. 80. Clause 53, page 47, after line 33—After subclause (5) insert:

- (6) No fee is payable on an application under this section.

No. 81. Clause 61, page 51, line 17 [clause 61(9)]—After 'debtor' insert 'conducted in accordance with procedures prescribed by rules of the Court'

No. 82. Clause 61, page 51, lines 22 to 24 [clause 61(10)]—Delete subclause (10) and substitute:

- (10) If payment of the debt or all arrears of instalments (as the case requires) is made—

(a) the Chief Recovery Officer must issue a certificate certifying that the payment has been made; and

(b) the debtor must be discharged from custody even though the period of imprisonment has not expired.

No. 83. Clause 62, page 52, line 4 [clause 62(4)]—Delete 'order' and substitute 'determination'

No. 84. Clause 62, page 52, after line 37—After subclause (13) insert:

- (13a) Subsections (12) and (13) do not apply to a garnishee if the garnishee has not been notified of the determination.

No. 85. Clause 63, page 53, line 17 [clause 63(3)(d)]—After 'sell any' insert 'personal'

No. 86. Clause 63, page 53, after line 18 [clause 63(3)]—After paragraph (d) insert:

and

- (e) sell an interest of the debtor in land to which the determination relates.

No. 87. Clause 63, page 53, line 19 [clause 63(4)]—After 'sale of' insert 'an interest in'

No. 88. Clause 63, page 53, after line 22—After subclause (5) insert:

- (5a) The Chief Recovery Officer (on behalf of the Crown) has the same powers in respect of an interest of a debtor in land the Officer determines to sell under this section as are given by the *Real Property Act 1886* to a mortgagee under a mortgage in respect of which default has been made in payment of money secured by the mortgage (and sections 132 to 135 (inclusive) and 136 of that Act apply accordingly as if the Officer were the mortgagee and the debtor were the mortgagor).

- (5b) If the Chief Recovery Officer determines under this section to sell an interest in real property of a debtor—

(a) the Officer must provide the Registrar-General with written notification of the determination; and

(b) the Registrar-General must note the determination in the Register Book or the Register of Crown Leases; and

- (c) the determination will be taken to be a mortgage registered under the *Real Property Act 1886*.

No. 89. Clause 63, page 53, line 23 [clause 63(6)]—Delete 'real property or'

No. 90. Clause 63, page 53, line 28 [clause 63(7)]—After 'to sell' insert 'an interest in'

No. 91. Clause 63, page 53, line 36 [clause 63(10)]—After 'purchaser of' insert 'personal'

No. 92. Clause 64, page 54, line 9 [clause 64(1)]—Delete 'real property of a debtor' and substitute 'a debtor's interest in real property'

No. 93. Clause 64, page 54, line 13 [clause 64(2)]—After 'charge over' insert 'the interest of a debtor in'

No. 94. Clause 64, page 54, line 16 [clause 64(3)]—After 'Register Book' insert 'or the Register of Crown Leases'

No. 95. Clause 64, page 54, line 17 [clause 64(3)]—After 'over' insert 'the interest of the debtor in'

No. 96. Clause 64, page 54, line 21 [clause 64(4)(a)]—After 'affecting' insert 'the interest of the debtor in'

No. 97. Clause 64, page 54, line 32 [clause 64(4)(a)(iv)]—After 'conveyance' insert 'or transfer'

No. 98. Clause 64, page 54, line 36 [clause 64(4)(b)]—After 'respect of' insert 'the interest of the debtor in'

No. 99. Clause 64, page 55, lines 1 to 4 [clause 64(6)]—Delete subclause (6) and substitute:

- (6) If an instrument registered under subsection (4)(a) has the effect of conveying or transferring the interest of the debtor in the land to another person, the charge will be taken to be cancelled by the registration of the instrument and the Registrar-General must take whatever action the Registrar-General considers appropriate to give effect to the cancellation.

No. 100. Clause 65, page 55, line 19 [clause 65(1)]—Delete 'property of a debtor' and substitute 'a debtor's interest in property'

No. 101. Clause 65, page 55, lines 21 and 22 [clause 65(2)]—Delete 'property of a debtor' and substitute 'a debtor's interest in property'

No. 102. Clause 65, page 55, line 25 [clause 65(2)(b)]—After 'with the' insert 'interest in the'

No. 103. Clause 70, page 57, line 17 [clause 70(2)(b)(i)]—Delete subparagraph (i) and substitute:

- (i) in relation to a debtor or alleged offender, or a class of debtors or class of alleged offenders; and

No. 104. Clause 71, page 57, line 24 [clause 71(1)]—Delete 'intervention' and substitute 'approved treatment'

No. 105. Clause 72, page 58, line 6 [clause 72(2)]—After 'liability' insert '(other than a liability owed to the Crown)'

No. 106. Clause 74, page 58, line 17 [clause 74(b)]—Delete 'reasons' and substitute 'the basis'

No. 107. Schedule 1, clause 11, page 61, lines 15 and 16 [Schedule 1, clause 11(5)]—Delete subclause (5) and substitute:

- (5) Section 4(3)—after 'this Act' first occurring insert:  
and the Fines Enforcement and Debt Recovery Act 2017
- (6) Section 4(3)—after 'this Act' second occurring insert:  
or the Fines Enforcement and Debt Recovery Act 2017
- (7) Section 4—after subsection (3) insert:
- (4) For the purposes of this and any other Act—
- (a) an offence expiated, or taken to have been expiated, under the *Fines Enforcement and Debt Recovery Act 2017* will be taken to have been expiated in accordance with this Act; and
- (b) an expiation fee paid under the *Fines Enforcement and Debt Recovery Act 2017* will be taken to have been paid under this Act.

No. 108. Schedule 1, clause 13, page 61, after line 31 [Schedule 1, clause 13]—Before subclause (1) insert:

- (a1) Section 8A(4)—delete 'issue a certificate for an enforcement determination under section 13' and substitute:

provide the Chief Recovery Officer with relevant particulars under section 22 of the *Fines Enforcement and Debt Recovery Act 2017*

No. 109. Schedule 1, clause 15, page 62, after line 13 [Schedule 1, clause 15]—After subclause (1) insert:

- (1a) Section 11(1)—after 'this Act' insert:  
or the Fines Enforcement and Debt Recovery Act 2017

No. 110. Schedule 1, clause 15, page 62, after line 16 [Schedule 1, clause 15]—After subclause (3) insert:

- (4) Section 11(3)—after 'this Act' insert:  
and the Fines Enforcement and Debt Recovery Act 2017

No. 111. Schedule 1, clause 16, page 62, after line 17 [Schedule 1, clause 16]—Before subclause (1) insert:

- (a1) Section 11A(1)—after 'this Act' insert:  
or the Fines Enforcement and Debt Recovery Act 2017

No. 112. Schedule 1, clause 16, page 62, after line 20 [Schedule 1, clause 16]—After subclause (2) insert:

- (3) Section 11A(4)—after 'this Act' insert:  
and the Fines Enforcement and Debt Recovery Act 2017

No. 113. New clause, Schedule 1, page 62, after line 25—After clause 18 insert:

- 18A—Amendment of section 15—Effect of expiation  
Section 15(4)—after 'this Act' second occurring insert:  
or the Fines Enforcement and Debt Recovery Act 2017

No. 114. Schedule 1, clause 19, page 62, line 29 [Schedule 1, clause 19(1), inserted paragraph (ad)]—After 'impairment' insert 'that excuses the alleged offending'

No. 115. Schedule 1, clause 20, page 63, after line 27 [Schedule 1, clause 20]—Insert:

- (2) Section 18(1)(a)—delete 'under this Act'

No. 116. Schedule 1, clause 26, page 64, line 28 [Schedule 1, clause 26, inserted section 61A]—After 'from a' insert 'motor'

No. 117. Schedule 1, clause 26, page 64, lines 31 to 33 [Schedule 1, clause 26, inserted section 61A(b)]—Delete paragraph (b) and substitute:

- (b) must, if the registration of the vehicle is cancelled under paragraph (a), pay to the Chief Recovery Officer the refund (if any) to which the registered owner or registered operator would have been entitled under section 54(2) if the registration of the vehicle had been cancelled under section 54(1).

No. 118. New clause, Schedule 1, page 64, after line 33—After clause 26 insert:

- 26A—Amendment of section 71B—Replacement of plates, documents and labels  
Section 71B—after subsection (1) insert:

- (1a) However, if a number plate has been seized by the Chief Recovery Officer under the *Fines Enforcement and Debt Recovery Act 2017*, a person may not make application for a replacement number plate unless the application is authorised in writing by the Chief Recovery Officer.

No. 119. New clause, Schedule 1, page 68, after line 25—After clause 33 insert:

- 34—Validation provision

Any enforcement determination purportedly made by the Fines Enforcement and Recovery Officer under section 13 of the *Expiation of Offences Act 1996* before the day on which this clause comes into operation is declared to have been validly made notwithstanding that there was not compliance with the requirements of subsection (1) or (2) of that section.

Consideration in committee.

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

That the Legislative Council's amendments be agreed to.

Motion carried.

*Adjournment Debate*

**VALEDICTORIES**

**Ms REDMOND (Heysen) (15:48):** In many ways, it seems as if it was only yesterday that I was standing in pretty much the same place, on the backbench in opposition, to make my maiden speech in this place. Peter Lewis had just given government to Labor, a decision which history will no doubt show was pivotal in the fortunes, or rather misfortunes, of this state.

Graham Gunn, member for Stuart, ultimately serving 39 years and 10 months in this place, wandered along and said in his usual gruff manner, 'I'll let you read this speech, but if I catch you reading any speeches hereafter I'll rip the paper out of your hands and leave you standing there.' Like a frightened schoolgirl on her first day in high school, I believed him, so for the most part I make speeches rather than reading prepared comments. But on this occasion, probably to the relief of Hansard—and at the outset I should thank them for always making my comments seem more coherent than they probably were—I do intend to read to ensure that I remember to say all that I intend.

Ever since that first speech, there has been one certainty about my last speech and that is that, first and foremost, I would thank and acknowledge my parents. If you read my maiden speech, you will see that they do not even rate a mention. That was not because of any oversight on my part but, rather, because I knew I would not be able to hold it together if I did mention them. You see, I had given the eulogy at my mother's funeral just two weeks before I gave my maiden speech. She had died shortly after I was elected, but she was in a state of profound dementia for three years prior to that, so she had no understanding even of who I was let alone the significant event which had just begun the next phase of my life.

I want to spend a few moments, therefore, telling you about my parents, who clearly had a profound influence on me and the path my life has taken. If he were still alive, my father, Frank Sim, would have turned 100 on 6 November. He died in November 1999, aged 82, just as I was being preselected as the candidate for Heysen and did not live to see that. He was born in Sydney in 1917, in the midst of World War I, and forced to leave school to help support the family at just 15 years of age because of the Great Depression.

He later became a member of the Light Horse (a bit like the modern-day defence reserves) and was actually away at camp when World War II was declared, in September 1939. He enlisted soon after in the AIF and served as a sapper in the 9<sup>th</sup> Division Engineers in Tobruk, El Alamein and then New Guinea, managing to come home long enough in between the Middle East and Pacific theatres of war to court and marry my mother, who had actually grown up in the same street. It is still there, The Glen Road, Arncliffe, and there are still houses there built by my Scottish stonemason grandfather bearing the date of construction made from locally quarried sandstone.

My mother, Eva Sim (nee Paterson), was born in Scotland in 1920 and migrated to Australia at the age of four or five. She had likewise been forced to leave school at the age of 14 because of the depression, and her parents felt that it was more important that their son be educated. She loved school but was denied her education, partly because of the economic circumstances and partly because of the gender biases which prevailed at the time. She spent the rest of her life trying to make up for that lack of education, always watching the news, current affairs, documentaries, belonging to a music club and enrolling in art appreciation classes and so on.

After the war, my father built the house in which we grew up made of second-hand timbers and fibro on half an acre of rocky ground on the then far outreaches of Sydney, in a town called Engadine in the Shire. References to me being a hobbit because I am not very tall and I come from the Shire have been made constantly.

**The Hon. M.J. Atkinson:** Wollongong way.

**Ms REDMOND:** It is almost halfway to Wollongong, as the Speaker directly points out. Engadine is bounded on one side by the railway and the Royal National Park and on the other by natural bush and the Woronora River. The bush that surrounded us was our playground. Our time in

that natural playground was largely unsupervised, and I really had a pretty idyllic childhood as the fourth of five children very much of the baby boomer generation.

My parents were part of the foundation of the community involved in setting up the Presbyterian Church and the Scottish Association. My father belonged to the local bushfire brigade and the civil defence, and later joined Rotary. My mother served on school canteens (five at one stage), worked in op shops and helped with the church fetes and all the usual things that bind communities together. Unsurprisingly then, I grew up with the expectation that whatever your talents might be you exercise them for the betterment of your community.

Before I turned 12, I was teaching at Sunday School, and I remained very committed to the local church and fellowship throughout my teenage years—although I would now describe myself as a heathen. Nevertheless, I clearly had a passion for community service, which has stayed with me throughout my life. Indeed, my passion for issues concerning ageing, which remains strong today, stems from regular visits in my teenage years to the state-run nursing home, Garrawarra, which housed the forgotten elderly who had nowhere else to go.

I want to spend a few minutes describing the influence of my parents and how they affected my motivations for entering politics because I think it helps explain why I now know that it is time for me to leave. I am of a different generation, motivated by different things. Furthermore, I am completely and utterly uninterested in technology, modern communications and the ways of politics today.

The other key factor in my background of course is my legal background, and again there is some stuff that I want to put on the record. People often assume that because I practised as a lawyer before entering this place I have had a fairly privileged background, and probably private school followed by some great years at university.

The reality was I had to fight to become a lawyer. My mother, having been denied her education, was keen that I pursue mine. With a scholarship, I was able to finish high school. At my high school, about 80 per cent of the students left at year 10, and my mother wanted me to become a teacher or a nurse. The idea of me studying law was a source of great distress between us. Our fights when I was 16 were not about boys, short skirts, late nights, make-up, alcohol or any of the more predictable things; our screaming battles were about my desire to study law, which was not a suitable career choice for a girl, according to my mother.

I was offered a place in both Sydney University Law School and the brand-new law school just starting at the University of New South Wales, but I could not take up either place. In those days, with very few exceptions, university was only for the wealthy. The fees for one year of law school were \$2,500 and my father's income was less than \$6,000 before tax. I think the abolition of university fees by Gough Whitlam was probably the greatest social change of the last 50 years at least.

Accepting the offered place was just unthinkable. Instead, I went to work full time and studied at night for five years, having no holidays to speak of as I had to take two weeks of annual leave every six months as preparation for exams. Continuing to live way out on the outskirts of Sydney was not viable either because that involved leaving home by 7am, catching two trains to get to the city, working all day, travelling out to Sydney Uni for two or three hours of lectures and then walking alone through Redfern to the nearest train station to catch two trains to arrive back home by 11 o'clock at night.

So I moved to a flat near the university and, three months out of high school, I was therefore making my own way in the world, living independently and paying my own way. It should be obvious by now why I feel increasingly like a fish out of water in this place. The things that motivate me are no longer relevant and my view of the world is completely at odds much of the time with that of my colleagues on either side of the house.

Enough of my motivations. It is much more important that I use this precious opportunity to thank so many people who have helped me very much along this path in politics, which is now coming to an end. Of course, it is always a little dangerous to name names in thanking people as there will always be some who are not named but who believe they deserve to be, and there are simply too many people who have helped me on this unbelievable journey for me to name everyone. So, in

advance, I beg forgiveness from anyone I do not mention: please believe me when I say that I realise no-one succeeds in this life generally, and certainly not in a political life, without the help of an enormous number of people.

First and foremost, I want to thank my family: my sisters Judy and Deirdre and their husbands Bob and Dennis, my brother Keith and his wives, and my brother Steve. They all live in other states, but I was always aware of their love and support and, when they could manage it, they gave hands-on help during various election campaigns. My immediate family here consists of my three children Matthew, Noah and Vanessa, who are now exceptional young adults but were still teenagers when I began the path to preselection and election. My daughter wants it noted that, rather than being a 'reasonably decent' child, she is a 'reasonably indecent' child.

My children have had to put up with quite a lot over the years. At least they were old enough not to be dragged to endless political functions and photo opportunities, but they did get tired at times of people assuming that they obviously held the same views as me about any issue, and they found it a little frustrating that, on the rare occasions they went to see a doctor, the first question was often, 'How is your mum?' But they accepted it all with good grace and made an art form out of ensuring that their mother kept her feet well and truly on the ground no matter how lofty the office she held. The ridicule to which I was subjected around the dinner table knew no bounds.

Of course, over the 16 years in here, things have changed in terms of the family dynamic. Firstly, my husband, Jim, and I separated in 2004, not because of the job but simply because, after nearly 30 years together, the relationship was no longer working. We remain friends and I will always be grateful that he recognised right from the beginning of our relationship in 1975 that the only way to hold me was to accept my independence, so he was always a good support in my political career and for that I thank him. Later, my eldest son, Matt, married his wonderful wife, Tegan, and, together, they have brought into my life the added joy of my dear little grandson Austin and, just two weeks ago, my new little grandson Emmett.

One of the many joys of political life has been the wonderful staff who have helped and supported me, some of whom I simply must mention specifically. Gaynor came to work with me from the moment I began in my legal practice in Stirling and has remained faithfully there serving me through thick and thin, ups and downs, joys and sorrows for almost a quarter of a century. She manages my office and my life. She manages to always maintain a friendly, helpful demeanour, no matter how trying the circumstances, interpreting my grouchy 'no' response into an acceptable apology on many occasions and always protecting and aiding me with 110 per cent effort and 120 per cent loyalty.

Nick came to work for me in my first year as the member for Heysen—funnily enough, the media kept saying that I could not hold staff—and he has been with me ever since. Like Gaynor, his loyalty has been absolute. I think that there is a lot to be said for employing staff who do not have political ambitions themselves but who are loyal to you and your cause. These days, there are two others in the office: April, who works three days a fortnight and has done me the honour of coming in, and Kay, who fills in as a locum. Both come with considerable political experience.

Kay goes back to the days of Steele Hall and is a fount of information about a bygone era, and April brings incredible energy, light and fun to the office. Her husband, by the way, was my legal clerk in my legal practice many years ago. I like to think that it is a happy, productive office and one that my constituents value. I hope that I have not been too bad a boss, although I am keenly aware that there were times when I must have tested their patience to its limits. For those times I apologise, and for the good times I thank them.

Equally, I owe sincere gratitude to those who worked for me in my 3½ years as leader. Having been thrust into the role of leader of Her Majesty's Loyal Opposition rather unexpectedly—and I will say more about that presently—I was blessed to have staff up in Stirling who kept my office operating seamlessly in spite of, or perhaps because of, my very occasional appearances there. Equally important, though, was the exceptional group of people who worked so tirelessly to support me in the leader's office.

Although there were many, including Therese Kenny, Tim Melrose, Georgina McGuinness and others, there are three people in particular who deserve special mention. My chief of staff, Bev



Barber, who stepped into the role almost as unexpectedly as I had become leader, left no opportunity unused and no minute unoccupied in trying to make me the state's first female premier. No-one could have served me better in that role, and I know that Bev let no opportunity to assist me go unused. I am sure that PwC will regret their recent decision that led to her leaving that firm.

At her side, working as part of this tight little trio with me, was Andrew Coombe, my media adviser. I could not have had a better one. I think it was Rob Lucas who gave him the nickname Elbows after he needed to physically protect me out of a situation. Andrew, too, devoted every waking minute to my political fortunes, mostly talking to people in the media and trying to get across my view, but on many occasions becoming literally both bodyguard and handbag carrier.

The third person who made my life possible as leader and who deserves special mention is my driver, Warren Bartsch. As someone who enjoys driving, I had always worried that I would not like being driven by someone else, but the hours involved and the distances required meant that, quite simply, I could not have done the job without him. Ever the gentleman, always discreet, I felt unbelievably lucky to have someone who did all the thinking about getting to wherever, parking and all the other details.

There are also a couple of friends who deserve special mention, notably my next-door neighbour of 39 years, Chris, and our other mutual friend, Christine. Chris and I have been best friends and neighbours since I moved in next door in Stirling in 1978. We have raised our children side by side and are now blessed with grandchildren. Chris is the sort of friend who, if you phoned her in the middle of the night, would instantly come to help, no questions asked.

Our friendship has not been at no cost to her. She has even had to put up with suggestions that we are a lesbian couple. The Labor Party likes to make out that it is all in favour of LGBTIQ equality, but it still tries to use the suggestion that someone is gay as a way to diminish them politically. The hypocrisy of this is what annoys me, not the suggestion itself. Just for the record, I am not gay and nor is Chris; if I were, I would just say so.

They say in politics that if you want a friend, buy a dog. It is largely true that, if you are lucky, the friends you had before you began will be the friends you still have afterwards, but you do not expect to make many new friends along the way. Acquaintances, yes, many; but actual friends, not so likely. But my time as leader did bring me into contact with one person in particular who has become a friend, and that is Geoff Michels, who spent an inordinate amount of time trying to improve my capacity to get my message across succinctly. Whilst his efforts to improve my media skills may not have been successful, it has at least meant a new friendship and one that I truly value.

There are so many colleagues and former colleagues in this place whose input, guidance and advice I have valued that I did not intend to name any of them—but I will. There are some who deserve special mention. In particular, in this place there were three excellent men who served as my deputy when I was leader: the member for Goyder, the member for MacKillop, and our current leader, the member for Dunstan. The leader knows that he has my absolute loyalty and support, and I dearly hope to see him as the Premier of this state in a few months.

I would like to focus, in particular, on the two who are also leaving at the March election. Both served me with absolute loyalty, and for that I thank them. The media, I think, often misunderstands the role of a deputy in politics. While you are facing outwards towards the public and the media the deputy's role is to stand, figuratively, back to back with you to ensure that the rest of the team is happy, focused, working hard and loyal. I know that while I was leader, each in their turn had my back rather than being the sort of deputy who was simply looking for the best opportunity to put the knife in it.

One of my clearest regrets, and complete failure of good judgement on my part, was that I asked the member for Goyder to step down as my deputy after the 2010 election. He mentioned in his contribution yesterday what a hard blow that was to him although, being the good and faithful deputy that he was, he accepted it with good grace and continued thereafter to work hard for the cause. The reason for my request was that the member for Goyder had, in interview right at the end of a long and successful campaign, phrased a response to a question in a way that allowed the government a last chance to turn their fortunes around. It was never done with malice or with any

intention to do anything but assist the cause. Nevertheless, it was seen as one of two things in the last week that saw us fall short of achieving government.

With the benefit of hindsight, I am not convinced of that, but everyone advised me that I had to ditch the member for Goyder as my deputy. My instincts said otherwise, but all the advice from every direction was that he had to go, and I have regretted ever since that instead of following my instinct to keep him as deputy I listened to advice from supposedly wiser political heads—and 'sorry', some time later, no matter how genuine, cannot really make up for the damage done.

As for my other colleagues, suffice to say that they have no doubt despaired many times at my inadequacies and my pig-headedness. To those who are also leaving, I wish you every happiness in whatever the future holds. Likewise, to those who are going on I wish you electoral as well as personal good fortune; most of all, I hope that when you do get into government you use the opportunity wisely and well to give this state the benefits it so richly deserves.

There are some people who served on my SEC who very much deserve to be mentioned, in particular Barb Evans and Lois Allen, who have been there supporting and advising me since before I was even preselected. Again, there are too many to mention them all, but Brian Reid, Chris Zanker and Mike Newberry, as presidents, were all exceptional contributors. Jeff Mincham, whose real talent, of course, is as a ceramic artist of considerable renown, can turn his hand to a political campaign just as eloquently. Happily he is now engaged in assisting Josh Teague, who is also in the audience today, as he seeks to become the new member for Heysen. To them and to all those who have provided support to me over the years I can only say 'thank you'.

The biggest thanks of all, of course, must be given the people of Heysen. They put their trust and their faith in me not once but on four occasions. No doubt, I did not please all the people all the time, but I hope they know that I did my best to represent them. It has been the greatest privilege of my life by far to have been allowed to say that I am the member for Heysen.

Although I think I have worked pretty hard in this role of representing the people of that wonderful part of the state, as all members know—because all of us do work pretty hard, and very few members of the public appreciate that—it would be remiss of me to suggest that it was all very serious. In particular, in those early days when we sat Monday to Thursday, two weeks on and one week off, often until very late in the evening or very early morning, there was, I think, a certain, camaraderie, a sense that we were all in this together even though we might be on opposite sides.

As the Speaker mentioned yesterday, we spent many hours in this chamber, often the only two engaged in lengthy debates over legal technicalities as attorney-general and shadow attorney-general. I think he probably did not know that people like the Deputy Speaker, the member for Florey, and the member for Ashford were encouraged to engage him in discussion with them while I was speaking because I had made it clear to them that every time he interjected upon me I would speak for 10 minutes longer.

A couple of other particularly funny events occurred. There was one evening fairly early on when Speaker Lewis, in his long wig, fell asleep in the Speaker's chair. Graham Gunn was on his feet, providing a remark on something, and he said, 'I'm pleased to see, Mr Speaker, that you are paying such close attention to my remarks on this matter.' The member for Schubert, Ivan Venning, then promptly went and laid himself down in front of the timber table there and began to snore quite loudly.

One of my other favourite events concerns the member for Colton. The member for Colton, fairly early on in this place, followed a speech by the member for Bright. The member for Colton was apparently the only person in the room who did not realise that the former member for Bright actually wore a hairpiece. The member for Colton, with his fine head of hair, began his speech by saying something like, 'It's always a pleasure to follow the member for Bright because we seem to have followed each other through life. We both went to the same kindergarten and school. We went to Henley High School together. We even began university together and became involved in politics at university, albeit on opposite sides. Indeed, here we are now in this place. It seems the only way in which I can't emulate the member for Bright is in his ability to grow a head of hair.' The place erupted, with everyone but the member for Colton understanding what it was that was so funny. He soon found out, I am sure.

On another very funny occasion—and it is a story that is not well known—Iain Evans, the former member for Davenport, was the leader, and he had placed one of his business cards on my car. I had parked it in front of parliament. I did not find it until the next day, but on the business card he had written, 'I love you.' I was a bit concerned when I found this the next day because I thought, 'We're good mates, Iain, but that's a really odd thing to say.' So, as soon as I got down to parliament that day, I came round to the leader's office, and he rushed out as soon as he caught sight of me, hoping that I was the person.

What had happened was that he and I had almost identical cars. It was in the days when we were trying to save Mitsubishi, so we had all gone into Mitsubishi 380s. I had the same coloured car with almost the same numberplate—it was probably consecutive or something. He thought his wife had parked their car in front and so he had left her a note. Then he went home that night and he said to his wife, Fiona, 'Did you get my note?' 'What note?' she said. 'The note I left on the car.' 'I didn't get any note.' He said, 'When you were parked in front of parliament.' She said, 'I haven't left my car parked in front of parliament.' He began to panic all night, thinking which member he had given this note to.

There are some very funny things that happen, and it is good to remember that it is not all knives and daggers in here, but there are some other matters I wish to touch upon. The first is my time as leader of Her Majesty's Loyal Opposition. It was not a role I ever contemplated seeking. It came about quite by accident. In early July 2009, there was a contest for the leadership between the member for Bragg and the then leader, the member for Waite, who won the contest by one vote. I took the view that the deputy leader, having contested the leadership, could not then continue as deputy, so I sought that position and I was so elected.

It was only when I was in the courtyard doing media later that day as the newly elected deputy that the re-elected leader suddenly announced that a win by one vote was not good enough. He was recommitting the leadership to a further ballot in three days' time. I note in passing that Tony Abbott only won his leadership by one vote but went on to become the prime minister. In any event, I then phoned the member for Waite over the weekend to advise him that he had forced my hand. Whilst I had never intended to seek the leadership, I knew that if we had the same ballot with the same contestants we were going to get the same result, and then we would have no real chance of contesting the 2010 election.

So, having become the Steven Bradbury of South Australian Liberal politics, there are few things I should like to say about my time as leader. Firstly, having been leader or just over 3½ years, I felt so damaged by the experience that it was all of 3½ years afterwards before I could even talk about the experience without becoming deeply distressed. Because I came into the job never having to aspired to it, giving it up was a relief not a disappointment. I took it on because my colleagues—or a majority of them at least—felt that I offered the best hope of success. I gave it up on the morning I came to the certain realisation that we could not win the election with me as leader.

It was the most difficult, debilitating, isolating and physically and emotionally exhausting experience of my life. The first time I was asked about whether I would do it again, about a year after I had stood down, I was unable to answer because even a year later the awful negative aspects, which left me feeling emotionally battered, still overwhelmed any contemplation of the positives. Now, almost five years on, I have regained enough of my resilience and centre balance, enough of myself, to say, yes, I probably would.

The bad times, which took me to some pretty dark places, cannot overwhelm the amazing experiences I had, most of which involved the people of this state opening their hearts and their minds and, often, even their homes to me. I was given the rare privilege of seeing what really goes on across this wonderful state. Of course, the position is also one of incredible privilege, not just of one of having a driver and, of necessity, a cleaner and a gardener at home, but also of invitations to the best events, showcasing the talents we have, be that opera or football, theatre or tourism, engaging with business leaders and listening to those who serve our community across all sectors in all sorts of capacities.

The resilience, which my parents, family and upbringing had gifted me, was sorely tested to breaking point through many times during my time as leader. I owe particular thanks to Joe Levy,

who has been my doctor since before I was first elected to this place, for the support, assistance, advice and understanding, not to mention time, he extended to me way above and beyond the call of duty. No amount of saying thank you will ever suffice.

Now at this distance I can at last say: what a ride. It was a truly extraordinary experience, from the exhilaration of that first few months, going from unknown entity, even within the Liberal Party, to almost achieving the impossible dream of winning the 2010 election. I am still most famous around the state and the nation, of course, because of being tasered. I just want to tell you the story, Madam Deputy Speaker, in case you are not familiar with it.

I had reannounced our very ordinary policy that we thought our police should be allowed to have tasers on their accoutrements belt. I reannounced it at the Police Association conference and did media about it afterwards. And then gentle David Bevan rang me the next morning to say would I come on with Matt and Dave. Matt, meanwhile, was plotting—because they did play gotcha politics—and his plot involved asking me as the opening question, 'So, Isobel Redmond, are you prepared to be tasered?' Well, of course, Matt was assuming that I would try to avoid the question by saying something like, 'I will if you will, Matt,' or, 'That's not what it's about, Matt.' But I am too dumb to do those sorts of things, so I simply responded, 'If that's what it takes.'

I continued on my journey, which that morning happened to be going to the Zoo, where I was feeding the tigers, an appropriate thing for a leader of the opposition to do. But I then came out, and there was Daniela Ritorto with a cameraman saying, 'About your volunteering to be tasered.' Everyone who undertakes this political life knows that you have to learn to keep a straight face, and so I did not bat an eyelid and I did an interview with Daniela. By the time I got back to parliament, the entire press corps was on the front steps of Parliament House asking me about when I was going to be tasered.

**The Hon. M.J. Atkinson:** You killed us. You killed our law and order policy.

**Ms REDMOND:** I know; I will come to that. I was being asked all sorts of questions about this tasing. Notably, Michael Owen, one of the Speaker's favourite journalists, said to me, 'If you die, who will be leader?' To which I responded something like, 'Well, I'm not planning to die, and if I did why would I care?' Meantime, the police commissioner, out of the corner of my eye I saw coming up to my office, up the front steps of Parliament House. If I had wanted to see the police commissioner, it would have taken two months of organising a meeting in the presence of someone. He came to try to talk me out of being tasered. Well, it was on.

As to the tasing, all the women will understand when I say five seconds of pain that ends after five seconds. I have had three babies—with no pain relief, full-term deliveries. Five seconds of pain? It was never a concern to me, but, funnily enough, both my very loyal deputy, Steven Griffiths, and my leader in the upper house, David Ridgway, told me later that they thought about offering to stand in for me, but they were too cowardly. On the day, however, they did come along, and they stood either side. Mind you, their questions were: 'Hey, this is electricity. Is it going to go through her to us, or can it misfire and hit us instead?'

I had been told I had to wear old clothes, which is a bit of a worry when you are told to wear old clothes. The only people in the room were my deputy, Steven Griffiths, and my leader in the upper house, David Ridgway—these two big burly fellas prepared to hold me, very generously—my doctor, who had volunteered to come along in case anything went wrong; my media adviser, Andrew Coombe; and the guy with the taser.

I was about from here to the member for Stuart away from the guy with the taser or maybe a little bit closer. I had my back to him and was being held by the two lads. He said, 'Are you ready?' When someone asks you that question, you think that they are going to wait until you say yes, but that would leave you the time to tense up, so they do not wait. 'Are you ready?' Bang and out come these two wires with two very significant steel bolts on the end with harpoon-like barbs that hit you and go straight through your clothing at 170-plus km/h. From the moment they hit you and catch onto your skin and 50,000 volts start charging through you. People most commonly ask, 'Did it hurt?' Well, yes.

**Mr Griffiths:** Do you remember what you said?

**Ms REDMOND:** And one and two and three—at about this time, I am thinking this was not a good idea, Isobel—and four and five, and it stopped. I said—and the member for Goyder just reminded me—'Shit, that hurt.' But I was one of only two people who had not uttered a sound during the tasing process itself. As the Speaker pointed out, Kevin Foley actually commented afterwards: 'We spent five years being tough on law and she dismantled it in five seconds.'

**The Hon. M.J. Atkinson:** That is absolutely true and a poll showed it.

**Ms REDMOND:** Yes, and it gave me an incredible amount of street cred with the younger generation, as well as being famous. I might actually tell you about the fact that I had a wonderful interview, which is still remembered in Melbourne by some people. Red Symons did an interview on the radio. He must have been with 3AW or something. We were on the radio live to air and he said, 'Isobel Redmond, my name is Redmond. That's where the Red comes from.' I said, 'You could come over here and marry me and become Redmond Redmond.' He said, 'I could come over and do the tasing and we could have a headline "Redmond Shoots Redmond".' We had a mad conversation, which apparently is still remembered by some people in Victoria.

Apart from the tasing though, what else can I say about being leader? Possibly the craziest day of all was the day the writs were issued in February 2010. The announcement by the then premier Rann was early in the morning, so my day began doing media down by the Torrens because we had a policy that, if he did something inside, we went outside. From there, I was driven to the Central Market, where I had to speak at the Chinese New Year celebrations. As soon as the fireworks were over, it was down to the wonderful Aldinga airport, where I was met by a 73-year-old pilot who had agreed to fly me over to Kangaroo Island in a single-engine plane for the KI Cup so that I could keep a longstanding promise to the member for Finniss to attend that particular event.

It was a single-engine plane, with just the pilot and me on board. Because we were not going to make it in time for the actual race, he flew over the race and dipped the plane to the side so that I could watch it from the air. The member for Finniss then met me at the airport and took me to the races, where I chatted with racegoers and presented the cup. We then went back to the plane which, by this time, was in the backyard of the pilot's house because he had had to refuel.

We took off from his backyard and flew back across Victor, Middleton, Goolwa and up to Wellington, dropped down to check the windsock for speed and direction, and then proceeded to the beautiful property on the shores of the lake, where we landed on a driveway that had been blocked on each end so that no cars would be on it at the time. One of the cars blocking the drive was the one Warren drove me around in. He met me from the plane, delivered me to the shearers' quarters, where I managed to shower and change before attending as guest speaker at a function being held against the backdrop of the lake which was at that time still severely drought affected. Once that was over, there was just the drive home from Wellington and my day had finished.

Although that particular day was memorable, the hours involved and the variety of activities were by no means unusual. Luckily, I had over many years been used to operating on relatively little sleep. The whole time I was leader, I rarely managed even six hours a night. These days, I get a good night's sleep virtually every night and realise how much better I feel both physically and emotionally.

Apart from being busy, as all leaders of the opposition are, did I achieve anything? In the member for Waite's view, the answer is clearly no. I know this because shortly after the 2010 election, he came to my office and explained to me that clearly any electoral success we had enjoyed was because of his policies and had nothing to do with me at all. Now that the election was out of the way, it was time for me to step out of the way and allow him to resume his rightful place as leader. I knew, of course, from the moment I declined that generous offer that there were now at least two separate agendas operating within the party room—actually, there were more. Happily, he is now the other side's problem and I have never known our party room to be more united.

I think the one thing I can claim as an achievement in opposition is the fact that we now have an ICAC in this state. I fought for years to get an ICAC, and I think it is probably my most significant achievement, given that I have spent 16 years, except for the first two hours, in opposition. I spent years arguing the case before bringing in the first private members' bill to establish an ICAC as shadow attorney-general in 2008. The policy was one of the four key issues which I took to the

2010 election as leader, and it was clearly a popular policy, as well as a clear point of difference with the government in that election. In fact, our current Premier even went so far as to acknowledge my contribution when, with the change of leader, they introduced the government's bill in 2012.

While I am glad that we now have an ICAC, it does not solve all of the problems. There are still opportunities for what I consider to be corrupt conduct. Imagine, for instance, if a member of parliament sexually assaulted a young trainee at her home and she made a complaint. If that complaint was made to go away by, for instance, promoting that trainee to an incredibly high position somewhere else in government, an ICAC investigation might find it impossible to prove the corruption or the conspiracy if the young woman, now in receipt of a wonderful salary, was unwilling to make a statement. So, hypothetically, I can see that we still have work to do in ensuring that the ICAC is equipped with the necessary legislative and legal framework to enable real consequences to flow for all involved if any such scenario were to occur.

The other significant thing during my leadership was the Roxby Downs indenture agreement, and the hoped for and planned for expansion of BHP's activities there. The joint party room had engaged intently with BHP for more than two years prior to considering the indenture, and then-treasurer Foley trusted me enough to allow myself and four other senior members of my shadow cabinet unfettered, unsupervised access to the document and to any number of specialist advisers—mining people, environmentalists, lawyers, whatever. Although in the event (and it seems like ancient history now) we did not get the outcome we had hoped for as a state, I am proud of the way we dealt with it. It was an outcome quite different from what would have resulted had we reverted to the leadership of the member for Waite. I wrote down, as he said them, his comments to the joint party room when we were considering the application to extend the indenture:

BHP knew they would screw this parliament on the indenture...BHP is giving absolutely nothing...this company in particular is no longer the Great Australian; it is the great multinational...they have played us like a guitar.

There is more, but I am sure you get the drift. Having engaged for more than two years with Dean Dalla Valle, head of uranium projects here, and having eyeballed and challenged then CEO Marius Kloppers across the boardroom table, I am satisfied that the approach we adopted was the right one. It is a shame it did not eventuate (yet), but it may well prove to be a boon for this state in some future time. I can only hope that any future parliament studies and works at it as assiduously as the Liberal team did at that time. I was proud of the way we worked on that.

I guess I cannot avoid commenting on the fact that, in becoming leader, I became the first woman to lead one of the major political parties in this state. It seems odd that having been one of the first places in the world to give women the right to vote, and being the very first place in the world to give women the right to stand for parliament, South Australia remains the only state or territory not to have yet had a female premier or chief minister. I am proud of the fact that I follow in the footsteps of the first two women elected: Joyce Steele in this house, and Jessie Cooper in the other place—both in 1959 and both Liberal women. But it is such an inevitable thing that I do not think it warrants more than a passing mention.

When I think about gender issues, I cannot help but note the comment about Ginger Rogers, the long-time on-screen partner of Fred Astaire. He received, it seemed, all the accolades as a wonderful dancer, but after all, Ginger Rogers did everything Fred Astaire did; she just did it 'backwards and in high heels'. As for my treatment by the media, I do not think I could legitimately claim to have been treated any worse because of my gender. There were odd occasions, but for the most part, I felt that I was treated pretty much as I would have been regardless of gender. That is not to say that I consider their treatment generally fair or reasonable on all occasions.

For instance, I do not think it is reasonable to stake out someone's private home, as mine was on a number of occasions—sometimes for days. Nor is it fair to attend, uninvited at 7.30 on a Saturday morning and set up your cameras at the front door, specifically hoping to catch me unawares and unready. I do not think it is fair to create a photoshopped image of me on a Port Douglas beach for the front page of *The Advertiser* when I dared to take a week off—the only full week of holidays I had in 3½ years as leader. I do not intend to continue the list of times when I consider the media overstepped the mark, as we would be here all night.

I do think the media could do with some genuine introspection regarding its role, particularly in the political arena. Too often it seems they treat everything in which the public might be interested as being in the public interest. In reality, they are quite different concepts. So, in departing this place—partly because I have less than zero interest in modern technology: I am not on Facebook, Twitter or Instagram and would rather read a history book than bother with any of those wonders of the modern age—I want to close with a few musings about where we are headed in politics, in large part thanks to the cataclysmic shift caused by the impact of technology.

Firstly, it is notable that a large and increasing proportion of those under 35 years of age do not watch TV news, do not read newspapers and do not listen to talkback radio. The consequence of this, for them, is that they are largely having their existing views reinforced rather than challenged and the scope of their contemplation is narrowing at the very point when their sympathies probably need to enlarge.

The consequence for those who work in the media at large is that they will inevitably struggle for an audience and without an audience there is not much future employment. It is my belief that there is an important role for the media to perform. Their only hope of survival, it seems to me, lies in unearthing the facts—a sometimes difficult and time-consuming task—and understanding the background well enough to explain complex issues in an understandable way, providing thorough context and thoughtful analysis.

The news does not consist of filling up the spot on any issue by seeking comment from some random neighbour or passer-by or by asking inane questions at press conferences so that you have your own bit to camera. It so lowers the quality of political discourse that as soon as something like that is on the nightly news I change channels, so I often do not even make it through the first item, and I am an interested observer.

The next notable impact of technology is the exponential increase in the number of media advisers. It is commonly stated that the largest media employer in this state is the government. How did we get to this position, where a government employs more media people than the media? What a waste of taxpayers' money. Personally, my view was always that rather than trying to control what leads the news or what is on the front page of *The Tiser*, the best sign of a good government would be that you were keeping things operating so well there was nothing to report on.

In an ideal world, our hospitals, schools, public transport and so on would all be running so well that no-one had any complaints and there were thus no stories concerning government. All the money would be spent on improving the services provided. Instead, we have a government that can literally supply the finished article as an exclusive to its chosen media mouthpiece of the day on any topic.

Added to all of this, of course, is the impact of data mining. I have read articles about Trump's election which have posited that many of his more outrageous statements, reported here with consternation, were in fact targeted to specific groups identified through gathering information mined from Facebook, supermarkets, credit card transactions and online browsing. You name it, every interaction with technology is not only recorded but analysed and can be used to predict your preferences about all sorts of issues and, a bit like push-polling, can then be used to sway your voting intention.

This has led to a vast increase in the desire to acquire and analyse this information, seemingly unrelated to politics, but which is used to influence voter intention. Coupled with focus groups, which are used to lead rather than reflect political thinking, a pervasive, cynical attitude is developing that the way to win an election is to identify various popular, dare I say populist, issues and then go through a sort of tick-the-box exercise. So, if you put this candidate, ticking those boxes in those electorates, you will have electoral success.

I know I need to leave politics now that that is the modus operandi. I still believe we would be better served by politicians who really believe in something and are prepared to go out and argue the merits of their position, even when the focus groups are telling their media advisers, 'No.' In a final word about media advisers, they are the source, I am sure, of all those slogans, catchy phrases and one-line putdowns of the other side, which politicians of all persuasions use as the response to any question. I hate to break it to you, but it is not working.

Indeed, it is another one of those things that has me instantly switching channels on radio and TV. I repeat that I am a relatively interested observer, so if I am turning off I will guarantee that large numbers of others are not even starting by turning on. It seems glaringly obvious to me that the average voter perceives this, at best, disingenuous and, at worst, manipulative, and they are too smart to tolerate either. In fact, I think they, the voters, will forgive quite a bit when it comes to human foibles and even mistakes as long as they can see you are sincere and not hiding behind focus group workshopped slogans instead of, heaven forbid, actually expressing an honest opinion.

My last word, then, is a plea to those going on in this place. The only hope for real survival is to care about the things that matter, to think deeply about those things, to value honesty, integrity and the fundamental building blocks of our democracy, such as freedom of speech and separation of powers, and to be prepared to stand steadfastly for what you believe to be right no matter what the advisers might say about the political consequences. With that, I wish Joshua Teague every godspeed in becoming my replacement in this place, and I thank you for your indulgence, Madam Deputy Speaker.

*Sitting extended beyond 17:00 on motion of Hon. S.E. Close.*

**Mr SNELLING (Playford) (16:35):** When I first rose in this place, 20 years ago, I was a recently married 25 year old. Our first child, Molly, was yet to be born, and I was only a few years out of uni. In the first caucus meeting after the election, the then member for Giles, Lyn Breuer, could not understand who had let in a staffer. Labor had made a spectacular comeback under leader, Mike Rann, just one term after Labor had been reduced to 10 seats in the wake of the State Bank collapse. I expected that Labor would be in and out of office at least a couple of times over my career. Little was I to know that my first term in parliament would be my only time in opposition.

Labor goes into the 2018 election with a better than even chance of remaining on the treasury bench—remarkable for a political party completing its fourth consecutive term. Much of the credit for this longevity must go to those Labor MPs in marginal seats, members like the members for Newland, Mawson, Light and Colton, who have established new benchmarks when it comes to marginal seat campaigning.

Another reason for our success is that we have been capable of regeneration, with the Premier being the only minister from our first cabinet 16 years ago. On the whole, long-serving ministers have made way for new blood without the acrimony that we see in the modern Liberal Party. I think the most momentous thing I have been involved in is my conversation with then premier Mike Rann, telling him that the right had decided to support Jay Weatherill for the premiership.

By 2011, it was clear that the government was in trouble, and it was well known that Mike wanted to retire probably around the 10-year anniversary of his premiership. Who was to take over from him needed to be resolved and quickly. I came to the conclusion that the member for Cheltenham was our best bet. Of the possible contenders, he had been in cabinet the longest, and had been the heir apparent for a while. There was no doubt that he commanded the support of a majority of the wider party, and any attempt by the right faction to use its numbers in caucus to impose someone else would be badly received. We would be on the back foot from the start. The slightest stumble would be compared unfavourably to the would-be premier who had been passed over.

All this had to be communicated to Mike, and the job of doing so was given to me. The great shame is that it became known that the meeting was happening even before it had happened, and, instead of Mike being able to retire gracefully, he was publicly backed into a corner and humiliated. Mike has never forgiven me, and this is one of my greatest regrets. If I had spoken to Mike on my own and the meeting had not leaked, the transition could have been better managed and I do not think he would harbour such bitterness. But I am comforted by the knowledge that we made the right decision, winning in 2014, and I believe our last term has been at least as good as our first.

Political courage has been a hallmark in our time in office. We have displayed a willingness to set the agenda, take on unpopular causes, rather than being blown around by popular sentiment. It has been my privilege to have been involved in some of these reforms. Doing nothing is always the easiest option in government. Opposing change is always easier than advocating for it. Reform that threatens entrenched interest is especially difficult. Then there are those who are just desperate



for five minutes of fame that being a voice of opposition will provide. To argue for something new and unknown is always more difficult than to argue for the comfortable certainties of the status quo.

The 2014 federal budget made pretty clear that the federal government was not going to share the cost of public hospital funding to the extent that had been promised not only by the previous Labor government but explicitly by Tony Abbott in the days before the federal election. Consequently, some pretty difficult decisions were going to need to be made. We asked in the consultancy firm McKinsey that had successfully advised on other health reform projects around the world, and we convened meetings of clinicians—not just doctors but nurses and allied health professionals, too.

What they concluded was not earth shatteringly new; much of it had been previously identified in the Menadue Generational Health Review at the beginning of our term. High-acuity services were spread too thinly and often did not have the critical mass to be safe and efficient. The north of Adelaide, where the population had outgrown the Lyell McEwin Hospital, was missing out on important services and people were having to travel or wait too long for treatment. As a state, we were underinvesting in subacute services like rehabilitation and palliative care, compromising care and making hospital stays longer than necessary.

All these factors combined to create a situation in South Australia where we were spending more than anywhere else in Australia, but with patient outcomes that were not commensurate. Of all the debates in here and media interviews I have had, no-one has ever questioned these basic facts. No-one has ever asserted to me that high-acuity care should not be provided at fewer sites where the number of patients and the size of the service can be optimised. No-one has argued that we are not underinvesting in subacute care.

Opponents were generally either suffering relevance deprivation syndrome or clinicians who felt that poorer patient outcomes were a fair price to pay to protect their little empire. Both groups shamelessly used scare tactics to undermine the reforms. It is a shame that the Liberal Party put political expediency ahead of the good of the state when it came to Transforming Health. The challenges our health system faces will not magically disappear should they one day form government. If they had recognised this, they could have made a positive contribution, like the federal Liberal Party did in the 1980s, and likewise reap the benefits in government.

Another disappointment has been the unwillingness to engage, and sometimes outright hostility, from the doctors' union, SASMOA, and more recently the AMA. When we trialled the use of nurse endoscopists in South Australia, the AMA and SASMOA were up in arms, demanding it cease. National Bowel Cancer Screening had created—which was a good thing—a massive waiting list of people requiring colonoscopies to diagnose bowel cancer. People had been waiting longer than the clinically recommended time for a colonoscopy.

Having a specially trained nurse do the procedure under the supervision of a specialist is a cost-effective way of addressing this. It has been shown to be safe interstate and overseas. The reaction of the Australian Medical Association and SASMOA was unbecoming, with SASMOA threatening industrial action. Fortunately, they withdrew the threat. In time, I hope a new generation of medical leaders in those organisations will emerge who will see the need for reform and be constructive partners with government in building a health system that is less about doctors and more about patients.

A good model they could look to is the Nursing and Midwifery Federation. While robustly defending the interests of their members, they worked to reform our health system. When I met with the ANMF I always knew that I could appeal to their belief that the interests of the patient were paramount, and on that basis we could reach common ground. I would like to thank and commend Elizabeth Dabars and her team for their constructive approach.

I think my legacy will always be the new Royal Adelaide Hospital, which is a little odd because it was actually John Hill who decided and then advocated that rebuilding on the old RAH site was going to be costly, disruptive over many years and not give the benefits that a new build would give. It is the largest and most complex infrastructure project the state has undertaken and, like any project of its size and complexity, came with its bumps along the way.

The move from the old Royal Adelaide Hospital to the new was a triumph in logistics, with not only staff in Central Adelaide playing a part but the state's entire health system contributing to keeping patients safe. I could not help but shed a proud tear when the last patient, Ronald Thomas, was wheeled into a waiting ambulance. Hearing the cheers of the nurses, who formed a guard of honour for him, is something I will never forget. The photo in *The Advertiser* of me with the nurses of the vascular ward at the RAH celebrating is something I will always cherish.

She will be embarrassed by me repeating it, but this state owes a debt of gratitude to Jenny Richter, who came out of retirement to run the project at its most critical moment. My thanks to the Premier for entrusting this historic project to me although, as I remarked at the official opening, there were times I wished he had trusted me a little less and just given me the arts portfolio.

My true love was always the arts. I will always remember the feeling of terror speaking at the opening of the 2015 Cabaret Festival with a parody of Cole Porter's *Anything Goes* and Barry Humphries in the audience. I am very proud of Adelaide rightfully being recognised as a world City of Music by UNESCO and securing funding for the Adelaide Festival Centre and Her Majesty's Theatre. Most of all, I have loved attending the performances of the incredible artistic talent this state is blessed with. Having my own chance to perform, as a clown in the Christmas pageant, was fun too.

Compulsory third-party insurance reform and the creation of the Lifetime Support Authority is one of the most important things this government has done. It was a sweeping reform, reducing the cost of registering a car, creating a less adversarial system and providing appropriate support for those catastrophically injured in motor vehicle accidents. Remarkably, it passed both houses with near unanimous support, and I thank the Liberal Party for their foresight.

This tremendous privilege over the last 20 years would not have been possible but for the work and encouragement of those supporting me. More than any other endeavour, in politics you are the beneficiary of the work of others, those volunteers who letterbox and hand out how-to-vote cards. I think of Jana Isemonger, living in a Housing Trust flat in Para Hills West, who would wake in the small hours of election day, spend the whole day on the Para Hills West polling booth and stay late into the evening to scrutineer.

Family members, like my aunts and uncles, Margaret and Peter Roberts and Melvin and Shirley Snelling, and mum and dad, would not only hand out for me but also for the Labor candidate in Heysen, handing out at the St Catherine's in Stirling polling booth. My brothers and sisters, and brothers and sisters-in-law, have all at some stage been dragooned into letterboxing or handing out how-to-vote cards. My family, especially mum and dad, made me the man I am. The sacrifices they made as I grew up I am only now beginning to appreciate. Other than Lucia, they are to whom I always go for advice on anything important.

I would like to thank the people of my electorate. When I first became the member for Playford, most of the electorate had lived in their homes since the late 1960s and early 1970s, when those suburbs were first settled. They were fundamentally decent, hardworking people. Many of them were sceptical of this young blow-in asking for their vote in what was Labor's most marginal seat after the 1993 State Bank election. Over the years, I won their trust, and young families like my own moved in. Sporting clubs and schools have experienced a resurgence.

I thank my electorate office staff, who have often had to work with little support or supervision from me over the years. To Clare McAssey, Chad Buchanan, Corey Harriss, Mary Kasperski and Sav Ly: my thanks. To my two drivers—I have been extremely privileged to have a driven car for the last 12 years—I would like to thank Barry 'Little Bazz' Eastgate and David 'Robbo' Robinson for looking after me and getting me around over the last number of years.

I would like to thank and pay tribute to the Speaker. I have tried to emulate him in many ways—perhaps not in every way. We met when I was still a schoolboy, and then again at the back of a bus heading to Stirling, where he was going to address a Mount Lofty sub-branch meeting. His joy in spending time with his constituents and his understanding of the concerns of ordinary South Australians cannot be matched. I took his advice between 2002 and 2006 and took to visiting every new constituent who came onto the electoral roll. I devised a more efficient way of doing it than by bicycle, but perhaps I might be a bit trimmer if I had laboriously undertaken the member for Croydon's

technique. I also never had the same faith that he does that handwriting envelopes is really worth the effort.

I would like to thank Senator Farrell for his part in my career, for which I have had his unwavering support. Don gave me my first start at the SDA. I remember it was at the wedding of the Hon. Tung Ngo that Don suggested it might be a good idea to think about purchasing a home in Ingle Farm. If anyone has been to a Vietnamese wedding they would be aware that it is customary to place a bottle of cognac on every table. The combination of Don's news and the best part of that bottle of cognac had an unwelcome effect, and it took a long time for Lucia to forgive me.

I could not end my career here without mentioning my best mate, the Hon. Tung Ngo, who has been one of my greatest supporters. He took me out doorknocking, he introduced me to the Vietnamese community, and he worked like a trooper. He came to Australia as a boat person. His boat had been attacked by pirates and he and his family had been left for dead. I am so proud to see Tung take his place in the Legislative Council.

Health is the most difficult portfolio at the best of times, and when you add to that Transforming Health, the rollout of EPAS, and the building of the new RAH, it became damn well near impossible, but I managed because of some key people. First, my ministerial office led by my chiefs of staff Peter Louca and later Matt Hillard. I enjoyed working with my ministerial office immensely. There were times when it seemed a bit like the Welsh village, Llanddewi Brefi, from *Little Britain*, with an increasing number of staff asserting themselves to be 'the only gay in the minister's office'. The Hon. Kyam Maher dubbed me 'the leader of the rainbow right'. This has always perplexed me, but I was reassured when a heterosexual relationship bloomed and my PA Nakry Sim married my adviser Andrew Whinnen last year.

Despite everything going on around us we had fun. I never had a moment when I had to drag myself out of bed. I knew that whatever horrors might have awaited me that day I would be sharing them with a group of people I loved. It is true there were some moments that would have caused *The Thick of It's* Malcolm Tucker to blush, but the gallows humour and mutual support kept us all sane. I was also blessed with the best media advisers in the business: Matt, who went on to become my chief of staff, and Rhett Burnie. Much of the time they were the busiest media advisors in the government, and their calm reassurance stopped me from wanting to throttle the odd journalist.

Vickie Kaminski is the smartest executive I have met and worked with, and South Australia is privileged to have her here; however, I found myself at our weekly CE meeting having to act as translator of Australian idiom. Phrases like 'argy-bargy', 'happy-clappy', 'give me a dinky' and 'shag on a rock' were not expressions she had encountered in her native Canada. Early on, she asked me who or what was Dorothy Dick. I am told she was recently presented with a bottle of Bush Rub. I will not do my Canadian accent but, 'How, and more importantly where, does one apply bush rub?' she asked, 'And does one apply it oneself or ask someone?' David Swan's departure could have created a serious gap at a critical time, and I am grateful that Vickie agreed to take on the job of chief executive.

Professor Dorothy Keefe is a truly formidable woman. As many would know, Lucia suffered a molar pregnancy in our marriage and Dorothy was her oncologist. It was not long ago that this rare cancer was a death sentence, so I am particularly indebted to Dorothy for my wife and the four beautiful children we were blessed with after Lucia's illness. Dorothy's staunch clinical leadership as clinical ambassador for Transforming Health has been unstinting. She brought the clinicians together, arrived at a consensus, and was then the public face of the reforms, always willing to go out and publicly advocate.

Channel 7 did a number of public forums on Transforming Health and, despite Jane Doyle's superb and fair-minded chairmanship, I have to say that the audiences were not always that receptive to what we were advocating. I only had the emotional stamina to go to two of those forums but Dorothy did every single one. When I wanted to rock backwards and forwards in the foetal position Dorothy was always ready to go out and put our case.

In concluding, I want to pay special homage to my wife of 20 years, Lucia. Lucia and I met in Young Labor. If she had chosen to do so, she could have pursued a parliamentary career. She chose to forgo that and dedicate her life to supporting me and raising our six children. I owe her a

debt of gratitude I will never be able to repay. I hope I might make some inroads after March. To my beautiful and talented children, you are my pride and joy: Molly, Helena, Frank, Joe, Peter and Tom—I almost forgot. Don't ask me their birthdates. After 20 years, I still have a lot to learn about being a dad, such as remembering their names, but I hope to get a lot of practice.

Sitting in the office and waiting for constituents to come to you can warp your view of your constituents. How many of us have been tempted to write as Congressman John Steven McGroarty of California replied to a constituent in 1934:

One of the countless drawbacks of being in Congress is that I am compelled to receive impertinent letters from a jackass like you in which you say I promised to have the Sierra Madre mountains reforested and I have been in Congress two months and haven't done it. Will you take two running jumps and go to hell.

As an MP, it is so important to see beyond the activists and full-time agitators to the regular decent families educating their kids and paying their bills, who would not dream of contacting the MP. When you doorknock them, they are generally amazed to find an MP at the door.

The decline of traditional media is seeing a resurgence of direct contact with voters as a campaigning tool. This can only be for the betterment of democracy. If there was a key message I would like people to take from my speech this afternoon, it is the importance for a politician to discern the common good of the many above the noisy voices of the few. It is tempting in politics to run around seeking the applause of the talking heads on the media and ignoring the common good. The majority of people who benefit from the tough decisions you make will probably not notice that benefit, let alone know that you were responsible. Many of them will not even be born. Whereas the few who have been disadvantaged from your reform or from your decision will feel that disadvantage keenly and know precisely where to direct their anger.

I do not necessarily idolise John Kennedy, but I would like to quote from his book, *Profiles in Courage*:

These, then, are some of the pressures which confront a man of conscience. He cannot ignore the pressure groups, his constituents, his party, the comradeship of his colleagues, the needs of his family, his own pride in office, the necessity for compromise and the importance of remaining in office. He must judge for himself which path to choose, which step will most help or hinder the ideals to which he is committed. He realizes that once he begins to weigh each issue in terms of his chances for re-election, once he begins to compromise away his principles on one issue after another for fear that to do otherwise would halt his career and prevent future fights for principle, then he has lost the very freedom of conscience which justifies his continuance in office. But to decide at which point and on which issue he will risk his career is a difficult and soul-searching decision.

I have never made a secret of my faith, and I strongly disagree with those who assert that one's religious beliefs have no role to play in public life. God has guided me these last 20 years and never let me down. My decision to retire was because of a strong sense that that is what He was calling me to do and I know He will continue to look after me as I embark on this next chapter.

I conclude with a poem written by Australia's greatest poet, James McAuley, written for his friend Bob Santamaria when he was embroiled in public controversy. It has given me comfort in times of difficulty, and I commend it to members now and members to come. It is titled 'Retreat':

Come into yourself a while,  
Be deaf to outer cares;  
Ask not who wins, who falls, who rages,  
Or what each doubtful sign presages,  
Or what face treachery wears.

Soon you must return to tasks  
That sicken and appal:  
The calumnies will never cease,  
Look only to the sign of peace,  
The cross upon the wall.

This is that sole instrument  
That measures every chart;  
This square and level overrules  
The subtle calculus of fools  
By a celestial art.

It is not said we shall succeed,  
Save as His cross prevails:  
The good we choose and mean to do  
Prosper if he wills it to,  
And if not, then it fails.

Nor is failure our disgrace:  
By ways we cannot know  
He keeps the merit in his hand  
And suddenly, as no-one planned,  
Behold the kingdom grow!

Thank you.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (17:00):** I think we are reminded by the contribution of the member for Playford that many of the members of the house we are farewelling today have served their electorates true and well, and to a woman and man they deeply care about the citizens that they have been given the responsibility of representing.

We are farewelling 10 members of the assembly who are departing, and many of them are quite long serving. Together, they represent 185 years of parliamentary knowledge and experience lost to this institution. To the five Liberal members, who account for 77 of those 185 years, I say thank you and good luck. I want to mention them in alphabetical order.

Mr Mark Goldsworthy MP, has been the member for Kavel since 2002. What I want to say about Mark is that we share one thing in common: we both have a father who was a member of parliament. My experience of Mark through the entire period, since 2002, is that he is a man of unfailing politeness. The reason I say that is that if one consults *Hansard* one will probably see that tongue in cheek probably does not come across very well. So it is worth putting on the record, lest people think in 100 years to come that this was the rowdiest member of the House of Assembly, that one should know that it was tongue in cheek, all the criticisms and disruption of the house by the member for Kavel.

I also want to mention Mr Steven Griffiths MP, the member for Goyder. I think I can sum up Steven with the word 'gentleman'. I have an image of Steven. I cannot remember when it was, but it is locked in my mind. It was at a difficult time I think for him. He was being filmed walking away from the camera. There was a female MP next to him—it might have been the member for Heysen—and they both arrived at the door together and he courteously stood aside and offered his hand and motioned to her to walk through the narrow space. For me, it was a metaphor of how I experienced the member for Goyder in this place, a gentleman in every sense of the word—a very gentle man.

I also want to mention Mr Michael Pengilly MP, the member for Finniss. I once had the pleasure of being toured around his beloved Kangaroo Island by the member for Finniss, and I very much value that experience. He obviously has a deep and abiding love of that part of South Australia and was very proud to show it off to me.

I also want to mention the honourable member for Heysen, of course the leader of the opposition between 2009 and February 2013. From time to time, we have had to lock horns, having been opposite one another. I remember in this place we commenced our careers together on the

same day and I think commenced them in a way that has probably never happened before, sealing it with a kiss as we congratulated one another. I of course had the pleasure of working with Isobel when we were both in the same law firm, and I must say I have never met a more principled or honourable person in her role as a lawyer. Nothing that has occurred over the last 16 years in this place has altered my assessment of her.

I also want to mention the honourable member for MacKillop. It will surprise him to hear me say that, in his day, the member for MacKillop was the most persuasive and effective debater that I experienced on the other side of the chamber. Fortunately, he did not have many good days, but when he did, when he was on song, he was very powerful in a way that made me, on occasions, think twice about whether I was on the right side of the argument. It is a powerful capacity to publicly debate in that fashion, which is valuable and part of the dynamic in this chamber.

As for Labor parliamentarians, we have all but five having in excess of two decades of service, and I want to say a bit about each of them. The Speaker, the member for Croydon, the father of the house—those who have worked with him closely over the years would have understood that he is one of the most energetic and diligent MPs who has ever held office in this chamber. I am sad to report though that much of his energy and diligence in the early part of his career was in hunting left-wingers—me amongst them. Of course, he has moderated in recent years, and indeed I must say that the fact that I am actually standing here in this role I owe much to the fact that he has moderated his position in relation to that matter.

His knowledge of languages, world religions and local ethnic community organisations is encyclopaedic, but what is really powerful is the obvious joy in which he revelled in insinuating himself into those communities. He would be at ethnic functions, dressing up in their costumes, eating their food and drinking their ridiculous spirits, but sharing them and loving them in a way in which those communities could see his joy in experiencing their culture. That attracted them to him in a way that is incredibly powerful and they will always remember, I am sure, the member for Croydon.

I do not think there is a person in this chamber who has not had their grammar corrected by the honourable member. He knows every street and every footpath in Croydon, partly as a result of his habit of traversing his electorate on his bike. We have this extraordinary situation where he delivers a letter to the letterbox, often to find the words 'delivered by bicycle' written on the front of the letter. With remarkable enthusiasm, he has set an example of what it means to be a local member of parliament. I must say that he is a genuine eccentric, but there is something boyishly engaging about the way in which he has conducted his time here in this parliament.

I also want to say, with all due deference to the member for Playford, who is fortunately not here, that the member for Croydon is the best Speaker I have ever seen in any parliament that I have certainly had the capacity to witness. Interestingly, the only other person who may have been in the same league—and people will find this hard to believe—is Peter Slipper. One had to watch Peter Slipper in action to see how good a Speaker he was. I will not comment on the other elements of his rather colourful career. I do not know what it is about High Church Anglicans with a law degree, but it seems to make them eminently suited to the role of Speaker. In any event, it is an extraordinary career.

The member for Colton is, I think we could all agree, one of the kindest men in South Australian politics. One only needs to see the way in which he treats everybody, from the cleaner to the Governor, and the genuine way in which he wants to know about their lives when he asks after them, their wellbeing and their families. His obvious sense of care and compassion to all with whom he has contact is something that I always reflect upon and think that I wish I could make as much time and space in my life for those small kindnesses—small kindnesses that make such a difference to people's lives. Paul is always somebody who searches out people who, because of his extraordinary emotional intelligence, he can instinctively identify as having a rough day or in need of a kind word.

Like me, he is a product of Henley High School. Indeed, he was my coach at Henley High School. I sadly did not reach the levels he reached because he was indeed a state schoolboy footballer. I did love my football, but my love did not match my talent. He has never once lost touch with the local area; in fact, he used to serve in the front bar of the Ramsgate Hotel.

The member for Colton has a wonderful connection with the community. Just reflecting on when he was a football coach, at that time he was just a young man himself. Why he was donating all this time to a bunch of ungrateful lads who barely listened to a word he was saying was extraordinary, but it just shows his extraordinary generosity of spirit. I suppose the thing that sticks out most for me in the member for Colton's career is the extraordinary campaign he ran with me on the River Murray, a topic that remains relevant today.

I now want to turn to the member for Ashford. I suppose the thing that immediately stands out for me is that every single conviction and passion with which she entered parliament she continued in parliament and will leave with—utter consistency and steadfastness. It is interesting to note that a number of things we fight for on this side of politics go in and out of fashion, but the member for Ashford's commitment to a number of these issues has never wavered. She has been a strong and consistent advocate for social justice.

Something that I learned from her, before working with her in the trade union movement and in my dealings with her as she carried out her role in the early years as a member of parliament, is her peerless ability to organise groups of people around causes and empower them. Bringing people together and guiding them through the intelligent advice and support to achieve and guide them to an effective solution, this was the member for Ashford's extraordinary talent, and I have learned an enormous amount from her. She has also been incredibly kind to me at different times in my life when I have needed personal support. I am so grateful for your career and also your friendship.

I would of course also like to acknowledge the member for Wright. She spoke of her extraordinary dedication to her local community—something that we all have understood—through her powerful advocacy for the needs of her seat of Wright. She started as an electorate officer and understood that grassroots campaigning to win those things which were important at the neighbourhood level for communities. This was not an easy seat, and she wrested from a government minister and has never relinquished it. In fact, she never looked like she would relinquish it, even in some of the darker days of the past 16 years.

The thing that stands out for me most about the member for Wright is her fearlessness. Some would say she is fearsome. I can recall having a telephone conversation with her where, with some trepidation, I offered her the portfolio of education when there were real challenges in the education portfolio. Without flinching, she said yes. Then, with even greater trepidation, I offered her the portfolio of child protection, and once again, without flinching, she said yes. These were not easy portfolios at the best of times, but they were offered during a time of serious challenge.

If there is a word that stands out for me concerning the member for Wright, it is 'bravery'. She has the ability to stand up and fight, and never give up. Although these portfolios took an enormous toll on her, I think she was able to allow her humanity and compassion to shine through while pursuing intelligent public policy. I am so grateful for the responsibilities you took on. You have been an extraordinary part of caring for our most vulnerable citizens—the little children of our state.

I now want to turn to the member for Playford, whom we just heard give the most beautiful valedictory speech. He came into this place at a tender age. I can recall seeing him at an even more tender age when he was in Young Labor and I saw the first three or four motions he moved and I thought, 'Thank God, a left-winger.' But then I realised it was that particular brand of progressive politics, because he was talking about economic sovereignty, but it really was more of the Bob Santamaria type. We came together on certain issues. It was only when we began to hear more from the member for Playford that we realised we were in very different camps indeed. He demonstrated maturity and ability beyond his years to hold the position of Speaker for a period of almost four years.

I have always valued the member for Playford's contributions in our cabinet. I have always seen him as an extraordinary source of wisdom and of calm, sober judgement. For a relatively young man, he seemed to have experience well beyond his years and was often an important source of an alternative perspective which was incredibly mature and wise and has helped guide the government through some real challenges. He spoke at length about his contribution to the health portfolio—once again, that combination of intelligence and bravery to take on the big issues that are facing this state.

I know that there will be much made of the health issue in the lead-up to the next election, but I can say this without fear of contradiction, that there is only one pathway to managing what is

the largest and single most important area of service within the responsibility of the South Australian government and that is through intelligently engaging with the clinicians, with our doctors and nurses or allied healthcare professionals, and seeking always to put quality health care at front and centre and seeking to make the intelligent reforms that are necessary.

That is all he has ever done. That is all the government has ever sought to do. There is no other way of doing it. Those opposite, if they end up forming the government, will have to do the very same things as they seek to grapple with the extraordinary demands, the technological changes and the natural demands of our citizens for better and improved healthcare services. Of course, he has overseen the extraordinary work in the later stages of the new Royal Adelaide Hospital, which is a testament to his great capacities.

I also want to briefly mention some members in the other place: the Hon. Gail Gago, a Victorian, which accounts for some of her blind spots, but I must say that I have never seen anybody who has such an acute analysis of the way in which a political issue will play out and such an acute judgement of the character and insights into the behaviours of people. I want to pay tribute to one thing about her which stands out above all others and that is the way she promotes women and her indefatigable unwillingness to give up and allow the forces of the status quo to overwhelm the opportunities of women.

She does this by putting her money where her mouth is. She promotes women and she supports women. My wife had a brief period when she was working with the nurses federation and she was incredibly supported, and one powerful thing that Gail Gago said to the people around her was, 'My job is to get you your next job.' She was always thinking about how she could empower and promote people to move to the next level, and I think that is really powerful.

I want to single out the incredible role the Hon. John Gazzola has played in supporting me to promote the live music scene, which the state government is seeking to foster through its Vibrant City agenda. He deserves a measure of credit for the recent recognition of Adelaide by Lonely Planet as one of the best live music cities in the world.

Before I finish, I would like to thank the staff in this place including the clerks, the ushers, the Hansard reporters, those drafting the legislation and the staff members of parliamentarians. You do very often work long hours and you must deal with tight deadlines and a fast-changing parliamentary agenda and sometimes some less than helpful members of parliament. Each of you, however, carries out your work in a thoroughly professional manner and so plays a crucial role in what we might call the machinery of democracy. Yours is an incredibly important role; thank you so much for doing it with the skill and capacity that you do.

I also wish the staff, along with the retiring members of the house and the Legislative Council, all the best for the future. You have given immeasurably of yourself. I do not think people appreciate what it means to put yourself out there and actually seek to lead. I do not know whether there is an appreciation that all of us are just ordinary everyday people who have asked to accept the function of leadership, which we do. We are not slaves, we do that willingly, but we offer ourselves up in the service of the state. I cannot imagine a higher purpose, and I thank all of you for the wonderful service you have given our state and wish you all the best for the future.

**Mr WILLIAMS (MacKillop) (17:21):** When I first came into this place as an elected member some 20 years ago I did not expect to be here today. I was contemplating how good it would be if I got to serve a second term; I now find that I am the longest serving member on this side of the house. I am not quite sure what to make of that, to be quite honest, but let me go back a little.

As members know, I grew up the youngest of four sons in a farming family in the South-East, where my forebears had gone in 1869. A boatload of 100 men were sent there by George Goyder to dig drains to open up the South-East. The plan was to dig drains to aid transport between Adelaide and Mount Gambier, but Goyder had a greater vision that by intensively draining the South-East the state would then open up much more land for sale for agricultural purposes, which after all was the way the state was founded by the South Australian Company selling land and using the money to bring more migrants to South Australia to work the land.

As I say, my forebears arrived in the South-East in about 1869. Two brothers brought the rest of their family to Millicent where the main camp was located. They built the first stone home in



Millicent, a home that has been continually occupied and still is today, albeit it has been built onto considerably. They were very successful at that job and made a few bob. They then moved to farming, and the family has been there ever since. Indeed, I have grandchildren who are residing on a parcel of land my great-grandfather took up in 1888, so the family has not moved a long way, to be quite frank.

My father, a war veteran and a Rat of Tobruk, was injured in Tobruk and honourably discharged from the Army during the middle of the war and repatriated home. My mother came off a farm out of Naracoorte at a place known as Lochaber. Both of them taught me how to work hard, how to be honest and gave me the best education they could, albeit that their education was not overly substantial given the era they grew up in.

I was educated at the Mount Burr Primary School and, in the late 1950s and early 1960s, I suspect that it was the most multicultural school in rural South Australia, if not as multicultural as any school anywhere in South Australia. A number of migrants fleeing the ravages of war in Europe found themselves working for what was then the woods and forests department, either in the sawmill or in the forests. We had schoolfriends from all over, particularly eastern and southern Europe.

I left Mount Burr Primary School and graduated to the Millicent High School, where I completed my secondary education, before moving to the University of Adelaide. If I had been more studious during that part of my life I would have ended up being a civil engineer and not a parliamentarian. However, having dropped out of university, I entered the commonwealth Public Service in what was then the postmaster-general's department.

I went back to university part time while I was there and studied some economics, much more successfully, but by that stage I had fallen in love and married Leonie. We had a child and, because both of us had been brought up on farms, we thought, 'How on earth do you bring up a family on a quarter-acre block?' We had a quarter-acre block and a home at Glenside at that stage. We therefore moved to the South-East and back onto the family farm with my three older brothers and my parents in the family business.

I started my career in public life in 1981 when I became elected to the then Beachport council where I served for eight years, the last half of that term as the chairman of that council. They were two-year terms in those days and I had made a promise to Leonie that I would only do three terms, but when I became chairman of the council I pleaded with her that I could do an extra term and she would just have to manage running the children. They were getting to that age in their lives where they were doing all sorts of things: gymnastics, music, sport and everything. Leonie ran the taxi service and I started my public life.

True to my promise, at the end of my second term as chairman of the council I voluntarily retired and gave up public life, I thought probably forever. Some eight to 10 years later, I put up my hand and became a landholder-elected member on the South Eastern Water Conservation and Drainage Board, which led me to this place.

In June of 1997, there was a meeting called in Mount Gambier by the then minister for the environment, David Wotton to which people were invited. The drainage board was invited to send a representative along. The chairman of the drainage board, one Julian Desmazures—who lives up near Salt Creek, or he did at that stage—rang me and said, 'Mitch, since you are the member who lives closest to Mount Gambier, would you mind going to this meeting?', which I did.

In February of 1997, David Wotton had talked about a water allocation plan in the South-East. Indeed, in March of that year he released a plan and it started to come into operation. The local member at the time, Dale Baker, was approached by a couple of landholders who were unhappy with this because they believed that it would have been better for them and their businesses if they could have grabbed all the water that they might need for their business, irrespective of the fact that the rest of the community believed that, in purchasing land in a high rainfall area, you actually were purchasing some water as well.

Obviously, Dale Baker prevailed within the government, so David Wotton was forced to run this meeting in Mount Gambier. As I said, it was by invitation only, and it was designed to turn on its

head that policy that had just been promulgated. I went along to that meeting on 27 June 1997, and I will always remember the date because it happens to be my birthday.

That evening, one of my friends and neighbours, who happens to be a distant cousin, rang me. He was at the same meeting because he was on the ag bureau. He said, 'What did you think of the meeting today?' I said, 'That was the biggest bloody set-up I have ever been involved in.' He said, 'Good. I am coming around and we are going to write a letter to the editor,' which we did. It was published the next week and our phones rang off the hook. I ran several public meetings in the South-East and three months later I was elected to parliament in what Dean Jaensch told me was the biggest swing against a sitting member in Australian political history.

My life changed and it changed dramatically. I should say that 'our lives' changed dramatically. Leonie and I and our family worked hard and, financially, we were not by any means in the wealthy part of the community, but we had the things that we wanted and loved. As I said, I entered the parliament in October 1997. I will not go into the boring details of the election now; I will come back to that. Of course, the 1997 election saw the then Olsen government slip into minority government, with only 23 members and three Independents from seats that had previously been held by the Liberal Party—namely, myself, Rory McEwen in Mount Gambier (it was then Gordon) and Karlene Maywald in Chaffey. Interesting times ensued.

I remember my maiden speech. It is a pity that the Speaker is not here because I mentioned the Noa Nadruku case, which was a celebrated case where a football player in Canberra had very solidly punched his girlfriend but pleaded that he was so drunk he did not know what he was doing. Amongst other things, I talked about that incident. The Speaker immediately came over to me after I had made my maiden speech and said, 'Well, you'll support my bill about the drunk's defence.' He sent me on a research project, which probably lasted six months. I eventually made a speech to his bill. I still think that it is probably the best speech I have made in the parliament. It was certainly the one I put the most time into. Unfortunately, I think that the law still struggles with that particular issue simply because, like so many of the things we seek to address, there is no easy answer.

In my first term, I was fortunate enough to be nominated by the Liberal Party—because I think they needed my vote—to sit on the Public Works Committee. At the first meeting, Robert Brokenshire, who was then a Liberal, had been nominated to be the Chair, but Peter Lewis had sided with the Labor Party members and he became the Chair of the Public Works Committee following the 1997 election. Boy, was that a roller-coaster ride. It was the most interesting experience.

To his credit, I can say that I learned a lot from Peter. I did learn a lot from Peter, but on some days I would rather have been elsewhere. As I say, it was a roller-coaster ride, but I learned a lot about politics and a lot about the way the parliament worked, and certainly I learned a lot about government procurement after spending those first four years on the Public Works Committee. I still think that some of the best work I have done in 20 years here has been through the committees of the parliament, both standing and select committees.

The 2002 election came and went. The Labor Party came to government. I still remember that, on the Sunday morning after the election, my eldest brother rang me and said, 'Well, at least you're still in government.' I said, 'No, we're not.' He said, 'What do you mean?' I said, 'Peter Lewis won't stick with us.' That was always my conviction, that Peter would not stick with us. The falling out that Peter and the party had had was so great that I never believed that Peter entertained supporting us for even a moment.

Even if I did believe that Peter could have supported us, I knew full well that he was too smart. He knew that, for us to remain in government after 2002, we needed the support of all four Independents: Rory McEwen, Karlene Maywald, Bob Such and Peter Lewis. Peter knew that the one who jumped first was going to get most of the lollies. He knew that he could not trust all of them for four years, so he jumped and the rest is history.

By about the middle of that term, Rob Kerin was our leader. Rob rang me one day and said, 'Mitch, I want to promote you into our shadow ministry.' I tried to write them down last night, and I am not sure whether I have them all—I do not think I have—but, amongst other things, I was the shadow minister for water resources; energy; minerals; agriculture; corrections; environment; industrial relations; recreation, sport and racing; administrative services; and science and information

economy. When I was making this list, I remembered that Isobel, when she was leader, once asked me if I might take on the portfolio of road safety. I declined, suggesting that, with the distances I had to travel and the time I had available to travel those distances, it could turn out to be embarrassing.

As well as taking on those shadow portfolios, Rob Kerin asked me to go onto his question time committee, and I remained on that question time committee for I do not know how many years, probably 10 years. That was quite a high-pressure committee to be on, sitting for several meetings every sitting day and coming up with the questions we posed the government.

It was a fantastic ride. Being a shadow minister forced you to do your homework. Every time a piece of legislation came up, you had to understand it, you had to brief your colleagues and you had to write a paper for the party room. You could not get away with any short cuts, and I was thrust into areas that I had little or no knowledge of. Iain Evans asked me to take on industrial relations after the 2006 election. I knew little about industrial relations other than the odd argument I had had with shearers in the shearing shed, but that was a fantastic portfolio.

I loved the work, and in particular I got a very good understanding of the way the WorkCover system operated here in South Australia—and it was a system in crisis. Indeed, the government brought to the parliament a number of what they claimed were major changes to WorkCover that, they said, were going to make significant changes to WorkCover and lessen the burden on everybody concerned. Of course, none of them did.

I remember that in 2008, I think it was, when Michael Wright was the minister and he was bringing in substantial changes to WorkCover, supposedly. It was during the Christmas break, the summer break, that he signalled he would be bringing a bill to the parliament at the beginning of the next year and I was arguing, quite openly and publicly, that the opposition would want to see the bill well before we debated it in parliament because we needed to get some feedback from the community.

The member for Waite was our leader at the time. It was rather interesting that we came into the parliament, and I remember the member for Waite asked a question of the government; Kevin Foley answered it and laughed and said, 'I'm not worried about you because you'll do what you're told.' It was at that point I realised that the member for Waite was not suitable to be the Premier of South Australia, because I knew that the member for Waite was doing what he was told. However, I will move on.

Other things I was involved in included, obviously, energy. I had the energy portfolio for a long time, through all the time of the feed-in tariffs, the time when the government was supporting the development of wind farms in South Australia, rooftop solar panels. I have had a very in-depth understanding and knowledge of the way the energy system here in South Australia works, and that is why even earlier today I entered the debate on that particular policy area. I lament what has happened to South Australia.

I held the minerals portfolio. The member for Heysen earlier talked about the BHP indenture; I was the shadow minister at that time and I concur with her comments that Kevin Foley was most generous in giving us the opportunity to go through the relevant documentation. As the shadow minister I asked the party room to have a committee look at that rather than me do it just as the shadow. Our leader in the upper house, David Ridgway, Michelle Lensink as the shadow environment minister, and it may have been Rob as the shadow treasurer, were involved. We all had that opportunity and all of us took advantage of Kevin Foley's offer to go through that indenture line by line and make recommendations to our party room.

Other things that happened were the drought and the water policy. The drought created some really strange policy anomalies. Those who have been here for a long time will remember that the government had a policy where people could water the garden as long as they put the water from the hose into a bucket and then tipped it out of the bucket onto the garden. I remember when I was a guest of the Royal Agricultural and Horticultural Society during the holding of the Royal Adelaide Show in probably 2008 or 2009. I remember commenting how many buckets they must have had down there and how busy they must have been to have their grounds looking in a such wonderful state.

We managed to ridicule the government to the point that they overturned that. But the drought devastated many South Australian small businesses, particularly in a seat of Chaffey in the Riverland. I remember arguing with Karlene Maywald. I said, 'Karlene, as the Minister for the River Murray and Minister for Water Security and as the local member, you should be going into the marketplace and purchasing enough water to underpin the survival of the permanent plantings in the Riverland because they are state assets.' Rory McEwen was there and always had an answer to this sort of thing. He said, 'No, you can't privatise the profits and socialise the losses, Mitch. You cannot do that. These are private assets.' Anyhow, we saw a number of those permanent plantings lost through that and through poor policy.

It was in September 2008 or 2009 that Premier Mike Rann put out a statement in the *Sunday Mail* that the last piece of the jigsaw to solve the water problem for South Australia had been resolved because the commonwealth government had come on board and were going to pay farmers exit fees. They were going to buy their water, shut down their blocks and give them some money to get on with their lives. This absolutely infuriated Karlene, as it should have. She obviously thumped the table pretty soundly the next morning in cabinet. She then went into the market and purchased water to underpin permanent plantings.

It must have been 2008 when she did that, because the next year, and she ran the argument, the New South Wales government said, 'If you do that again, we will ban any of our people from selling water into the market.' That was the excuse she used. Whatever happened behind the scenes, she abandoned her electorate the next year and did not buy water and was unable to underpin those permanent plantings. That is why the current member for Chaffey is in this place today, I believe. I always thought Karlene made a big mistake taking on that portfolio. She was always going to have trouble satisfying the needs of her own electorate. That is a lesson those of us who are going to continue in this place should look to.

I want to mention a couple of little things that happened in my own backyard. The Cape Jaffa Lighthouse platform used to sit on the Margaret Brock Reef just off Cape Jaffa. The Australian Maritime Safety Authority, which owned the lighthouse, wanted to divest themselves of it because they were no longer running even the electric light from that platform. Nobody wanted it. Nobody would take it because of the liability issues. So they said, 'Oh well, we will go and pull it down, whatever the cost.'

I brought to the parliament a bill which basically said whoever owns Cape Jaffa Lighthouse platform bears no liability. If someone goes past it their boat and bumps into it or a piece of timber falls off it and hits them on the head, they bear no liability. It was a unique bill. To my surprise and delight, the parliament approved of it and it passed and it is now in the statutes. I am surprised that nobody has actually picked up on it and used it in some other areas, because I am sure that there are other areas where it could be used.

One of the great disappointments is what this government did to the people of Keith in my electorate through trying to undermine and close down their hospital. I think it is one of the most outrageous things that the government could do to any community in any jurisdiction. To his credit, the member for Playford more recently reinstated considerable funding and, indeed, more funding than we were asking for from John Hill when we went cap in hand.

It was through Dean Brown and my approach to Dean Brown on behalf of the Keith and District Hospital that we got some public funding for that hospital in the first place back in the late 1990s. John Hill not only devastated that community; he cost that community a hell of a lot of money. That community sold a lot of the assets they were holding. They did an unreal amount of fundraising to keep the doors of that hospital open, and they still struggle. It is one thing that I hope, with a change of government, will certainly be rectified.

I want to turn to a couple of issues I guess as a parting wish list of things that I would like to see changed. Can I say that I was glad when question time was over today. I am glad that I will not have to sit through another question time. Question time in this parliament has become a farce. I remember—

**Ms Redmond:** There are no answers.

**Mr WILLIAMS:** Yes, there are no answers. I remember having a debate with the late Greg Kelton on numerous occasions. I said, 'Greg, we will not have a good functioning parliament or government when you rate ministers on their ability not to answer questions.' I argued with Greg and I have argued with other journalists since that we will have a much better government of South Australia when you rate the ministers on their ability to actually get the work done, make their portfolios work and be accessible and open to the public with what is going on—not dissimilar to what the member for Heysen said earlier today.

I think the role of the media in this state is considerably lacking, quite frankly. The media are very superficial. Other people have talked about the number of media advisers in this government. Those journalists in the various media agencies are absolutely overwhelmed by government media advisers. There are very few people in our media whom I think do a fantastic job. There are one or two I have considerable respect for; there are a lot I think are, at the best, mediocre.

I say to young colleagues coming into the parliament that the one mistake I think that I made when I came to this place is that I thought that if I did my job the media would do their job and they would report fairly, openly and honestly and they would have some understanding of the arguments that we were making from the side. I was, sadly, mistaken. I advise my young colleagues now: when you come in, build yourself a relationship with those people in the media because, unless you have that relationship with them, they will fail to do their job properly and they will not hear what you are saying and they will not report what you are saying and you will be to some extent wasting your time.

The other bugbear I have had for many years in this place is our freedom of information laws. They are actually secrecy laws. I love the system that our cousins have across the Tasman Sea in New Zealand, where the presumption is: if the information is released, what harm would it do? Unless it fails to pass that test, it is automatically released. Indeed, I was told when I was over there studying this particular issue that most agencies by the time the cabinet meeting is completed have put their cabinet submissions on the agency website. All the information that the cabinet considers is freely available to the public. The deliberations of the cabinet are held in camera, but the information sitting behind that is freely available. I think if we had that here in South Australia, we would have a much better government. I again reflect back to question time only today.

I am delighted that the house has adopted some new standing orders, or clarified some standing orders. I am delighted that the Speaker has agreed with my interpretation of standing order 139. The standing order, as adopted, will now ensure that, when a member who has been named makes his or her explanation and/or apology, the question of whether or not that apology be accepted will be debated as the only way it can be resolved.

The ill was created by the Clerk, Malcolm Lehmann, giving erroneous advice to Speaker Breuer some years ago. I can say, 'Malcolm, you were wrong.' I can also say that Pat Conlon was wrong. He and I had an argy-bargy across the chamber at the time and I am glad to be able to put that on the record. The other thing that has bugged me for a long time is that in a lot of our legislation obviously we establish authorised officers under many bills. The powers of authorised officers, we should—

*Ms Redmond interjecting:*

**Mr WILLIAMS:** Absolutely. We should consolidate the powers of authorised officers. We should have them consistent through all of our legislation because with the way it is done now I think that we have an incremental increase in those powers. So every time we have a new piece of legislation, we incrementally increase the powers. I think it is something that we as parliamentarians should be very aware of and I plead for somebody in the next government to pull together all of the statutes and consolidate one set of powers for authorised officers.

When you look back on your political career, obviously you ask yourself: did I make a difference? Did I do anything that was worthwhile? I do think that I have done something worthwhile. Post the last election, I told the party room that, if we argued the case for electoral reform in South Australia and did nothing else, we would have done good work. I told the leader that I did not care what he wanted me to do, I was going to dedicate the next few years to achieving some electoral reform in South Australia.

I feel fairly confident that I was not alone. I noted Josh Teague was in the gallery earlier when the member for Heysen was giving her valedictory. He was involved on behalf of the Liberal Party and did some great work, along with other people in the Liberal Party. I sat on a party committee, but also off my own bat through introductions by Clem Macintyre. I had a discussion with Clem about a plan that I had and he introduced me to two mathematicians from Adelaide University. A name was put up first of somebody who might have been able to help, but it came to our attention that that particular mathematician was a card-carrying member of the Labor Party, so we moved on.

I am very grateful to Clem for the introduction, but am most grateful to Professor Nigel Bean and Dr Jono Tuke from the School of Applied Mathematics at the University of Adelaide, who I commissioned to do a paper on the fairness or otherwise of South Australian elections. Jenni Newton-Farrelly in the library amassed the datasets from all the relevant electoral commissions around the nation. That information was given to these two gentlemen, who ran a series of statistical analyses on those datasets and they produced a report to me, which I used in my submission to the boundaries commission.

I called those gentlemen before the commission and Professor Nigel Bean gave evidence before the commission. I had the rather unique opportunity to cross-examine him before the commission, which was pretty unusual, or at least I thought it was unusual. Notwithstanding that, at the end of the day, the commission in their final report quoted extensively from that paper that was prepared for me. I think that paper went a long way to convincing the commission that they had to do things somewhat differently.

I have been saying publicly for some time, for at least the last 12 months, that I suspect that the next election will be held on a fair set of boundaries for the first time since at least 1975, possibly for the first time since 1936 or before, but I do think—

**The Hon. M.J. Atkinson:** I thought you were going to say 1965.

**Mr WILLIAMS:** No, but I suggest that for the first time, possibly in the history of the state, I believe and sincerely hope that we will be fighting an election on a fair set of boundaries, given the support that this side of politics has been receiving from the electorate at large for such a long time. I have a good feeling about there being some change next March. Having said that, I have no doubt that if Isobel Redmond had been allowed by some of my colleagues to do what she was doing, and what she was doing very well, to proceed to the last election, there would have been a change of government. I have no doubt.

In September 2012, I think it might have been, we were polling something like 57 per cent in the Newspoll polls—57 per cent—yet there was a serious movement against Isobel, and the rest is history. It is a funny game, but I have had a ball. I have loved it. I am happy that it is over. I hope the good Lord gives me time to enjoy some of the other things that I am looking forward to in my life.

I want to take a couple of minutes to say some very big thankyou's. I want to say thank you to Peter Altschwager. Peter Altschwager was one of those people—and I do not know whether Peter believed that I could win the 1997 election, but he put me up to some curious pranks, including making me go on *Women's World* on Channel 8 of WIN TV in Mount Gambier, where I think we sold a couple of vacuum cleaners, a couple of electric blankets and a few dresses, and I had to pay for the privilege of appearing for 10 or 15 minutes. But I remember I was walking down the street of Bordertown shortly thereafter and people recognised me and knew who I was. Peter has been my campaign manager at every election. I cannot thank Peter enough. In fact, I had Peter, his wife and their daughter in the dining room last night for dinner. He was a hard taskmaster and I probably needed it.

I thank my Liberal colleagues. Even though I came into this place as an Independent and did not rejoin the Liberal Party for a couple of years, by and large I have had wonderful support from my colleagues in the Liberal Party and I can only say thank you. Thank you particularly for giving me the privilege of being your deputy leader for 2½ years. That, as Isobel said earlier, was quite a roller-coaster ride, and as I have heard Steven say previously, you learn so much more. So, thank you to my Liberal colleagues. I hope and pray that I see many of you regularly in the ensuing years. It would be a great pity if I did not.

I live a long way from Adelaide and I am looking forward to getting back there, but I would miss it if I did not catch up with many of you on a regular basis. I would like to say thank you to all the parliamentary officers and staff. They make this place work as much as we do, and probably more so. I often remember that Rob Kerin, in his valedictory, thanked all the parliamentary staff and he said, 'Even those in the library who I never bothered too much.' I particularly thank Jenni Newton-Farrelly for the work she did when she was in the library, and thank you to all the library staff, whom I have always found to be so helpful.

I also particularly thank the catering staff. When I first came in here, when we sat during the evenings, Leonie and I ate in the dining room on a very regular basis. I was told once by one of the catering staff that we were the best customers in there. Every Wednesday night for a number of years, we brought our children in and we had family dinner, so I have a great debt of gratitude—and a great belly—due to the catering staff.

A big thankyou to those bureaucrats I came in contact with over the years. I got to know many of them very well, particularly in the department of mineral resources, and I developed a very strong working relationship with a number of those bureaucrats. I always enjoyed the advice and the briefings we received from numerous agencies.

I want to say a big thankyou to my staff. A number of people have gone through my offices. In the early days, there was a bit of a turnover; people were coming and going. One of the girls ended up working for many years for Peter Costello because she moved back to Victoria. Obviously, we had a number of trainees in my office.

*Sitting suspended from 18:00 to 19:30.*

#### *Bills*

### **CONSTITUTION (ONE VOTE ONE VALUE) AMENDMENT BILL**

#### *Introduction and First Reading*

Received from the Legislative Council and read a first time.

#### *Second Reading*

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (19:31):** I move:

That this bill be now read a second time.

This bill seeks to amend part 5 of the Constitution Act 1934, and I seek leave to incorporate the second reading explanation without my reading it.

**The SPEAKER:** Leave is not granted.

**The Hon. J.R. RAU:** I will read it. The bill relates to electoral redistribution.

#### *Members interjecting:*

**The Hon. J.R. RAU:** Can I read it in silence, please, Mr Speaker. The bill relates to electoral redistribution. The bill originated in the other place and, when it was introduced there, contained amendment that proposed to delete and substitute section 77 of the Constitution Act. The bill was amended by the Legislative Council. As a result of those amendments, the bill no longer amends section 77 of the Constitution Act. Rather, amendments in the other place moved by the Hon. Mr Parnell were accepted so that the bill now has the effect of repealing subsections 83(1) and 83(3) of the Constitution Act. The bill also now provides that there is to be a review of section 83, which is to be commenced within 12 months of the next general election.

The amendments to section 83 of the Constitution Act bring the task of the Electoral Districts Boundaries Commission more into line with the task of the equivalent bodies in other jurisdictions in Australia. The commission will in future be required to make its redistributions on the basis of the principle in section 77 of the Constitution Act, as well as having regard, as far as practicable, to the factors in section 83(2) of the Constitution Act.

The bill seeks to reinstate the primacy of equality between electorates and acknowledges the obvious political reality in contemporary politics that a notion of voters only directing their minds to one of two parties is transparently not in accordance with reality. I commend the bill to the house.

Explanation of Clauses

Part 1—Preliminary

1—Short title

This clause is formal.

2—Amendment provisions

This clause is formal.

Part 2—Amendment of *Constitution Act 1934*

3—Amendment of section 83—Criteria

Section 83 is amended to delete subsections (1) and (3).

4—Insertion of section 83A

This clause inserts a new section requiring the Premier to review the operation of section 83 within the period of 12 months following the next general election.

*Standing Orders Suspension*

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (19:34):** I move, without notice:

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

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

*A quorum having been formed:*

Motion carried.

**Mr WILLIAMS (MacKillop) (19:35):** This is a sad, sad day for South Australia. I can understand members of the government saying, 'Oh,' because the last thing the members of this government want to do is fight an election with a fair system. That is the last thing they want to do because they are all gutless—absolutely gutless. We have a government in this state that is representative of merely 47 per cent of the popular vote.

As the late Don Dunstan said in 1968, the people of South Australia deserve to have an electoral system that allows them to get the government they want and, furthermore, allows them to get rid of the government they do not want.

*The Hon. J.M. Rankine interjecting:*

**Mr WILLIAMS:** In 2010—

**The SPEAKER:** The member for Wright is already on two warnings and accordingly, under the sessional orders, you will depart for 10 minutes.

**The Hon. J.M. RANKINE:** Mr Speaker, I ask you to refer to your notes. I was not on two warnings.

**Mr WILLIAMS:** Under the sessional orders, there is no debate.

**The Hon. J.M. RANKINE:** Excuse me, I am speaking.

**Mr WILLIAMS:** There is no question—you are out! You are out!

**The Hon. J.M. Rankine:** Sit down!

**Mr WILLIAMS:** They are your sessional orders, now get out and let us get on with this important business.



**The Hon. J.M. RANKINE:** I am on my feet. I am on my feet.

**Ms Chapman:** Mr Speaker, I ask that the Serjeant-at-Arms remove the member for Wright.

*Members interjecting:*

**The Hon. J.M. RANKINE:** Mr Speaker, I ask you to refer to your notes. I was not on two warnings; I was on one warning.

**The SPEAKER:** No, you acquired a second warning late in question time. Please depart for 10 minutes, so that the house can regain its composure.

*The honourable member for Wright having withdrawn from the chamber:*

**The SPEAKER:** The member for MacKillop.

**Mr WILLIAMS:** Thank you for your protection, Mr Speaker. As I was saying, Don Dunstan, who argued for many decades for electoral fairness in South Australia, argued that the people of South Australia should be able not only to have the government they want but to get rid of the government they do not want. In 2010, the people of South Australia resoundingly voted to get rid of this government. In 2014, they voted in even greater numbers to get rid of this government.

As I have said in this place many times before, it is harder for the Liberal Party to win an election in South Australia under the gerrymandered electoral system that we have had than it was ever for the Labor Party to win an election in Queensland. This is an absolute travesty. For the first time in 50 years, we have the prospect of an election being held on fair boundaries in South Australia. Everybody in South Australia is rejoicing but the members of the Labor Party, who are shaking in their boots because the last thing that they are prepared to do is face the people in a fair contest. That is something that the members of this Labor government fear the most. They fear the people in a fair contest because they know what the result will be. We all know what the result will be.

There is no way that the Labor Party and this Labor government has attracted more support in the last four years than they received at the previous election in 2014, which means that this government would be lucky to get within cooee of 47 per cent of the popular vote in 2018—and they know it. They know that, if they can maintain the gerrymander that has operated in South Australia since 1975, they might only be out of government for one term. That has been the circumstance in South Australia since 1975. It has been almost impossible for the Liberal Party to win an election because the system is unfair.

If members opposite care to read the final report of not just the most recent boundaries commission but, if they go back, the report of the commission in 1991, they will understand that it is very clear that there is an imbalance. There has been an imbalance in our electoral system, and it has been marked. Every serious political analyst, every serious political commentator, in this state—there are not too many of them that fit that descriptor of a serious political commentator or serious political analyst—and, mark my words, those who do look at the numbers, those who do study, those who do understand the will of the people of South Australia, understand that the people of South Australia have been duded time and time again by an electoral system that is rigged.

Since 1991, we have had a system that would work in theory. Unfortunately, the supposed independent boundaries commissions have failed in their duty time and time again. In 2010, we had the situation where, for every 24,000 votes recorded in favour of the Liberal Party, the Liberal Party returned one member to this chamber, yet for the Labor Party it only took 18,000 votes to return one member to this chamber. The 2010 election was one of the most unfair elections that I have been able to find in years of study of election outcomes.

The Liberal Party won 51.6 per cent of the vote in 2010, but such was the independence of the commission, which this government would argue upholds the democratic principles for the people of South Australia, that they drew boundaries that meant that the Liberal Party had to get a greater swing towards it on top of the 51.6 per cent it had already recorded. Indeed, we did achieve that in 2014. We achieved 53 per cent of the vote, yet we were unable to be within cooee of forming government. We should have had 26, 27 or 28 seats in the house if we had a fair electoral system but, sadly, the Labor Party in this state will do anything to stay in power.

**Mr Goldsworthy:** And everything.

**Mr WILLIAMS:** And everything, as my colleague the member for Kavel remarks. This is the lowest of the low. I was commenting earlier this afternoon in my valedictory comments that I had some serious input into the outcome of the most recent boundaries redistribution. I was very proud of that. I thought it might be a legacy, that the work that I, and others, had been doing over recent years would be for the benefit of the people of South Australia. The reality is that we have a government in South Australia that only a minority of South Australians wanted. We have a government in South Australia that is not interested in governing for all South Australians.

I could give dozens of examples of how the electors in my constituency have been disadvantaged for no other reason than that they live in a Liberal seat. We have a government that is interested in one thing only: self-serving in the interests of staying in power. This is a travesty of democracy. I see the members of the government lining up. They will line up and they will come in here and debate this, but none of them will talk about the reality of what the will of the people would be. They will do what they always do in this place: they will attack people personally and they will commit character assassination. They will do everything but defend the principles that Don Dunstan argued for close to 30 years.

**An honourable member:** One vote one value.

**Mr WILLIAMS:** One vote one value. I agree with one vote one value. That is why—

**The Hon. A. Koutsantonis:** No you don't.

**Mr WILLIAMS:** —I put on the record a moment ago that in 2010 it took 24,000 for the Liberal Party to elect a member to this house but only 18,000 or thereabouts for the Labor Party to put a member in this house. We have members like the member for West Torrens who talk about one vote one value. The member for West Torrens is a joke. If he knew anything about grade 2 or 3 arithmetic he would know there is no such thing as one vote one value in the electoral system that has been used in South Australia since 1975. The reality is that bringing this on on the last sitting day of this parliament—

**Mr Goldsworthy:** After the valedictories.

**Mr WILLIAMS:** —after the valedictories, whilst I was on my feet talking about what I had been doing for the last 20 years, sneaking this through the upper house and bringing this in here at the eleventh hour, using their numbers to corrupt the democratic system in this state, I did not hear the Attorney make an argument as to what was wrong with the current system that needed fixing. I did not hear the Attorney make a cogent argument that South Australia, through the electoral system that we hope to enjoy in March next year and that we should have been enjoying for the last 20 years—I have not heard a cogent argument from anybody in the government—as to what the ill is with that system.

The argument about one vote one value is a nonsense, and anybody who looks at the results of the 2010 election will see that. Indeed, if they look at the results of the 2014 election they will see it. How can it be that 53 per cent of the vote has a lower value than 47 per cent of the vote? I ask the member for West Torrens: how can that be?

I know the argument he will make. He will say, 'It's the Liberal Party's fault because they spend their resources in the wrong place. They have poor quality candidates.' He will say, 'They do everything wrong. They don't know how to campaign in marginal seats.' But the reality is: how is it that the Liberal Party are such poor campaigners, have such poor candidates, target their campaigns so poorly that they still win 53 per cent of the popular vote? How is that? It is because of the way the lines are drawn on the map.

The drawing of the lines is subjective. Anybody with a modicum of understanding of arithmetic—very basic arithmetic, probably over the head of the members of West Torrens, but very basic arithmetic—could draw a set of lines on the map of South Australia to get any outcome they wanted. That is why, in 1991, 72 per cent of South Australians voted to insert the fairness clause into the Constitution Act—section 83(1). That is why 72 per cent of South Australians voted in support of that measure. They saw that the gerrymander that they had been saddled with since 1975 was producing a wrong winner outcome too regularly.

What this government has done now has opened up a new debate. They think that they can win the Don Dunstan argument about one vote one value. What they fail to understand is that Don Dunstan mounted that argument on the back of a malapportionment, and it was a pretty easy argument to prosecute. The argument that this government is going to seek to mount and prosecute will be done on the back of a gerrymander in its favour. This government is way behind the eight ball, a position that Don Dunstan was never in in this argument.

The people of South Australia are not so stupid to fall for this ruse. I would urge the Attorney-General, if he is running the show here tonight—and God knows who is—to rethink this position. Whatever happens, the election, come 17 March, will be fought on the existing boundaries. The reality is that the government is heading for a hiding under a fair contest, and a hiding is what will be delivered to it.

The government is hoping is that, notwithstanding that hiding in 2018, the gerrymander will be re-established for the 2022 election and, lo and behold, they will claim that they were magnificent campaigners with fantastic candidates and targeted the marginal seats. What they are really hoping is that the re-establishment of the gerrymander will see them back in government in 2022 at the earliest, if not 2026 at the latest.

I sincerely believe that this government, in having gone down this path at this juncture in the state's political history when this government is so much on the nose for all the things that it has got wrong—not the least being education policy, not the least being all the lies about federal funding for education, health, etc.—and is facing a hiding to nothing. This government is hoping that the electorate will be confused by the entry of one Mr Xenophon and his candidates at the next election. This government is hoping that that will confuse the outcome of the next election.

The one good thing in my mind about this measure that has come before the house at this eleventh hour is that this will now give us the opportunity to put some pressure on Mr Xenophon, who has a penchant for cherrypicking popular issues. He has made an art form out of it and he is very good at it. I admire him for it.

But what Mr Xenophon is going to have to do now is make a call, and that is something he is not very good at. He is going to have to make a call as to whether he supports the fairness clause; that is, if he supports the democratic principle that 50 per cent of South Australians plus one, or a small handful, should be able to elect a government or, indeed, should be able to get rid of a government that it does not want. Alternatively, Mr Xenophon is going to have to make the call that he would prefer the gerrymander that operated in South Australia for so many years.

It is my firm belief that the government has painted Mr Xenophon into a corner that he does not want to be in. It is my firm belief that the government has actually given the Liberal Party a much better platform to fight not only against the Labor Party but also against other minor interest groups in this state.

I did not agree with much of what Dunstan said, but his fundamental argument that every man, woman and child in South Australia has to live by the laws of this state, and thus they should have an equal say in the formation of those laws, is fundamental to our democracy. I implore the house to support that principle.

**The Hon. A. KOUTSANTONIS (West Torrens—Treasurer, Minister for Finance, Minister for State Development, Minister for Mineral Resources and Energy) (19:56):** The Liberal Party at the last state election did not achieve the majority of the vote. The last political party ever to receive the majority of the primary vote in this state was the Dunstan opposition. They achieved over 50 per cent of the primary vote. The Liberal Party did not achieve a majority of the vote. A majority of South Australians voted for someone other than the Liberal Party at the last state election. That is an indisputable fact—an indisputable fact.

What we are seeing now is the Liberal Party pretending, regarding the two-party preferred vote, when the two non-major parties are receiving above 20 per cent of a primary vote. The idea that the two-party preferred vote has any significance anymore is ridiculous. I posed this to the member for MacKillop through his ramblings and shouting at the chamber: what if a political party only contested 24 seats and won those 24? Would they be a legitimate government?

In a two-party system, of course, they would not win the two-party preferred vote because they were not contesting the other seats. The argument is wrong. The only argument that matters is that all seats are equally divided and everyone's voice is equal, but now we have a system in place that allows the Liberal Party to have smaller seats and the Labor Party to have larger seats, so that a Liberal voter has more votes and more power in their seats, disenfranchising people in the city who live in the electorates that have a larger population. The member for MacKillop is just fine with that. He is fine with that, just like Tom Playford was, and he pretends that the two-party preferred vote is somehow an expression of the public will.

This parliament is debating a measure that passed the upper house. We are dealing with it here. It was done appropriately and properly. It was done by the Legislative Council and we are now considering it. It was a type of personal attack, after the member said that there would be no character assassinations and then launched into character assassinations. What we are debating here is fairness. We believe that all electorates should have the same number of people in them, so everyone's vote is equal. It is a simple democratic principle: all votes should be equal. I am just surprised that anyone does not support that.

The Legislative Council, for the information of members opposite, is not controlled by the government. It has not been controlled by a major party since 1975. It is a house that has a very powerful crossbench, and the crossbench have sent this to us for our consideration. So, there is no conspiracy here. Nothing underhanded is being done. It was on the *Notice Paper*, it was voted on, and now it is here. It is not our fault that the crossbench did not side with the opposition in the Legislative Council. It is not our fault that this has come here, but we are going to deal with it.

I do not understand why there is so much name-calling by the member for MacKillop in his final contribution to this house, which I think is probably a bit beneath the standards he has previously held. The Labor Party always supports every South Australian having an equal say in the democratic outcomes of this state.

**The SPEAKER:** It may not be the member for MacKillop's last speech; he may continue his valedictory remarks if he so chooses.

**The Hon. A. KOUTSANTONIS:** I apologise, Your Majesty. I support the Attorney-General's second reading remarks.

**Mr GARDNER (Morialta) (20:01):** I am also not the lead speaker. I rise to speak on the Constitution (One Vote One Value) Amendment Bill. The Leader of Government Business sends a note to the opposition of all the bills the government wishes to debate, and this bill did not appear in any form in any of the notes that his office sent the opposition over the past week. That is fine; the government can ignore that. It is possible the leader of the house himself was not kept in the loop.

When there are debates on legislation that has not been introduced into the house before, it is custom that the leader of the house advises the opposition that they want it dealt with in the house. Bills do not necessarily always emerge from the Attorney-General's office in the first instance; sometimes they come from the upper house, and they usually let us know. For years, the member for Playford would send me a note, through his adviser, saying what was going to be debated; this one was not. That is fine, they can do that. It is not against the standing orders, but it is the custom of the house—another custom amongst many that this government has failed to uphold.

In the speech by the Treasurer, there was more name-calling of the member for MacKillop, accusing him of name-calling the Treasurer; it is undignified. The whole presentation by the Treasurer was undignified, but we are used to that as well. What we have here is a bill that will take away from the South Australian people a fairness clause for which the South Australian people voted in a referendum. This government is seeking to suborn the will of the South Australian people through an act of parliament for which there was no real notice given. As the member for MacKillop rightly said, the people of South Australia will be very angry at them about this.

However, it will get lost amongst the anger at so many other things. We currently have a government that about one in four South Australians, at best, are suggesting they might want to vote for, so what is one more issue to make them angry? The reason for the fairness clause is quite simple: the will of the South Australian people should be expressed through the people who form a

majority and form the government. Over the last seven elections, the South Australian electoral system has spectacularly failed to deliver that.

This government had no problem with the fairness clause until the Electoral Commissioner, the Surveyor-General and the senior puisne judge decided to apply it, as they did in the most recent redistribution. In doing so, they noticed the primacy of the fairness clause in the provisions identifying what to do in the redistribution. The secondary clause is the one identifying that you must be within a 10 per cent margin of error, and the third aspect is community of interest and other matters that the Electoral Commission might see fit to consider.

Ahead of the 2014 election, that tertiary consideration—other issues of the Electoral Commissioner, the Surveyor-General and the senior puisne judge—was used by the Electoral Districts Boundaries Commission to elevate a further consideration that they had. They said that they wanted to not move people out of their electorates into other electorates more than was necessary, which is clearly, under the Constitution Act, a consideration that is lower than the 10 per cent margin of error and that is lower than the fairness clause. However, that Electoral Districts Boundaries Commission decided to elevate that and clearly were not implementing the fairness clause in the way it was supposed to be implemented. That is how we had a result where about one in three South Australians vote for the Labor Party and they form government. That is how that happened: because the fairness clause was not applied.

So, in this redistribution for this election, the commission chose to implement the fairness clause and they noticed the primacy of the fairness clause over the other considerations and therefore used the 10 per cent tolerance in some seats—not the full 10 per cent tolerance, but approaching it—to deliver that fairness outcome that the Constitution Act seeks to achieve, for which the South Australian people voted.

The 2014 election was not the first election at which the will of the South Australian people was not reflected in the make-up of the government. In 2006, the government got a majority; they won a lot of the seats. In 2002, however, there is another example. The Liberal Party won the majority of the vote. They went back and counted every seat between Liberal and Labor and they found that well over 57 per cent of people in South Australia preferred a Liberal government to a Labor government, and they got a Labor government.

In that case, there were challenges posed by the Independent Peter Lewis, who said to his constituents before the election that he would support a Liberal government, and yet after the election he betrayed them and supported the Rann government into office. It was a negotiation that the Speaker claims personal credit for, and well he might, because it was an unfortunate game that was played, but the losers were the people of the South Australian community.

At previous elections, in 1997 it was a close election with a hung parliament, and the Liberals won, which was good. In 1993, it was a 60 per cent to 40 per cent outcome, and that is the last time the Liberal Party was able to win government off Labor: 53 per cent will not cut it; 52 per cent will not cut it; but when we got 60 per cent, that was sufficient to get 37 seats in the parliament, so that was good. Even in 1989, the election that provoked the fairness clause in the first place, John Olsen got 52 per cent of the vote and was not able to form government because of the electoral anomalies identified by the member for MacKillop, so a subcommittee looked at and came up with a suggestion that the people of South Australia chose to follow: to introduce a fairness clause.

The fact that the will of the South Australian people is not primary, secondary or even a remote consideration in the government's thinking is purely because they know that, without the fairness clause, they have been the beneficiaries of the most extraordinary good favour and good luck through winning elections when the people of South Australia do not want them. It has happened time and time again: 1989, 2002 and 2010. The member for Heysen would have been premier in 2010 if the will of 51½ per cent of the South Australian people had been followed in the make-up of who formed government, but it was not. Then it happened again in 2014, which makes it four out of seven elections. Of the others, the Labor Party has won a majority of the vote in only one of the last seven elections: in 2006, and that is the only time.

The Treasurer comes in from time to time to talk about this issue. It is his favourite topic. He talks about how clever they are at campaigning. He says that the Liberal Party spends too much

money in seats that we already hold and is very bad at campaigning in their seats. He can judge from his ivory tower how much money is being spent in the seat of Flinders, but it is possible that the people of Flinders just really like the member Flinders. I suspect that is actually true because I know he is very frugal and very generous towards our marginal seats with the money he raises in Flinders, and yet 80 per cent of people of Flinders vote for him. They are South Australians too and just because four out of five of them want to see a Liberal government should not make the individual insights of those 80 per cent of people worth less than the desire of the 51 per cent of people in another seat who might want to see a different party elected.

Ultimately I think the best outcome that can be seen from an electoral system is where a majority of the people in that system get the outcome that they want. It is the whole point of liberal democracy. The liberal part of it is supposed to ensure that there are protections for minorities, that no tyranny of the majority is able to overrule the rights of the minorities. But the democracy part of it, the representative government part, is supposed to say that the government side, the government benches, is occupied by the party or the group of people or the group of parties that the people of South Australia want. That has not happened in four of the last seven elections. It is an outrage, and it is an outrage that after the first of those occasions, in 1989, the response was to put in this fairness clause and the people of South Australia had a say in that. That is a say that the government seeks to abrogate now.

Eighty per cent of the people of Australia recently voted in a postal vote plebiscite—

*An honourable member interjecting:*

**Mr GARDNER:** —62 per cent voted in favour and 80 per cent of them voted, and that was in a voluntary vote. The rhetoric from the Labor Party and people across the political spectrum for those members of parliament who seek to uphold a point of view that they hold dear, or potentially in some cases that their electorates did—because I think 17 electorates or thereabouts voted differently to the nation or their states, and the rhetoric from Labor members against those members of parliament for fulfilling what they think is the right course of action has been astonishing.

These Labor members sitting opposite right now tonight would be appalled at those members for voting against their electorates and ignoring the popular vote. And yet, having had a referendum to change the constitution, these same members a few elections on are happy to completely ignore the will of the South Australian people.

We know what the will of the South Australian people is about this clause. Most legislation does not get that sort of treatment; most legislation is introduced into the parliament by a minister, it sits on the table for a week, it goes to the other house after it is voted on and then sits on the table there for a week, and in five sitting weeks, from go to whoa, all of a sudden you have a piece of legislation. Some legislation passes more quickly than that and the people of South Australia by and large never hear about it. This is one of the very few exceptions where we have a test of what the people of South Australia wanted. We know their answer, and it is one that the Labor Party, the Greens I believe, the Dignity Party and whatever John Darley's party is now called have seen fit to completely abrogate, completely ignore.

It turns out that the Labor Party's greatest offence with this fairness clause is that they are concerned if everyone votes the same way they did at the last election—and let's say the Liberal Party does not win an extra vote—they would lose government and the Liberal Party would be elected in a landslide with 27 seats; 53 per cent of the vote on a two-party preferred basis is a landslide anywhere in the world except South Australia.

The Electoral District Boundaries Commission, the redistribution commission, saw that and responded and thought, 'Okay, here is this fairness clause. It is the primary clause in the constitution governing how we should do our job. Let's apply it,' and this is what they came up with, a redistribution which potentially, as I said, if everybody voted the same way they did last time, would actually see the will of the South Australian people reflected in the government that is there to serve them.

'Serve' is an interesting word, because I think what we have seen from the government tonight is a perfect example—along with their antics in question time and their antics throughout the week and throughout the years—of what service is about, and they are here to serve themselves. They are not interested in the democratic principle; they are interested in what might serve the

interests of the Labor Party. Their job is not that, though. Their job as members of parliament is to serve the interests of the South Australian people. As I said, this is one of those bills where we have a unique insight into the views and desires of the South Australian people because they told us; they told us with their votes.

The member for Florey has a wonderful opportunity to identify herself as an Independent tonight, and I look forward to seeing her exercise it—I hope she will. I think the member for Waite and the member for Frome have a similar opportunity. They call themselves Independents so this is their opportunity to show that they are not beholden to the Labor Party that they have, up to this point, served. They can instead choose the South Australian people to serve; the South Australian people who have told them how they want to vote, because the South Australian people were asked to fill in a form and vote on it, and they did.

The practical effect of this is very important. The idea that removing fairness from the constitution is the last act of a government before parliament closes before an election is, frankly, a stunning one to me that can only be explained because they are focused on their medium to long-term political interests. I suggest that those members in marginal seats who are allowing this to be done to them should reflect on that because it is clearly not their interests that their party's leadership is seeking to serve tonight, it is only the Labor Party's interests: how can we best get the system right that is going to deliver us another four-term administration into the future? That is what they are thinking about.

We hear it all the time from senior frontbenchers from the Labor Party, swanning around the building, full of testosterone and saying, 'Oh yeah, even if we lose the election we will be back in a term.' It is very unseemly and this bill that we have before us just goes to show that. I do not know what motivated those other parties in the Legislative Council who sought to make these changes. It is disappointing but they have done it and we have the bill ahead of us and now for the next little while we will deal with it. We will sit as long as it takes to do that.

I see members opposite who were paired, had reasonable reasons not to be in the parliament, and the opposition has always said that we would honour those pairs. The government has clearly brought them back tonight because they intend, presumably, to suspend standing orders at midnight and sit until it is done. If that is what they want to do then good luck to them, if we are still debating it at that stage. I say again to those members that I am sorry for what your party leadership is doing to you. If you are ill you probably should not be here, and the opposition has a tradition and always does grant pairs for people who are unwell, and that is on the record. The opposition was not doing anything about that. That is a decision of the Labor Party's leadership and management. Again, more service of the Labor Party and not of the South Australia people.

It is very disappointing that we have to have this debate tonight. It would have been useful for the opposition to have some notice if the government wanted to bring it on this week and we could have managed it in an orderly fashion amongst our other business. I note that we have had the indulgence of the Speaker for several hours this afternoon and yesterday while members gave valedictory remarks. I note that there have been some extraordinary uses of question time, today in particular, for ministers to take up the time of the house—not you, minister—quoting Monty Python and—

*Members interjecting:*

**Mr GARDNER:** Not any more. There is a wonderful video that the Minister for Communities and Social Inclusion should check out on the Liberal Party's website right now. The fact is that the government saw fit to do all sorts of things with the time of the house this week. In recent weeks we have seen hours used for debates brought on without notice, since the winter break. These are things that the government has decided to spend its time doing, and now here we are, well into the evening, after 8 o'clock, and debating a bill for which there was no notice given.

It is a bill that is a bad bill. It is a bill that I oppose. It is a bill that I will vote against. I call on members to vote against it. Frankly, I think that all members should vote against it and instead put the needs of the South Australian people first, put service to the South Australia people first, and put the desires of the South Australian people to have a fair electoral system first. I oppose the bill. Mr Speaker, I draw your attention to the state of the house.

*A quorum having been formed:*

**Mr KNOLL (Schubert) (20:21):** I rise to oppose this bill in the strongest of terms, and in doing so think that it is important that South Australians, the Labor Party and everybody in this parliament witness the derogation of democracy here in South Australia. What we are witnessing is one step in the removal of fair and free democracy in South Australia. This is the kind of behaviour that exists when a government has been around for too long.

We have seen it in other jurisdictions—in New South Wales, we have seen it in Queensland and we are seeing it here in South Australia. It manifests itself like this: in little things, like earlier today when the Labor Party saw fit to use question time as somehow their joke and their plaything, that answering questions from Her Majesty's Loyal Opposition is no longer as important as insider jokes that only a few who actually understand UK humour will get.

It manifests itself in more serious ways, though, when we look at the Gillman land deal or the mess that is the Festival Plaza redevelopment, where governments seek to thwart normal and proper process, seek to hide away from proper process. We had huge numbers of questions today to the Minister for Infrastructure, who just gently sat there and batted back any suggestion that anything was wrong in the face of mounting evidence, evidence that we have received, evidence that has been outlined in an Auditor-General's Report.

Today what we have seen is the next step in the evidence that exists to show that this government has been around too long and, dare I say, a government that is becoming corrupted in its processes. The step the government is taking today, in conjunction with the crossbench, will do more to take away the democratic rights of South Australians than at any time since the mid-1970s. This is a retrograde and backward step. Why are we taking this step? Why is the government choosing to take this step? It is because of the biggest bunch of sooks and whingers in South Australian political history.

Since 1991, when over 70 per cent of the population said, 'We believe that the party that gets more than 50 per cent of the two-party preferred vote should form government,' an overwhelming majority said, 'This is what we want.' Yet, what we understand is that the government has found some legal advice that suggests that they can take that away without going to the people of South Australia and asking their opinion on the matter. They believe that their opinion is more important than the opinion of South Australians—once again, a dangerous step in the corrupting of the political and democratic process.

Having had unchallenged boundaries for the last two decades, the first time they get an adverse result, they crack the sads and move to change the game. Instead of accepting the result, instead of standing up and saying, 'We're going to cop this on the chin,' what do they do? They circumvent the democratic process to suit themselves. That is not what democracy is about and that is what South Australians are sick and tired of.

South Australia has wanted a change of government since at least 2010. At that election, 51.8 per cent of the population said, 'We want a change of government.' Those cries for a change of government got louder in 2014 when 53 per cent of people said, 'We want a change of government,' and here we are, with the boundaries commission having listened, in a situation where once again the Labor Party would say, 'We believe that our opinion is more important than the opinions of South Australians.' What we have seen is a dodgy backroom last-minute deal through the upper house to get this piece of legislation up, to keep us late to jam this through.

To those who are out the back having end-of-session drinks and clinking their glasses because they believe they have won some great victory, can I say that this victory will be short lived because you cannot get away from the fact that, on 17 March next year, the people of South Australia are going to pass their judgement. They are frustrated and they are angry. They said it in 1991, with over 70 per cent of the vote. They said it again in 1993, 1997, 2002 and 2010. With the biggest cry of 53 per cent of the population in 2014, they have been passing judgement on the Labor Party and the Labor Party has been found wanting.

If a referendum is what it takes to put this clause into legislation, the fact that the government believes it can take away this clause without a referendum is an absolute disgrace and an act of pure cowardice. If they had any sense of decency, if they had any sense of trying to uphold the democratic



principles that have helped the Western world achieve the greatness it has, they would not take this step. They are doing everything they can to prop up a party that has been sliding in electoral terms and in its standing in the community for a generation. They are doing everything they can to prop up a dying, decrepit, soulless and valueless party.

I know that there are people of principle who sit on the other side of the fence. The Speaker has shown himself to be somebody who has at times been fair and has sought to have this chamber become a better Socratic place, to have better debate, to have greater levels of scrutiny, yet in this one fell swoop, in this one decision, the government is going back to worse than square one. It is going back to pre 1975. This is no longer the party of Don Dunstan. This is no longer the party of people who stand up for principle: it is the party of people who will stand up and do whoever it takes, say whatever it takes and legislate whatever it takes to keep themselves in power.

I look forward to members opposite standing up and actually saying what they truly believe, instead of smiling like Cheshire cats, sitting out the back having a drink and believing that they have won some sort of great victory. And the Labor Party thinks that this is a good move, but I do not know how many people have to give you the same advice before you start listening. The first piece of advice came during the 2016 boundary redistribution committee's report, a report submitted by two senior mathematicians from Adelaide University, which states:

There were two main findings. First, there is strong statistical evidence that the probability that an election in South Australia is unfair is higher than in the other seven jurisdictions under consideration. The results show that the predicted probability of an unfair election result in the other jurisdictions is [12 per cent], and in South Australia is [44 per cent]. Second, if predicting the proportion of seats that will be delivered to either major party with a given two-party preferred vote in South Australia, it is necessary to know which of the two parties is the subject of prediction. For example, given a two-party preferred vote of 50 per cent, it is predicted that the Liberal Party will win 43 per cent of the seats. For the same vote, the Labor Party is predicted to win 51 per cent of the seats.

That is exhibit No.1. Exhibit No. 2 is this extract from the Supreme Court judgement when the Labor Party challenged. After having suggested to the Liberal Party in previous redistributions to either put up or shut up, we put up. What did the full bench of the Supreme Court find? The commission found:

...having regard to election results over the last 40 years, there was an innate imbalance against the Liberal Party caused by voting patterns in South Australia upon which had been imposed successive redistributions as a result of which the Liberal Party could win a significant majority of State-wide votes but not win a majority of seats.

The commission referred to an argument by the Labor Party that the imbalance was a function of poor placement of resources at the last election but said that there was no evidence that this had occurred.

In the other place today it seems that at least one crossbencher's vote was swayed by advice from the government that said that there was no need to have a referendum and that this was somehow the tipping point at which that crossbencher and others have chosen to change their votes. How is it that not wanting to go to the people of South Australia and ask them the question is something that pushed you over the edge, that that is the bit that got you to say, 'Yes, this is okay; this bill is okay to become law as long as South Australians do not get a direct say in it'?

How is that an argument that is consistent with the principles of Western democracy; the principles that have helped South Australia to be the free and fair state that it is? How is that right? The answer is that it is not. They are hollow, shallow, cowardly arguments used by people who do not want to face the wrath of the electors on this question. They would prefer a deal done in the last hours of the last sitting of this parliament instead of asking the people of South Australia what they think. South Australians want a chance to have that say.

The bill itself does a couple of things. First off, what it does is delete section 83 of the Constitution Act. That section provides:

In making an electoral redistribution the Commission must ensure, as far as practicable, that the electoral redistribution is fair to prospective candidates and groups of candidates so that, if candidates of a particular group attract more than 50 per cent of the popular vote (determined by aggregating votes cast throughout the State and allocating preferences to the necessary extent), they will be elected in sufficient numbers to enable a government to be formed.

It is fairly straightforward. For a Labor Party that stands up and says that they are for fairness, to take away the fairness clause is the biggest piece of hypocrisy in itself. This is no longer the Labor Party

of Don Dunstan. In fact, this is no longer a Labor Party. What this is is a group of careerists who seek to hold on to the greasy pole of power for as long as they can using any method possible to continue to do that.

Do you know what? On 17 March next year, the people of South Australia will rip the Labor Party from this greasy pole and not before time. It should have happened in 2010. It should have happened in 2014 and it certainly is going to happen in 2018. This next election will be a referendum on what the Labor Party is seeking to do here tonight. Amongst all the other failures and all the other issues that this government has had, especially over the last four years, this question is going to form the basis of part of what South Australians are going to decide at the next election.

The Hon. John Darley in the other place had the government insert an amendment to review the operation of section 83(2)(c) requiring that this review must commence no later than 12 months after the general election. How can you have a review into section 83 if section 83 does not exist? How can you have a review into a fairness clause that you have just taken out of the Constitution Act? Are we supposed to review thin air? Are we supposed to review an empty piece of paper on the statute book? I do not know how you hoodwinked him, but he has been hoodwinked nonetheless, and South Australians are all the poorer for it. This review will be a farce.

The member for MacKillop said earlier that the people of South Australia should have the right to get rid of the government if they want and have elected to them the government that they want. This is not about us.

What I was excited by in this outcome from the boundary redistribution is that finally every single vote mattered because every single vote counted towards the 2PP, the two-party preferred percentage. A vote in Port Lincoln mattered as much as a vote in Hartley. Every vote was worth it. The reason we know that and the reason that we know that the Labor Party know that is that it is the first time we have seen them in the country for 20 years. Finally, they have the Speaker, the member for Croydon, doing multiple trips and street-corner meetings in my electorate, the first time in decades we have seen anybody out there.

In the 2014 election, I did not see my opponent from the Labor Party once. The poor bloke got no help from central office. There was only his family on polling booths. You could tell by the candidate they put up and the effort they put into the seat of Schubert that they did not care about Schubert voters. This electoral system and this outcome from the Supreme Court meant that every single voter across South Australia mattered.

It is not just regional South Australia that matters in this regard. It is safe Labor seats as well, where voters have been ignored for a generation also, where finally their vote matters as much as a vote in a marginal seat. Again, the way we know that is because the Labor Party have been changing the way they operate as well.

Every single voter being enfranchised has to be a good thing for democracy. I thought it was an exciting part of the Supreme Court's judgement because finally we were going to get to one vote one value. That one vote one value sure gets defined by different people for different purposes, but finally a person in a safe electorate for either the Liberal or the Labor Party could actually have their vote count towards the next redistribution. Because of that fact, it meant that every vote mattered.

That is what is being lost here today. We are going to go back to the dark days where there are only a few electorates that matter and the majority of South Australians get ignored, where the decision on who forms government is left to a couple of hundred thousand voters as opposed to the over 1 million voters that exist in South Australia.

This is what is at stake here. The Labor Party needs to wake up. They are the only ones left who believe that this is a good decision. At successive elections, the people of South Australia have told them. In the 1991 referendum, overwhelmingly the people of South Australia told them that they wanted fairness. In 2010, they got a message and in 2014 they got a stronger message. Then we had a boundary redistribution committee that sent them a clear message. Justice Ann Vanstone said: 'There has been an imbalance against one party for the last 40 years, and I am going to rectify it.'

After the Labor Party taunting us since 2010, saying, 'If you don't like the redistribution, why don't you challenge it? Why don't you guys just get over it and get on with it?', we did challenge it,

and the boundary redistribution committee, the electoral redistribution committee, agreed with us. And what did the Labor Party do after having an adverse finding against them, that did not go in their favour, for the first time? They challenged it, to the full bench of the Supreme Court.

So much for just grinning and bearing it. At the first opportunity where something did not go away, they cracked the sads and went to the full bench of the Supreme Court. We were happy by this because we thought, 'Finally, we are going to get an answer.' The people of South Australia and the electors have been telling the Labor Party; the boundary redistribution committee was telling the Labor Party and now the full bench of the Supreme Court has told the Labor Party that this is what matters, that the fairness clause matters, that every vote matters, and that getting the majority of the two-party preferred vote matters. It is the overriding principle.

The first example we are going to see the results of that is in the election in March 2018. Instead of the government waiting to see what happens, waiting to see how the system works, they have decided to change the system. Before we even get one vote, before we even get one chance to test out this new arrangement, this new system, this new understanding of where the value of a vote lies, they seek to change it because it does not work in their favour. It is a dark, dark day.

For those members opposite, who at various times quietly whispered to me in the corner saying, 'Come on, Stef, this is important; this is the right thing to do. Why don't you stand up for what's right?' Stand up for what is right here and now, because you cannot stand up and say what you are saying and have anybody in South Australia believe you. This is a corruption of the process.

The people of South Australia in previous elections have spoken. The boundary redistribution committee has spoken. The full bench of the Supreme Court of South Australia has spoken. And, at the moment, with the primary vote below 30 per cent, the vast majority of South Australians are giving a message to the Labor Party and that is, 'We do not like the dark path that you are going down. We do not like the ICAC hearings held in secret. We don't like the dodgy deals on the Festival Plaza and Gillman. We don't like the way you're acting,' but they do not seem to get the message.

This here is the most tin-eared example of the decline into a boggy sewer of mess that the Labor Party has undertaken yet. If they will not hear the message, then the overwhelming majority of South Australians are going to give it to them. Make no mistake: this is going to be seen as a corrupting of the process. This is going to be seen as nothing more than a dirty grab for continued power by a bunch of careerists who see power as an end in itself instead of a principle to uphold.

We here in this place are only here for a short period of time. There are those who have come before, some 800 in our chamber, and those who will come after. It is up to us as members of parliament to uphold the principles of democracy, to uphold the principles of this parliament, and that is not what is happening here today.

Back when the fairness clause was put in, it was put in because South Australians were sick and tired of the imbalance. And finally, after all this time, the Supreme Court made its judgement on how we are supposed to deal with that. The Labor Party have chosen not to listen to all of that and instead to go down their own path to serve their own petty ends, to serve themselves—the very, very few members of them left, certainly less after the next election—instead of serving the people of South Australia.

**The DEPUTY SPEAKER:** Point of order, member for Morialta.

**Mr GARDNER:** I draw your attention to the state of the house.

*A quorum having been formed:*

**Mr PISONI (Unley) (20:42):** I rise to speak on the Constitution (One Vote One Value) Amendment Bill 2017. This bill was rushed into the parliament as a political tactic of the Labor Party, the party that crusaded for decades against the gerrymander that was in South Australia in the 1930s, 1940s, 1950s and 1960s. When I was growing up, Don Dunstan was the first political leader I was old enough to remember being a leader. As a matter of fact, when I was collecting glasses at the Parafield Gardens Community Club as a 15 year old after school one day, I vividly remember him in his pyjamas at the hospital, resigning as premier due to ill health. I think everybody remembered what they were doing on that day.

He was a strong campaigner for delivering election results that reflected the decisions or the majority of the votes in South Australia. Of course it took a Liberal premier to deliver that here in South Australia. It was very tough for this side of the parliament when Steele Hall decided that he thought it was time to even up the balance between the city and the country when it came to electoral fairness. It was such a difficult situation for what was the Liberal and Country League at that time that we saw a split in the Liberal Party.

We saw those who were believers in the values of Steele Hall wanting to see a democratic process here in South Australia. We saw those moved to the Liberal Movement, and I think the 1975 election was the first time we saw so many seats decided on preferences, because there were Liberal and Country League candidates, Liberal Movement candidates and Labor candidates running for the same seat.

Of course, generally those three-way contests were in the seats that were held by the non-Labor side of politics. Compulsory preferential voting saw that either a Liberal or a Liberal Movement candidate would have been elected in those seats. That was something the Liberal Party had to deal with for quite some time. It paid a very heavy price to bring fairness into the system. I remember the 1989 election, when John Olsen had 52 per cent of the vote after a prolonged period of Labor government. I remember that election very well because I remember the 1985 election when Labor moved from a minority government, picking up about five seats, I think, from the Liberal Party in opposition, to become a very strong government.

One of their major promises was an entertainment centre in Adelaide. Between 1985 and 1989, they did not deliver it. Breaking promises after 1982—between 1982 and 1985—did not seem to have much of an effect, and they thought they could get away with it again in 1985 and between 1985 and 1989. I remember when Michael Armitage was the candidate for the seat of Adelaide. It was a key major issue. I was there with Michael Armitage at many of the concert events that were held outside at either Football Park or at Adelaide Oval, handing out flyers to anyone who would take them and reminding people, 'You shouldn't be doing this. You shouldn't have to be going to this concert outside, because Labor promised an entertainment centre in 1985 and they still haven't delivered.'

South Australians wanted to punish the Bannon government at that time. They had had enough. Fifty-two per cent of South Australians voted for a change, and it still did not deliver a change of government. The Liberal Party picked up five seats, but they fell one seat short. Labor formed government with the Independent member for Elizabeth, Martyn Evans. I think there was also the Independent member for Semaphore at that time, Norman Peterson. Did I get that right, Deputy Speaker?

**The DEPUTY SPEAKER:** How could you forget?

**Mr PISONI:** He is not from my side of politics, so do forgive me that I stumbled a little bit in my political history.

**An honourable member:** Do you remember Gil Langley?

**Mr PISONI:** I do remember Gill Langley. I still come across—

**Ms Chapman:** Former member for Unley.

**Mr PISONI:** Yes, the former member for Unley. I still come across the occasional very senior person in Unley these days, who, as a child or a younger person, remembered how Gil Langley always carried a screwdriver with him when he went doorknocking.

**An honourable member:** He fixed their toasters.

**Mr PISONI:** He did fix their toasters.

**The Hon. S.W. KEY:** Point of order.

**The DEPUTY SPEAKER:** Just a minute, we have a point of order from the member for Ashford.

**The Hon. S.W. KEY:** My point of order is that I seem to remember the Hon. Stephen Wade and also the member for Unley actually giving out the Gil Langley prize at the Unley Amateur

Swimming Club, so I am surprised that the honourable member does not remember who Gil Langley is.

**Mr PISONI:** The member for Ashford has obviously been napping.

*Members interjecting:*

**The DEPUTY SPEAKER:** Can we just step back?

*Members interjecting:*

**The DEPUTY SPEAKER:** Order! I am actually in charge, and I would like to get back to the debate. Off you go.

**Mr PISONI:** I accept the apology from the member for Ashford for being just a little bit distracted. It has been a long day. I think that many members expected today to be a fairly quick day, but it is now probably going to be one of the longest sitting days that I can recall in this place in my nearly 12 years of being here.

Getting back to the electoral system and the point of the Constitution (One Vote One Value) Amendment Bill, I want to finish on the former member for Unley, Gil Langley. He was a tradesman, an electrician, a very practical person. He took a screwdriver with him when he went doorknocking and he would do odd jobs for people. I have found myself in that situation occasionally when people—

**The DEPUTY SPEAKER:** You have been helpful?

**Mr PISONI:** Yes, of course—when people purchased furniture from me, when I had my business.

**The DEPUTY SPEAKER:** You fixed it up or polished it?

**Mr PISONI:** One person reminded me that they purchased a coffee table from me but there was no Pisoni badge on it. I had one left over, so I returned back to the home a week later and screwed the Pisoni badge underneath the coffee table for them so that they could have it branded as they expected when it was first delivered. It was one that got past the inspection program before delivery, but we rectified it at the first opportunity.

The bill before us is an extraordinary admission from this government that it does not have the support of the majority of South Australians in this state. It is a tricky attempt to steal government with an illegitimate election outcome, just as they did in 2010 and just like Labor did in 2014. Remember that in 2010 we had the member for Mawson and the member for—

**Mr Gardner:** 'Put your family first.' The former member for Bright and the former member for Morialta.

**Mr PISONI:** The former member for Morialta, the member for Mawson and the former member for Hartley got their union mates to turn up in blue T-shirts saying, 'Put your family first.' There were conservative Family First people—and this is what is so ironic: they were the two most left wing Labor MPs who would find so much of what Family First stood for uncomfortable using the Family First name to steal votes from people who thought they were voting to give Family First the best chance they had of entering the House of Assembly, but in fact delivering their preferences to Labor. It was an absolute disgrace.

Labor initially tried to defend that, but they then realised it was morally wrong. Then, because they could not trust themselves not to do it again, they changed the law so you could not do it again. They will do anything to hold on to the position that they are in at the moment. It is not just the members of parliament, of course. You need to look at the whole structure of the Labor Party. The pyramid of power that is the Labor Party is all about union membership at the base of the pyramid. The wider the base of the pyramid, the faster you can push yourself up to the pointy end, and the pointy end is a seat in parliament.

Of course, if you do not have a seat in parliament with your little pyramid of power, with whatever union you are in or with whatever faction you are in, you will end up as a ministerial staffer or you will end up on a board. There will be some reward for you in the Labor Party system for being loyal, recruiting members and building those bases on the pyramids of power so that the chosen few

can push themselves up to the pointy end of that pyramid into a seat in parliament and then of course into the ministry.

It is all about them. It is not about the people of South Australia. The people of South Australia want to see a change in South Australia. This government knows and the Labor Party knows that, if the new boundaries that we will be contesting as candidates at the 2018 election were in place for the 2014 election, it would have been a landslide win for the Liberal Party. With 53 per cent of the vote, it would have delivered 27 seats.

We have this crazy situation where a government was able to form a majority with 47 per cent of the vote. The boundaries are now fair. After giving the Labor Party an advantage for so many years, the boundaries are now fair. Labor needs a swing of 3 per cent towards them to even have any chance of holding on to office. They will lose some skin. We all know that election campaigns never end up with a uniform swing, but there is an average swing. That average swing needs to be 3 per cent for the Labor Party to retain any chance of holding on to government under this current system. Even if they get a bigger slice of the vote they will still lose government because they are unlikely to reach the 50 per cent. This is the system that we have had: a system that has allowed a party with only 47 per cent of the vote to form government.

Look at what they are saying about the polls out of Canberra: 47 per cent and 53 per cent is being described as being an horrific disaster for the government. If an election were held today, there would be a landslide win for the Labor Party, yet historically in South Australia we have known that the Liberal Party has to do so much better than 50 per cent plus one—51 per cent, 52 per cent or even 53 per cent is not enough.

**Mr Gardner:** We needed 60 per cent last time.

**Mr PISONI:** As the member for Morialta reminds me, 60 per cent was the last figure we needed to return to government. In the 50 years since the gerrymander in the 1968 election, we have seen Labor in office for 37 years and what do they have to show for it? In 1965, Adelaide was the third largest city in the country and we had full employment in South Australia. We were a state that was punching well above its weight. People were choosing to come to live in South Australia.

The issue that actually cost Tom Playford the 1965 election was the growth of the metropolitan area into regional seats. The demographic in those regional seats changed and in 1965 Condor Laucke, the member for Modbury, warned Sir Thomas Playford that he had to revise his conservative stance on 6 o'clock closing and state lotteries because his English migrant constituents, who were used to a culture where they could go out for a drink in the evening and could also buy a lottery ticket, could not understand why that could not be done in South Australia.

That 1965 election was lost by one seat and it was the seat of Modbury. He was a local member who was switched on to his constituency, but unfortunately it was a government that had become too comfortable and did not realise that things were changing, which is the same sort of thing that is happening in South Australia at the moment. That is why it is so important that we have a fair electoral system in South Australia.

I am more than happy to be judged on my performance and on what I can deliver as a member of parliament if we do have the honour of forming a government after 17 March next year. I am more than happy to stand before the people as a member of that executive government four years later and say, 'Look at what we have done. We have more to do. Please consider us for another four years.'

We are not interested in manipulating the system, unlike the Labor Party, and you have to go back in history. Why is it that the Labor Party continues to go back to looking at ways to get around the rules, looking at ways of manipulating the system? Because they are based on the trade union movement and that is what the trade union movement does. It is in their DNA. Look at the way the shoppies union recruits 15 and 16 year olds to sign up to the shoppies union on their induction night at Coles, Woolworths, KFC, Subway or any of those other organisations that have enterprise bargaining agreements that have been drawn up by Mr Malinauskas, in his former role, and others.

Why is it that they think they can hold a legally binding contract that has been signed by a 15 or a 16 year old but not countersigned by a parent? It is an extraordinary situation. But that is

what happens on their induction night and the EBA says that the union has access to those new staff members, those kids, on that day. It is a manipulation of a situation that is exactly what this bill is about.

The Labor Party took the decision of the Electoral District Boundaries Commission to the Supreme Court and there was not a single vote in favour of their position. They knew they could not take it to the High Court because there were precedents all around Australia where there are variances that are allowed. For example, Tasmania has a constitutional right to five lower house seats. They only have 60,000 people in each federal seat, in each seat of the House of Representatives in the Australian parliament. They have a constitutional right in order to do that.

In South Australia, you will find it is around about 100,000 to 110,000 and there is a variance in there in order for that to be managed. When the Electoral Commissioner is predicting what the populations will be in each seat, it is just a prediction. Sure, there is some science involved, but it is not guaranteed. Just because the commissioner might say that the seat of Unley might grow by a certain number between the time of the redistribution and the next election does not mean that is necessarily going to happen. A regional seat is exactly the same; it may grow more. There might be an increased price in a particular product. We could see some short-term migration into regional South Australia which would see that seat increase beyond the predictions that were made by the Electoral District Boundaries Commission.

So, it is important that the commission has all the tools that it possibly can have in order to deliver a fair result when those boundaries are reviewed after every election. It is a sad day for democracy when you have a government that is spending tens of millions of dollars on advertising, telling South Australians what a great job it has done but is much more interested in manipulating the system than being judged on its record.

**Mr GARDNER:** I draw your attention to the state of the house, ma'am.

*A quorum having been formed:*

**The Hon. T.R. KENYON (Newland) (21:04):** I rise to make a contribution, but not before I seek leave to continue my remarks.

Leave granted; debate adjourned.

#### *Ministerial Statement*

### **EXTREME WEATHER CONDITIONS**

**The Hon. C.J. PICTON (Karna—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) (21:05):** I seek leave to make a ministerial statement.

Leave granted.

**The Hon. C.J. PICTON:** I wish to update the house on the extreme weather forecast for South Australia in the next 36 to 48 hours. I have been advised by the State Emergency Service that a low pressure trough is deepening as it moves across the state from today through to late Saturday. This has resulted in the development of widespread thunderstorms and periods of heavy rain across a broad area from eastern Eyre Peninsula stretching across the Flinders, south of the north-east pastoral district, the Mid North, Yorke Peninsula, Adelaide and Mount Lofty Ranges, the Riverland, the Murraylands and the South-East.

The weather has been exacerbated by a combination of heat and tropical moisture that is generating unstable atmospheric conditions across the state. Thunderstorms are expected to affect most districts, with possible daily rainfalls of around 50 millimetres and totals between Thursday and Saturday of up to 100 millimetres. A flood watch warning has been issued for most catchments across the state and a number of other warnings are current, including a marine wind warning and severe thunderstorm warnings across the state. These conditions give rise to potential risks associated with flash flooding, severe weather damage, trees down, water over roads, rockfalls, lightning and localised hailstorms.

This morning, the State Emergency Service raised its level of preparedness to high and activated its state control centre and an incident management team. These will remain operational 24/7 throughout the event. A briefing has also occurred across agencies at the State Emergency Centre. Emergency services have already responded to 200 incidents throughout the day. The SES expects this number to increase rapidly as the front moves through the Adelaide metropolitan area and the Mount Lofty Ranges later tonight.

SES volunteers and other emergency services are on high alert, with swiftwater rescue crews on stand-by. Earlier this afternoon, the SES and local councils distributed sandbags from a number of locations in the Adelaide metropolitan area, the Mount Lofty Ranges, the Mid North and the Riverland. I am also advised by the Minister for Communities that a Code Blue has been activated throughout the state, with services connected to that. The SES will continue to lead the response and is working closely with the Country Fire Service, the Metropolitan Fire Service, SA Police and councils across the state.

I encourage South Australians to keep a close eye on the weather by listening to radio updates and warnings on a battery-powered radio and monitoring mainstream and social media. Please do not drive through floodwaters at any time. I urge South Australians to stay safe and dry this weekend and give a thought for our selfless SES and CFS volunteers, who will be working hard day and night to keep our communities safe. I thank them for their dedicated service.

#### *Bills*

### **CONSTITUTION (ONE VOTE ONE VALUE) AMENDMENT BILL**

#### *Second Reading*

Adjourned debate on second reading (resumed on motion).

**The Hon. T.R. KENYON (Newland) (21:08):** I merely point out that there has been a lot of whingeing this evening about the two-party preferred vote. This is a representative house of 47 electorates. You have to win a majority of seats. It can be done. I think the Liberal Party could have won 2010 and 2014 with the right campaign and the right candidates—they did not. I urge members to support the bill.

**Ms CHAPMAN (Bragg—Deputy Leader of the Opposition) (21:08):** I rise today to speak on this constitutional reform bill. I think it is fair to say that it has been a day of—

**The DEPUTY SPEAKER:** As lead speaker?

**Ms CHAPMAN:** As lead speaker—constitutional reform. In respect of this bill, firstly I indicate that the opposition will not be supporting the same. In respect of the other constitutional reform that passed through both houses of parliament today, I am pleased to report to the house, and I hope it has been noted, that we have amended the constitution, originating from a private member's bill which I am proud to say was initiated by me. After some months the government acquiesced to it, and it has been reported back to this house today as having the blessing of the Legislative Council.

In short, it will mean that the names of Reggie Martin and Sascha Meldrum will never again be in state reports as the advocates for the political parties that many of us represent in this chamber. It means that the fiction of a person being a party to proceedings, when there is an appeal on boundary commission redistribution determinations, means that the political party can be the party to proceedings and we do not have to perpetuate this fiction of identifying the name of the chief executive or secretary of that agency to be the party to the proceedings.

It is a small but important reform that was recommended by the Chief Justice in his judgement in the Full Court decision of the Supreme Court in *Martin v the Electoral District Boundaries Commission* [2017] SASCFC 18, delivered on 10 March 2017. In his reasons for the judgement, he made some overt comments about reforms that he thought were appropriate. The genesis of the bill I just referred to was his recommendation. I thank him for the same and thank the house and the other place for its positive passage through the parliament.

This second tranche of legislation to amend the Constitution Act 1934 is a very different beast. The history surrounding this bill is quite interesting, particularly as what we are currently being



presented with tonight is without the process that would normally occur with the notice of legislation being given, as has been outlined by other speakers. We have the rather peculiar determination by the government to progress this on a day when we are recognising respectively the valedictory addresses of those who are departing from parliament. And here we are on the last night, after we heard the Premier some hours ago thank all the people in the parliament for the work that they do, having this legislation brought on to be dealt with. It is concerning, but it just heightens, in my view, the level of arrogance to which the government has now elevated itself, to Herculean portions.

Nevertheless, let us consider what we have before us and where it has come from. Firstly, I want to remind the house that on 28 September this year the Attorney-General issued a press release which stated, in its opening statement, the following:

The State Government will seek a referendum to ensure that 'one vote one value' will be restored as the paramount consideration in determining future electoral boundary changes.

In a Bill to be introduced in Parliament today, the Government will seek to hold a referendum on the issue at the next state election.

Under the current Constitution Act, the Electoral Districts Boundaries Commission has determined that it can vary elector numbers by as much as 20 per cent from one seat to another.

This means some votes are worth substantially less than others. This is fundamentally undemocratic.

This Bill requires the Commission to give paramount consideration to achieving equality in elector numbers across all electorates—in line with the principle of 'one vote one value'.

He went on to say:

Since the 1940s the issue of 'one vote one value' has been debated in South Australia. Most people believed that this issue was finally resolved in the late 1960s and early 1970s. A recent determination of the Electoral Districts Boundaries Commission has put this settled principle back in doubt. Prior to the 2016 redistribution, the Commission has sought to achieve numerical equality of electors. The proposed change restores the principles that have guided redistribution for the past 50 years. A referendum is required for the change to be successful.

Apart from a number of these statements actually being grossly inaccurate or a distortion of what has actually occurred, there is a notable omission from it, and that is the determination by the people of South Australia in the referendum that they cast in 1991 in which 70 per cent of South Australia's voters determined that, against the history of previous attempts to ensure that there was fairness in elections, the boundaries should be drawn with a fairness principle. That was subsequently not only endorsed by 70 per cent of the people of South Australia voting but also found its way then, of course, into a clause that is now in our constitution and guides, as the principal or paramount factor, in the determination of boundaries after each election.

This press release is disturbing for a number of reasons, when I reflect back on it—firstly, because it is authored, or under the name of, the Attorney-General, who is supposed to be the first law officer of the state. At the very least, we expect from him that, if he is going to give a snapshot of the history and the principles in respect of this area of the law, he would get it right and that he not have notable omissions from it that distort that inaccuracy even further.

But let's move on. After having announced this to South Australians and in particular told them that he was going to introduce legislation that included for them to have a referendum to do what he claimed would be a restoration of principle, an elevation back into what he claimed was to be intended, what did he do? True to the published intention, he actually caused—although I cannot be certain about this—the Hon. Peter Malinauskas in another place to introduce two bills in the Legislative Council. That occurred on 28 September, so shortly after this announcement had been issued on that day. Notice was given and two bills were introduced to the Legislative Council.

The first was the Constitution (One Vote One Value) Amendment Bill 2017 to amend the Constitution Act of 1934 and there was also the Referendum (One Vote One Value) Bill 2017, which was necessary to pass to facilitate, or give effect to, the constitutional reform. If passed, the effect of the bills was that a referendum would occur at the next election in March 2018 to be effective for the next electoral boundaries commission, which would then be expected to take place in 2020.

Yes, the public had an expectation if they were following the announcement on this piece of legislation, that there was going to be some proposed constitutional reform, and that they would

again be consulted about what was to occur because they were going to have a referendum. After all, the Attorney-General had said there was going to be a referendum and the then minister for police had introduced the bills to support that.

In considering what these bills were to do, let us first look at the bill to amend the constitution—if I can just refer to that as the act, as distinct from the referendum bill. The principal bill was to amend section 77 of the Constitution Act by deleting the existing section and replacing it with a new paramount principle for the making of electoral distribution. As minister Rau said in his press release, this was:

...to give paramount consideration to achieving equality in elector numbers across all electorates—in line with the principle of 'one vote one value'.

The extension of that was that the new paramount principle in the bill required the commission to apply in making an electoral redistribution. The new paramount principle was that the number of electors in each electoral district should, as at the first polling day for which the order is to be effective, be equal. The second aspect was to expressly provide that the new paramount principle prevail over the provisions of section 83 of the act, which sets out other considerations that the commission was, as far as practicable, to have regard in making an electoral redistribution.

In the Attorney-General's announcement about this bill and its purpose, he said, 'The proposed change restores the principle that had guided redistribution for the past 50 years.' We know that to be patently inaccurate. What had guided the principles in respect of redistribution had never been that the primary or principal consideration was to be an equality of numbers in electorates—never. The concern about that statement is not only its misdescription by the Attorney-General. But, you do not have to take my word for it. The Full Court of the Supreme Court of South Australia in *Martin v Electoral Districts Boundaries Commission* [2017], to which I gave full reference earlier, again made it absolutely clear.

I do not know whether the Labor Party has too much wax in its ears, or nothing between its ears, or cannot read and have interpreted for them the decision of the Supreme Court, but they made it abundantly clear that that was not the primary consideration. In fact, their reinforcement of the decision that had been made by the commission in fact elevated the fairness principle as being in that superior position, in short.

I will come to that in a moment, but I will make an observation. It seems as though the Australian Labor Party had, and continue to have, by the arrogance of the introduction of this legislation, a misunderstanding or a complete ignorance or just a refusal to accept the decision of the Full Court of what had clearly been the case for decades.

I am quite happy to outline tonight, and I am sure the parliament would be pleased for me to do so, week by week for the last 40 years the development of the history of our laws in respect to electoral boundary redistributions. I will also outline the principles that sat behind that, the arguments that have in fact been debated by the Australian Labor Party and its luminaries in the sixties and seventies and which progressed for decades to demand and ultimately present the argument for the fairness principle to be adopted into law. On the face of it, this contemporary Australian Labor Party in South Australia were prepared to completely wash it away and rewrite it as though it had not existed, or, if it had existed, it had not been applied accurately for the last 50 years.

They asked for it. They drafted it. They argued for it. They purported to want it. They accepted it when it was interpreted at redistribution after redistribution in a way that they viewed was in their favour. They took the advantage of the importance of not having an exact number of electors in each electorate. They took the advantage when there was actually a very low number—under the average number of electors for each electorate—when it was to their advantage, but they cried foul when, finally, in 2016 the commission undertook its task, redrew the boundaries, made some very important statements about that and, in fact, laid to rest the complaints by the Australian Labor Party as to what had happened in the past.

The Electoral District Boundaries Commission made an order on 7 December 2016 affecting the redistribution under section 82 of the act. In that report, they explained the methodology and identified the commission's finding that:

...having regard to election results over the last 40 years, that there is an innate imbalance, against the Liberal Party.

Successive redistributions had resulted in it being possible for the Liberal Party to win a significant majority of statewide votes but not win a majority of seats. That is not my finding: that is the commission's finding.

I hasten to add that whilst the Australian Labor Party was the beneficiary of that circumstance, this innate imbalance, they were prepared to endorse it. They were prepared to be happy with it. They wanted it. They perpetuated it. Ultimately, the events that followed exposed the government for what it is. Obviously, as we now know (it is a matter of factual history), there was an appeal against the commission's determination and the Full Court of the South Australian Supreme Court, which comprised five judges—there can be three for a Full Court but, in this case, the decision was made and the Full Court determined that it would comprise five judges, including the Chief Justice—ultimately heard the appeal against the commission's redistribution order and they dismissed it.

As if it was not clear enough in the commission's report, it ought to have been abundantly clear to the ALP that they were no longer going to get away with clinging on to power with the superficial approach that they presented at the commission; that is, that there ought to be this equality of numbers in electors as some kind of paramount principle against what the legislation and the constitution clearly stated. Then, if it was not clear enough for them at the commission, they thought they would run it in the Full Court. They lost 5-0, with not even a dissenting judgment, not one little scintilla of support from any of the judges towards the Labor Party's claim that the constitution should be interpreted this way.

**Mr Gardner:** What did they say about costs?

**Ms CHAPMAN:** I am getting to the costs. Not one. It was five-zip, including the Chief Justice who makes it absolutely clear that they were clearly wrong. The Full Court held that the commission was required to have regard to the desirability of achieving a redistribution in which each electoral district has equal numbers of electors but the commission was not required to give paramountcy to that objective. Members can read it for themselves. I have read it. I loved that judgment. I loved it, I read it several times. They can go to page 237, and I invite them to do so, and their position is there. Quite clearly, the government's argument, perpetuated by Mr Rau again as being the restoration of the primary principle—what absolute rubbish he had in that press release—was that that should be the case.

The commission was confirmed as accurately invoking its obligation by the Full Court and that meant that, sure, it needed to consider the question of numbers of electors in electorates. It needed to consider a number of other things in the boundary redistribution, but the paramountcy was actually in the fairness principle. Most members here in the parliament understand what we are talking about there; that is, the fairness clause is there to ensure that the political party that wins the majority of two-party preferred votes should win office. Essentially, that means to give effect to the majority of the votes translating to 24 out of the 47 seats or more.

I want to say at this point that the desire to produce electoral fairness to ensure that, when you get the majority of votes, that translates into getting the majority of seats, is there because the voting system for members of the House of Assembly—that is, the people's representative in this parliament—is based on numbers of seats. But 70 per cent of the voting public in South Australia in 1991, in the referendum, determined that they should require that to win that 24, the majority of seats, they should have the majority of the votes in the state.

There are lots of different ways in which we can elect people but this was the model that we had. We have changed the number of seats in the assembly over the history of the state but this is the model that we had. You can have a number of different types of models, and I will not go into all of those today, but some of them are in neighbouring states and some of them are in neighbouring countries around us, where we have democratically elected parliaments.

However, it is not a situation where it renders an easy way of ensuring that the boundaries are drawn to achieve that; that is, to achieve this principle that the party that has the majority of votes should ultimately enjoy the majority of seats. What it requires is quite a considerable amount of skill

in drawing boundaries after each election. We have a set of rules that apply to that task being undertaken by the senior puisne judge and two other members who form the commission.

No-one ever said that was going to be easy. I think it is fair to say that it is not a task that Supreme Court judges have all been clamouring to perform over the years. The senior puisne judge is the person who takes that position. There is power for the Chief Justice to appoint another person to do it, but essentially it is not one that they are all rushing to do because it is not an easy job, but then being a judge is not an easy job anyway.

If we just had a simple rule that said everybody gets to vote if you are over 18 in South Australia and whoever gets the most number of votes is the first past the post, and not have a preferential system, so be it, that would be the rule; that would be the model that we would have. However, the model we have is representative government via electorates, which for whatever reasons the forebears of our state determined was the best form of government that we could have as parliamentary representation in a democratic process.

We are not about to go into changing that today, certainly not in this bill. That model is still there. We still have preferential voting that goes with it so, in a contemporary sense, we are not actually asking to change anything except that, in the initial bill, the government was asking us to change the order of things. So, even though the Full Court of the Supreme Court has said, 'No, Labor Party, you have got it wrong. That is not the way the act is there; that is not the way that that is to be applied; it is to be applied this way,' they decided that they would come to the parliament via this bill through the Minister for Police in the other place to give it that priority. That was the format of reform that was outlined in that bill.

Before I get back to it, can I just go back to the Full Court because one of the pleasurable things about those proceedings was that not only did the Full Court determine five-zip that the commission was right and the Labor Party was wrong, but they also, after further argument, ordered the Australian Labor Party to pay the legal costs of Ms Meldrum. Of course, Ms Meldrum is the Chief Executive of the Liberal Party of Australia SA Division—an excellent director—and because of that anomaly I referred to earlier, she was the party to the proceedings in respect of the Full Court appeal. It was necessary that she do all the instructions and so on, and she won.

I am not sure whether we have got the costs yet, but there was a big bill that the Australian Labor Party have to pay us. It is not surprising, at the end of all that, when the Labor Party has gone up to present their submission to the commission and they have lost, they have put in their review on that and they have lost, and they have gone to the Full Court and they have been smacked down five times, and then left with a huge bill to pay and our bill to pay, that they are a bit testy by this stage. So, in their usual sooky, sooky, crybaby way, they have decided to come to the parliament to resolve this issue. They will not take any notice of what the commission has done. They have rejected that, they have rejected the Full Court and they said, 'We are going to go to the parliament because we want our principled position to have paramouncy above that'.

Remember that at this stage we are at an application, via the Legislative Council, for constitutional reform in the bill, together with a referendum bill. So at this stage the public still expect, even if the Labor Party is going to progress this, that it is something that they are going to be participatory in: they are going to have a say. Well, what happened after that? Obviously, there were a number of commentators around who were interested to get into this space as to the fact that legislation had been introduced. Nevertheless, of course the general commentary confirmed that, if there was going to be legislation passed, there would be a referendum.

I think it is fair to say that we have seen, from our side of the house, that this is a fairly cynical exercise of the government. Apart from their being outraged that their view had not prevailed in the Full Court, clearly they were looking to desperately hang on to power and, in the attempt to cling to that, they would take this action in the parliament. In fact, although there were only minor variations in the numbers of electors ultimately determined by the Electoral Districts Boundaries Commission from the 2016 audit, the government wanted to continue on with this superficial principle of equal number of voters in each electorate.

Other commentators included Professor Haydon Manning of Flinders University. Most of us in this forum know Professor Manning because he has had a history of academic work. In fact, his

wife has entered the political fray for the next election as a candidate in the seat of Mawson, and that has been fully disclosed. As I am going to refer to him in a moment, I think that needs to be endorsed here.

He has obviously outlined in great detail in commentaries the history of the referendum, the fairness clause, the importance of it and so on, but what he has said publicly is that, really, the commission has made its determination. He notes that the Labor Party is not very happy with the decision, but that the best way to progress this is to see what happens in the 2018 election and, if there is a demonstrable inequity that flows as a result of the commission's determination, then there may be some case that could be mounted to argue for some change. But, no, the Labor Party will not take that situation. They will not accept that there has to be some demonstrated inequity. They just do not want this order to stand and they will do whatever it takes to vary it.

**Mr GARDNER:** Madam, I draw your attention to the state of the house.

*A quorum having been formed:*

**Ms CHAPMAN:** The two bills in the Legislative Council sat there for a while, then this month we saw some interesting developments. This is notwithstanding that, after commentaries and after the determination of the judgement and even going back to the commission, the commission itself had pursued the objective of each district having an equal number of electors. In fact, there was no suggestion by the Full Court of a legislative flaw that prohibited the commission from doing so. So they got an all clear from the powers that be, which was reconfirmed by the Full Court. The government, though, in its petulant refusal to accept the independent umpires, pressed ahead in the parliament.

I also add that, ordinarily, the parliament would not be asked to amend or repeal an existing law unless it had been demonstrated that there was good reason to do so—as I have indicated, in the present case, that the existing law would operate in an inappropriate way. There is no identifiable defect or problem and there is no suggestion that a particular electorate under the commission's determination was so fundamentally flawed in the outcome it would produce. Fail, fail, fail on the appeals, and here we are back to the parliament.

The first interesting development came in the middle of November when the Hon. John Darley publicly confirmed that he would not be supporting this legislation. It was unsurprising to us, I think, that he would see that as being what it was: a desperate attempt to cling to government. The Australian Conservatives also made a public statement to that effect.

In fact, I can recall comments made by the Hon. John Darley publicly—that is, not in another place but publicly—that the government should wait until after the next year's election before changing the way boundaries are drawn. He is quoted as saying, 'I told (Mr Rau) to see how the boundaries go at the election before changing them.' That was his position in mid-November.

At around that time, the Hon. Mark Parnell representing the Greens party then gave notice of amendments. I cannot recall exactly when he made a public statement, but it was in mid-November, that he would introduce amendments which would have the effect, if accepted, of totally gutting the proposal by the government in, if I can call it, the Malinauskas constitutional bill, specifically it would delete sections 83(1) and 83(3) of the Constitution Act.

The effect of this approach with these amendments was not to change the order, as the Malinauskas bill was to do, to bring an equal number of electors in an electorate up above the fairness principle, but to have the effect of abolishing the fairness principle completely. It is a different approach, I accept, but nevertheless it was one that he presented that would effectively relieve the Electoral District Boundaries Commission from having to draw boundaries on the basis of ensuring the party with 50 per cent of the TPP would be able to form government.

In other words, it would make it a lot easier for the Electoral District Boundaries Commission. It would have the effect of completely wiping out the majority vote of 70 per cent in the 1991 referendum that said, 'We want to have that in there.' This amendment, by wiping it out, would completely ignore the wish of the people in that vote at that referendum without any referendum—completely gone. It would also remove the requirement for the commission to make an assessment then of the political stance of the Independent and minor party candidates.

The Hon. Mark Parnell has a view that we do not need the fairness clause at all. In fact, he is very strong on this, that having to do this prediction is really not an appropriate way to progress. He sees it as being discriminatory in respect of minor parties and Independents. He has probably said some even more unkind things. Nevertheless, I think it is a genuinely held view that he sees the current model of how we elect people and the priorities we give in drawing the boundaries of the groups for the seats for the nomination and election of those people as being bound up with the benefits, aspirations and promotion of the two major parties to the detriment of the minorities. I do not think he is right, but I accept that it is a genuinely held view.

Although the Greens party did not exist when this type of issue was raised as to how we develop this model—I am talking about back in the 1960s and 1970s—I do not in any way detract from the fact that it has been a long-held view of the Greens that they have been treated poorly in relation to the consideration and the development of the model that is to apply. They are anti it. They said get rid of it altogether. To do the assessment in respect of the political stance a year out from a state election, before candidates have nominated, there is too much uncertainty in respect of the predicting of their preference and therefore it is an unreliable model and it should not occur. It is certainly prejudiced to his party, he says, and therefore we ought to go down that model.

I for one could not imagine that there would be anything more offensive to the people of South Australia, who had passed in a referendum a very clear commitment to having this in the constitution, than for any member of the parliament to come along individually, or ultimately as a group, and pass a law that wiped out what the public had asked for, what they had said by referendum.

Here is the interesting thing: when the government pulled this issue on for debate in the other place today, I went in to listen to some of their interesting contributions and it became very clear from the deliberations in another place that this was a developing bill on the run. It sounded a bit like there had been some backroom deals and discussions. That is nothing unusual in relation to legislation. I am not going to make any comment about the vote, and it will not, of course, reflect on the vote of the other place, but what I can say is that it became abundantly clear that the whole concept of having a referendum and going back to the people of South Australia to ask them about what they wanted had completely disappeared.

In the course of the contributions in the debate, what I was gleaning was that there had been some legal opinion obtained, apparently by the government—a bit late in the piece, it sounded like, but nevertheless apparently by the government. I think they had gone to the Solicitor-General and got some legal opinion that if the Parnell amendments to abolish the fairness clause altogether were progressed they would not need a referendum, they would not need to go back to the people of South Australia.

For obvious reasons, this new legal opinion was not tabled; I did not expect it to be. What seemed a bit curious was that not only did it appear that that legal opinion had not been provided even to the mover of the amendment, the Hon. Mark Parnell, or to the Hon. John Darley who came into the debates with his amendment to introduce a review clause, but it seemed everybody was under some kind of spell of understanding that they no longer needed to have a referendum because somebody in the government said they had got a legal opinion and they did not need to have one.

I certainly have not seen it. I do not know of anyone on our side of the house who has seen any legal opinion that says that we can wipe out the step that involves the people of South Australia, that we just cut them out of the process altogether and accept what the government says, and not only that we do not have to do it but that we should not do it.

So we have gone from what Mr Rau promised back in September—that is, the people having a referendum to make it their decision on their constitution about the electoral boundary commission rules that should apply for democratically elected parliaments in this state—across to a debate in the Legislative Council today with amendments that had been tabled a week or so ago by Mr Parnell, a new amendment for review by Mr Darley, no-one having a clue what this legal opinion is about, dumping the referendum bill and just pushing it through.

I have heard of legislative progression and lawmaking as being equivalent to sausage making, and I have to say it is a very good analogy for what has happened here today. It is really

quite concerning, because it seems on the face of it that not only the government but other members in the other place have progressed under the belief that there is a legal opinion that should legally obviate the need to consult the public but that they also should not.

I find that quite disturbing, because we are being forced not only to deal with this piece of legislation, constitutional reform for the state, but to do so really in a vacuum of information. I think that is intolerable. I think that when the public learn about this they will be as outraged about it, because the constitution, the democratic process, the election arrangements, the model that we employ and even the election procedures are there to protect the people of South Australia. They are there to protect their rights: to ensure that there is a proper process, that there is a protective process and that there is a clear mechanism that will ensure that when they have their say on election day that will translate into the legal election and appointment of their representatives.

We have just seen the retirement of President Mugabe in Zimbabwe. I was in South Africa and Zimbabwe in the 1980s when South Australia used to send prosecutors to Zimbabwe to help them out. There was a fairly newly elected president, Mr Mugabe. He was a very tall man, I recall, and seemed to have an iron grip on his country, except that at the time it was suffering under enormous plagues of AIDS, high levels of crime and massive poverty because of a lack of exportable product from that country.

So it was a very difficult time, but Australia, for example, and South Australia have participated in observing the elections in that country during the Mugabe regime, and we know full well the importance of ensuring that you have not only democratic elections but also safe elections so that people who do nominate and stand are protected. With that example, we see the extreme of what can happen when you do not have a legal framework around the protection of fundamental rights.

The fundamental right we are talking about in relation to this bill and in our state constitution is the laws that protect us in having free and fair elections without blood being spilt. Certainly there will be robust debate and policy presentation and those types of things, but we expect that at the end of an election in this state every four years the candidates will be alive—they may not be politically alive, but they will still be alive—and that we will have had a fair process and importantly that the public, whom we represent, will have had a fair say.

Part of that process is making sure what electorate boundaries there are after each election, which will translate into a voting pattern to ensure that the political party or aggregate of parties with the majority vote will, of course, achieve the majority of seats. That is the process. We know the worst examples in the world. I think we have a good process in South Australia, and I think it is one that we need to make sure is protected.

The fundamental thing which needs to be protected, and which has been completely abandoned today, is the right of the public of South Australia to have a say. I can only assume that the advent of the government bringing on the bill in the Legislative Council was done on the basis that they thought, 'We've locked in Parnell. We'll use his amendments,' and if they had not drafted them, help them be drafted. They thought, 'We'll use that. We don't have to have a referendum. We'll get Darley in because he can easily be persuaded to support this, even though his published position was quite different, because we'll just give him a review period.'

However, in respect of that, can I say that the review that is now in the bill before us requires in clause 4 that there be an undertaking for the review of the operation of section 83 and various time frames and the like. It ought to be patently obvious to members that when you have a bill that has deleted subsection (1) and subsection (3) of section 83 of the Constitution Act, frankly there is buggar all left. So when we have a review of section 83 of the constitution, it is a fantasy. You cannot have a review of thin air. That is the reality of what we are being asked to do now, and I am concerned that perhaps this is not a matter that had been fully explored or considered in the other place.

The Leader of the Opposition has helpfully handed me the act, which I could not locate in my notes, so I thank him very much for his support. The only thing left in section 83, if this bill passes here today, is the subsection that provides:

- (2) In making an electoral redistribution, the Commission must have regard, as far as practicable, to—

- (a) the desirability of making the electoral redistribution so as to reflect communities of interest of an economic, social, regional or other kind;

There are other matters that I will paraphrase to be population, topography, feasibility of communication and the nature of substantial demographic changes to be taken into account. Members would be mostly aware of these. I can particularly recall section 83(2)(d) in operation, which is:

- (d) the feasibility of communication between electors affected by the redistribution and their parliamentary representative in the House of Assembly;

The worst example of that that I can recall was Liz Penfold, when she was the member for Flinders. Some members will recall that the seat of Flinders, as it is known to us now, covers a large slice of Eyre Peninsula, a beautiful part of South Australia. However, some other members will recall that at one stage, when Mrs Penfold became the member, she was also required, under the boundaries, to represent the people of Kangaroo Island.

**The SPEAKER:** I remember it well. The *Island Seaway* used to go from Kingscote to Port Lincoln.

**Ms CHAPMAN:** This is the sad thing, because the *Island Seaway*, as the Speaker recalls, which followed the *Troubridge* and the *Karatta* as the principal vessel for members of the public and freight to and from the island, used to go from Port Adelaide to Kingscote and then across to Port Lincoln and then back to Port Adelaide, and then do the reverse trip.

It was quite a handy vessel. Not only could stock be taken to and fro to Port Adelaide because that was important for the produce and income of the regions on Eyre Peninsula and Kangaroo Island, but it also meant that if you lived on Kangaroo Island and you wanted to have a holiday on the west coast, you could catch the *Seaway* over or you could go to Adelaide and the people in Port Lincoln could come to see us—that was where I was living—or they could go back to Adelaide.

**The SPEAKER:** Despite my complicity in this turn of debate, it is irrelevant.

**Ms CHAPMAN:** Alright, so section 83(2)(d), which talks about the feasibility of capacity for the electors to be represented by their parliamentary representative, has to take into account that Mrs Penfold at that time had to leave her residence in Port Lincoln and either drive to Port Augusta, because they did not have a ferry across from Wallaroo in those days, and then down to Adelaide and catch a plane to Kangaroo Island to see her Kangaroo Island constituents, or drive all the way down to the end of the Fleurieu Peninsula to catch the ferry to Penneshaw to see her local constituency. It was a two-day exercise for her to get from her home to some of her electorate.

Of course, these are things that bring to mind the importance of that when considering how boundaries are drawn. Anyway, fortunately in that case, as I am sure the Speaker would recall, that was soon remedied and the next boundary commission after that put it back to where it should have been, namely with the Fleurieu Peninsula.

Back to the vacuum of which is to be reviewed, only this part of the clause, which has almost been there forever, is to be capable of being reviewed under the clause which we are being asked to endorse tonight in clause 4 of this bill. Under this bill, sections 83(1) and 83(3) are being removed completely. Therefore, in my view—and I hope that the parliament will agree—it is a completely inadequate form of any review. If the mover of that amendment, or those supporting it in another place, are of the view or the government is able to persuade me that there is somehow a capacity for us to have a review in respect of that, then they will need to be able to speak up.

The alternative is that whatever progresses in respect of this bill, the review is to be undertaken apparently by the Premier, which is even more worrying. Why would the Premier conduct the review? In any event, it needs to be a review far more than in relation to section 83. If the terms of reference are ultimately going to be restricted because of the confines of the operation of section 63, as expressed in that review clause, then we need to change it.

**An honourable member:** There's more.

**The SPEAKER:** But wait, there's more.



**Ms CHAPMAN:** Can I suggest to the parliament that rather than us progressing this bill in this chamber that we should do what everyone else has recommended we do, and that is respect the people of South Australia and the referendum that they passed in 1991. If we want to change it, if we want to override their view and we want to change that, then at least let us have the decency to go back to them and ask them again in a referendum; that is the first thing.

Secondly, the next state election is in March 2018, which I think is about 104 days away. I have it on my phone, but I do not want to waste any time tonight in trying to locate it.

**The SPEAKER:** I know you are doing your best to be economical with time.

**Ms CHAPMAN:** It is one of my—

**The SPEAKER:** Talents.

**Ms CHAPMAN:** I thought I would honour your—I was going to say passing, but that sounds rather final, does it not?

**An honourable member:** More final than it should be.

**Ms CHAPMAN:** Yes, fatal almost. I thought I would honour your time here in the parliament, Mr Speaker, on your last day of sitting, more than likely—but you never know, we might be back next week—by recognising that really what we should be doing is looking at how the construction of the existing law plays out in March 2018, that of course being upheld by the Full Court. We should look at how that will operate in practice and not proceed with this matter until that has occurred to ensure that we give it proper consideration again. Before we as elected members progress with the bill—in our case, we are forced to by virtue of numbers in this chamber—we should think again about progressing it in the face of any consultation with the people of South Australia, who, until today—

**The SPEAKER:** The deputy leader has made that point and could I say you have made the point that it is disgraceful to bring the bill on. You have canvassed the Supreme Court—

**Ms CHAPMAN:** I do not know that I have actually said that this time.

**The SPEAKER:** —decision.

**Ms CHAPMAN:** I said that others did.

**The SPEAKER:** You have commented on the debate in another place, which is out of order, and reflected on the votes of the Hon. John Darley and the Hon. Mark Parnell. You have talked about the legal opinion and asked where it came from. You have talked previously about the need to withdraw the bill, which you are talking about now. You have talked about respecting the decision of the people of South Australia. You have talked about the deposition of Robert Mugabe as President of Zimbabwe. You have talked about the referendum and you have talked about the process and you have talked about the community of interest, or not, between Kangaroo Island and Eyre Peninsula.

**Ms CHAPMAN:** I am sorry, I have to take issue with that. I was referring not to the community of interest clause, but to subsection (3) which relates to the capacity of the local member to actually represent their electors, which is not the community of interest clause.

**The SPEAKER:** Good point, but you have made it.

**Ms CHAPMAN:** My final point—

**The SPEAKER:** Your final point.

**Ms CHAPMAN:** —is my plea to the parliament to resist the temptation to follow the request of the mover of this bill, namely, the Attorney-General, and to blindly follow him to the cliff edge because the public will be at the end of that cliff. They will be down there screaming at you if they are forced into a voting arrangement on which they have not had a say and on which they have historically had a say and on which they have not even been consulted by referendum.

That is a shameful progression of important law, which I can only hope some members will see as being an act of arrogance. In fairness, I have to say that it did not start that way. The Attorney-General started with a press release and bills, including a referendum, but they suddenly evaporated and today we are being asked to deal with this after the debate in the other place.

If I have in any way reflected on the vote in another place, it was not my intention. I know that you would have been listening intently to what I was saying earlier and to reflect on the vote in another place is quite disorderly. I thought I was at pains not to reflect on the vote in another place. I have certainly raised the progression of the development of this bill in respect of the amendments that have been put by two of the members, the Hon. Mark Parnell and the Hon. John Darley. I do not withdraw from the comments I have made in respect to that, but if I have inadvertently reflected on their vote in the other place, then I will ensure that my apology is conveyed to them.

**Mr GARDNER:** I draw your attention to the state of the house, Mr Speaker.

*A quorum having been formed:*

**Mr PEDERICK (Hammond) (22:20):** I move:

That the debate be adjourned.

*Members interjecting:*

**The SPEAKER:** Is that seconded?

**Ms Cook:** No.

**The SPEAKER:** The member for Fisher will not cry no before I have put the question.

The house divided on the motion:

Ayes ..... 17  
Noes ..... 24  
Majority ..... 7

#### AYES

Chapman, V.A.  
Goldsworthy, R.M.  
Marshall, S.S.  
Redmond, I.M.  
Tarzia, V.A.  
Williams, M.R.

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

Gardner, J.A.W. (teller)  
Knoll, S.K.  
Pisoni, D.G.  
Speirs, D.  
Whetstone, T.J.

#### NOES

Bedford, F.E.  
Brock, G.G.  
Cook, N.F.  
Hamilton-Smith, M.L.J.  
Key, S.W.  
Odenwalder, L.K.  
Rankine, J.M.  
Vlahos, L.A.

Bettison, Z.L.  
Caica, P.  
Digance, A.F.C.  
Hildyard, K.A.  
Koutsantonis, A.  
Piccolo, A.  
Rau, J.R.  
Weatherill, J.W.

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

#### PAIRS

Treloar, P.A.

Hughes, E.J.

Motion thus negatived.

#### *Personal Explanation*

#### MEMBER'S REMARKS

**The Hon. M.L.J. HAMILTON-SMITH (Waite—Minister for Investment and Trade, Minister for Small Business, Minister for Defence and Space Industries, Minister for Health Industries, Minister for Veterans' Affairs) (22:26):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. M.L.J. HAMILTON-SMITH:** Earlier on today, instead of opting for a graceful exit, the member for Heysen chose to misrepresent the facts of what occurred—

**Mr GARDNER:** Point of order, sir.

**The Hon. M.L.J. HAMILTON-SMITH:** —on a number of occasions—

**Mr GARDNER:** You have previously explained how personal explanations can be undertaken. The member for Waite is not undertaking it that way.

**The SPEAKER:** The member for Waite may claim to be misrepresented, but what he cannot do is say that a particular member misrepresented him, because that would be an unnecessarily confrontational way to begin a personal explanation. Let the member for Waite just explain to us the detail of how he has been misrepresented.

**The Hon. M.L.J. HAMILTON-SMITH:** The member for Heysen made a number of claims—

**Mr GARDNER:** He is starting again, sir.

**The SPEAKER:** No, no.

**Mr GARDNER:** Point of order: the member for Waite is undermining your authority and ignoring your instructions—

**The SPEAKER:** No, no.

**The Hon. M.L.J. HAMILTON-SMITH:** —that were blatantly and factually wrong.

**Mr GARDNER:** —and I withdraw leave.

**The SPEAKER:** No. Au contraire, he is saying who he claims misrepresented him, so that is okay. Now let's move on.

**The Hon. M.L.J. HAMILTON-SMITH:** They do not like it. They like to rewrite history. The member for Heysen wrongly claimed that, after the 2010 election—an interesting election, one that probably could not have been lost—I came to her office and said two things: one was that all the policies she took to the election were policies I had written, and the second thing she claimed was that I had suggested to her that she should step aside as leader. Both those things misrepresent the truth. What in fact happened, by the member for Heysen's own explanation, was that she sacked the member for Goyder as deputy leader and tried to impose on the party the member for Davenport, the Hon. Iain Evans, an imposition that the party room was not prepared to accept.

**The SPEAKER:** And what do you say the true situation was?

**The Hon. M.L.J. HAMILTON-SMITH:** My point was that the true conversation that I engaged in with the member for Heysen was after I had successfully won the deputy leadership in a contest with the member for Davenport. In fact, the conversation was not really about the member for Heysen resigning. It was actually more about the hissy fit that followed my election as deputy leader and the absolute pantomime over a week, where it was pretty obvious she wanted me to resign, which in effect I did, to make way for the member for MacKillop. Half the party room did not turn up for the member for MacKillop's election. They are the facts of what occurred, and she completely misrepresented the truth.

**The SPEAKER:** The personal explanation is over. The Deputy Premier.

*Bills*

## CONSTITUTION (ONE VOTE ONE VALUE) AMENDMENT BILL

*Second Reading*

Debate resumed.

**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) (22:30):** Thank you very much, Mr Speaker.

**Mr van Holst Pellekaan:** I am on my feet.

**The Hon. J.R. RAU:** Yes, we know that. This is a procedural motion. I move:

That the second reading of the Constitution (One Vote One Value) Amendment Bill 2017 last 30 minutes from the passing of this motion; that the committee stage of this bill last 40 minutes, with 10 minutes for each clause; and that the third reading of this bill last five minutes.

The house divided on the motion:

Ayes ..... 24  
Noes ..... 17  
Majority ..... 7

#### AYES

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

#### NOES

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

#### PAIRS

Hughes, E.J.	Pengilly, M.R.
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Motion thus carried.

**Mr VAN HOLST PELLEKAAN (Stuart) (22:36):** What an extraordinary disappointment this government has become in so many ways. It does not matter whether it is child protection. It does not matter whether it is energy. It does not matter whether it is the economy. It does not matter whether it is unemployment. It does not matter whether it is the foundation of our constitution. Of course we can debate the one vote one value, the fairness test and a whole range of other things that are in this bill but, goodness gracious, Mr Speaker, on your last day in the chair you are presiding over the government gagging debate on one of the most fundamental aspects of democracy in South Australia.

We have a bill here from the government that removes section 83 from the constitution of South Australia and replaces it with clause 83A, which states:

- (1) The Premier must undertake a review of the operation of section 83.
- (2) The review required under this section must commence not later than 12 months after the general election of members of the House of Assembly next occurring after the commencement of this section.

- (3) The Premier must prepare a report based on the review and must, within 12 sitting days after the report is prepared, cause copies of the report to be laid before each House of Parliament.

What this says is that the Premier must undertake a review and the Premier must deliver the results of his review. What does that replace? It replaces, in the original section 83:

- (1) In making an electoral redistribution the Commission must ensure, as far as practicable, that the electoral redistribution is fair to prospective candidates and groups of candidates so that, if candidates of a particular group attract more than 50 per cent of the popular vote (determined by aggregating votes cast throughout the State and allocating preferences to the necessary extent), they will be elected in sufficient numbers to enable a government to be formed.

Mr Speaker, you are presiding over the replacement of that fairness with 'the Premier must undertake a study and must report the study and must lay it on the table', which means absolutely nothing. This is an extraordinary situation. The government wants to use its numbers in this chamber to replace one of the most important foundations of our democracy with 'the Premier must do a study and deliver the study to parliament'. It does not even say what has to happen to it after that. It does not say what any member of parliament or what the government must do. It is just a dreadful disgrace.

This is one of the most important things that we will discuss. I know the government has had its heart broken now that the Electoral Commission has finally delivered on what the constitution asks it to do. The constitution essentially says that how the votes fall broadly across the state is how the boundaries must be changed, so that the next time around, if everybody voted roughly the same way, the seats would fall in line with how the votes fell across the state.

The Electoral Commission has finally delivered that, and the government's response is not to say, 'Well, after a lot of free kicks over quite a lot of elections, we finally got a fair fight. Okay, we will front up and we will accept that we finally have a fair fight, and we will take that fair fight on.' The government does not say that. The government does not say, 'Okay, we will finally have a fair fight; we'll cop it on the chin. We have had free kick, after free kick, after free kick for the last four, eight, 16 non-stop years.' The government says, 'We refuse a fair fight.' The government says—

*Members interjecting:*

**The SPEAKER:** I warn the member for Colton.

**Mr VAN HOLST PELLEKAAN:** They say, 'We'll change the constitution instead; we will change the Constitution Act instead.' The government does not say, 'We accept the independent umpire's ruling and we finally have fair boundaries so we will finally fight fairly.' They will not change the rules. As soon as the rules are implemented fairly, the government says, 'We'll change the rules.' Not only does the government say they want to change the rules; they say, 'We refuse to participate in fair parliamentary debate about changing the rules.'

The Deputy Premier fronts up and says the government has just decided that we will only allow the parliament—this house—to discuss this for another 30 minutes. I do not know where 30 minutes comes from. We are all allowed to talk for 20 minutes, plus the lead speaker, and so the Deputy Premier has said—

**Mr Marshall:** No legal advice! Where's your Crown law advice, you cowards?

**Mr VAN HOLST PELLEKAAN:** The Deputy Premier said, in a very arbitrary way—

**The SPEAKER:** The leader may not refer to another member as a coward.

*Members interjecting:*

**The SPEAKER:** Will the leader withdraw?

*Members interjecting:*

**Mr VAN HOLST PELLEKAAN:** Mr Speaker, the Deputy Premier turns up and at some arbitrary point in time he says, 'I've decided that only 1½ more speakers will get a turn on this issue.'

**The SPEAKER:** Is that not debating the previous motion rather than the second reading?

**Mr VAN HOLST PELLEKAAN:** No, I am talking about how the government is handing this issue, sir. The Deputy Premier says that at an arbitrary time he has decided that 1.5 of what is

normally the opposition speeches will be allowed to contribute to this debate. So they do not want fair rules. When the rules are finally made fair, they say they want to change the Constitution Act and, instead of allowing debate on the Constitution Act, they just say, 'We are going to shut down debate. We're not even going to let the opposition have anything to do with it.'

It is an absolute disgrace and it speaks volumes of the cowardice of this government when it comes to fighting a fair election. At the last election, the opposition got 53 per cent of the vote. At the election before that, the opposition got 51.6 per cent of the vote. The government loved it that way when the rules supported them. As soon as the rules are fair, they say, 'No, we want to change the rules,' and they will not even allow a fair debate on the rules. We have endless members of parliament who want to contribute to this debate in a responsible way on behalf of their electorates, and the government will not even allow it to happen.

**The Hon. J.M. Rankine:** Well, why didn't the member for Bragg give them a turn?

**The SPEAKER:** The member for Wright is called to order for interjecting out of her seat.

*Ms Sanderson interjecting:*

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

**Mr VAN HOLST PELLEKAAN:** To remove from the Constitution Act that as far as possible the electoral redistribution is fair to prospective candidates and groups of candidates, that is what this government wants to remove. Let me just tell you that it does not matter whether a person, an elector, a South Australian, lives right next to the GPO in the middle of the CBD in Adelaide, or if they live in Mount Gambier or Port Lincoln or Oodnadatta or Innamincka, they deserve this fairness. By the government coming in here and rushing it through, using its numbers to gag debate on this issue, they are staring in the face of every single South Australian.

Whether they live in the electorate of Adelaide, the electorate of Mount Gambier, the electorate of Flinders, the electorate of Stuart, they are staring at that person and saying, 'We don't care about you. We do not care about you and we do not want you to have a fair election.' They are saying to every single elector in South Australia, 'We do not want you to have a fair vote to fairly choose the government of your choice,' and worse than that, 'We are not even going to allow the parliament to debate it properly.'

**The Hon. J.M. Rankine:** You moved adjournment.

**The SPEAKER:** The member for Wright is warned.

**Mr VAN HOLST PELLEKAAN:** Worse than that, they are saying, 'We will not allow the parliament to even debate their own proposal to change the rules,' which have finally been made fair, Mr Speaker. I can only imagine how ashamed and embarrassed you must be on your last night here in parliament to preside over this debate with the government wrecking democracy in South Australia.

**Ms BEDFORD (Florey) (22:46):** As usual, I am not able to fully support either side of this debate because I find it really quite distressing that this bill was brought on very late on the last day. However, I have sought legal advice about this matter and I am content to support the government in this particular case. We are the only state with this fairness clause and I believe the community of interest to be a really important part of this bill and that it was not looked after as well as it might have been last time in that the seat of Florey saw Modbury cut into three pieces, which may seem of little consequence to anyone in this chamber but the community of interest is really shattered in our seat.

In the past, we have had pieces tacked on to the old seat of Florey, with no community interest to Florey at all, just to make up the numbers. I have confidence that the bill has some protections in it still and on those grounds—

*Members interjecting:*

**Ms BEDFORD:** Because I feel we are just going around in circles. We are talking about the fact that to win an election you must win a number of seats and unfortunately no fairness clause, I do not think, will ever be able to manage that unless everyone votes exactly the same way as they did last time.

**Mr Marshall:** So the Supreme Court was wrong?

**Ms BEDFORD:** Well, I have taken advice; I am just telling you—

**Mr Marshall:** Five judges.

**Ms BEDFORD:** I am giving you the reasons why I am voting with the government. I am sorry if you cannot take it, but that is the way it is going to be for me.

**The Hon. J.W. WEATHERILL (Cheltenham—Premier, Minister for the Arts) (22:48):** This is one of the most significant bills that has been put before the—

*Members interjecting:*

**The SPEAKER:** The opposition has had more than 95 per cent of the time.

**Mr GARDNER:** Point of order: the Premier has had plenty of time to speak before his side gagged the debate with a guillotine. The standard practice is that when a member of the side opposite to the one that spoke last seeks the call, the call is given to that member, and the member for Mitchell was clearly up first.

**The SPEAKER:** Members have spoken in this debate. The Deputy Premier spoke briefly, opening it, and the members who have spoken are the members for MacKillop, Schubert, Morialta, Unley and the deputy leader. The opposition has had more than 90 per cent of the time on the second reading debate. The member for Florey, who is an Independent, just spoke for two minutes and I am now giving the Premier the call.

**Mr PISONI:** Point of order, sir: it was the government that gagged this and put a time limit on it. They had nothing else to say, they put a gag on this and now they want to use up top time that they knew the opposition wanted to use. Lift the gag. If the Premier wants to speak, lift the gag.

**The SPEAKER:** If the member sits down, perhaps the Premier will speak for just five minutes and we can allow the opposition the remaining five minutes.

**The Hon. J.W. WEATHERILL:** It is with great pride that I stand here to support this motion.

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** To be lectured by those in this house who have sat there occupying these benches for much of the existence of this parliament relying upon a gerrymander to point the finger at us when we seek to uphold the principle of one vote one value in this place is to say the least galling. I am successor in title to Don Dunstan, who sat here in this place and argued for one vote one value, not a malapportionment of districts where the Labor Party's votes were locked up in larger electorates than Liberal electorates in a way which meant that Labor Party votes were counted and given less value than Liberal Party votes.

That shameful episode belongs in the dustbin of history, and today we consign it to the dustbin of history. It is an absolute outrage that those opposite would seek to cloak themselves in democracy when they sat in this place enjoying the benefits of malapportionment. Can I cite, Mr Speaker, with some protection, the remarks that have been made today—

*Ms Chapman interjecting:*

**The SPEAKER:** I warn the deputy leader.

**The Hon. J.W. WEATHERILL:** —by psephologist, Antony Green, where he was asked the question: could—

*The Hon. J.M. Rankine interjecting:*

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

**The Hon. J.W. WEATHERILL:** —it lead to gerrymandering? He said, 'The fairness criteria is gerrymandering.' The reason he reached that conclusion is that what we are seeing now is the creeping malapportionment, where the honourable court decided that it is permissible to have up to 20 per cent difference in the size of electorates between Labor electorates and Liberal electorates to try to get some mathematical—

*Mr Knoll interjecting:*

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

**The Hon. J.W. WEATHERILL:** —precision about the two-party preferred vote in circumstances where we have—

*Mr Knoll interjecting:*

**The SPEAKER:** The member for Schubert will depart from the house for the next 15 minutes under the sessional order.

*The honourable member for Schubert having withdrawn from the chamber.*

**The Hon. J.W. WEATHERILL:** What the Labor Party is standing up for is the principle of one vote one value. That is what this bill is called, and they can bleat as much as they like, but a majority of the upper house, a majority of people who do not necessarily share the interests of promoting the Labor Party arrived at the same conclusion. They arrived at the conclusion that we cannot ever—

**Mr Marshall:** Who arrived?

**The Hon. J.W. WEATHERILL:** The upper house arrived at a conclusion, the upper house that does not have the interests of the Labor Party at heart—

**Mr VAN HOLST PELLEKAAN:** Point of order: the five minutes that you allocated the Premier has expired.

**The SPEAKER:** There are another 15 minutes on the clock. When I suggested to the Premier he might just speak for five minutes, I thought there was only 10 minutes on the clock. In fact, we have an embarrassment of riches. The Premier.

**The Hon. J.W. WEATHERILL:** Thank you, Mr Speaker, and if I could be heard in silence, it will go so much more quickly for those opposite and they will be out of their misery much sooner than they would otherwise be. Those opposite have been advancing an argument that somehow they have been unable to debate this matter. They were the very people who sought to adjourn the debate to run away from this question. This is a fundamental question that should be debated in the life of this parliament because it will affect the result of the next election, not the 2018 election but the 2022 election. It is critically important because we do not understand—

*Mr Marshall interjecting:*

**The Hon. J.W. WEATHERILL:** —what the configuration of the parliament will be after the next election, and it is absolutely crucial that we take the opportunity now, while all of us are unaware of the configuration of what the next parliament will be, to take these steps.

We have the very author of the fairness criterion and let me tell you that I had a conversation with Mr Mackerras. What he told me is that those opposite, who are complaining about the application of the—

*Mr Marshall interjecting:*

**The Hon. J.W. WEATHERILL:** This nonsense that somehow this is a Labor Party construction—this electoral system was designed by the Liberal Party for the Liberal Party, and they have complained for decades about the results that it threw up. Then, when this—

*Members interjecting:*

**The SPEAKER:** The leader will withdraw under sessional orders for 15 minutes for repeated interjection.

*The honourable member for Dunstan having withdrawn from the chamber:*

**The Hon. J.W. WEATHERILL:** When this clause was constructed to suit the convenience of the Liberal Party back in the day when it was inserted into the constitution, it has become more and more absurd each year. As the Electoral Commissioner has strained to give effect to this mathematical certainty, the precision of the two-party preferred vote in circumstances when the contest has always been the number of seats, it has created a debauched outcome.



We cannot criticise the judges for this, of making sense of a law which itself does not make sense. It will make even less sense after the next election if we are to believe the forecasts about the configuration of this chamber after the next election. It is critical that we act at this stage. Those opposite who suggest otherwise are being disingenuous. They are being disingenuous by suggesting that we should not deal with it in the life of this parliament. What they are hoping is that they are successful after the next election and, if they are successful after the next election, they can lock in and ensure that this gerrymander that now is reflected in the current arrangements—

*Members interjecting:*

**The Hon. J.W. WEATHERILL:** Not my words, Antony Green's words. This gerrymander that is now reflected in the current arrangements will be continued in perpetuity. This is the only opportunity to remedy this injustice, and this is the last opportunity, potentially, for this parliament to reassert the principle of one vote one value, and I am very proud that we are taking that step today.

*Members interjecting:*

**The SPEAKER:** The member for Colton will withdraw from the chamber for 15 minutes for repeated interjection.

**The Hon. P. CAICA:** What, after one warning, sir?

**The SPEAKER:** No, you had a full set of warnings. You earned them progressively during the day, starting in private members' time and question time.

*The honourable member for Colton having withdrawn from the chamber:*

**Mr WINGARD (Mitchell) (22:57):** I rise tonight in the limited time that has been afforded to us because of the gag that the government has moved on this bill, a sneaky bill that they are bringing through to amend the constitution at the very last minute of this term of government—it is quite amazing to see. I have listened intently to the history of what has happened here tonight, and to see a sneaky government, a desperate government, a dodgy government, looking to push through this at the last minute without seeking Crown advice, without allowing us to get more information on the detail and the devil of what they are trying to do is alarming and should be alarming for all South Australians.

In 1991, of course, we had a referendum to make our voting system fair here in South Australia. That is what the people of South Australia wanted and that is what they voted for: 70 per cent of people said that was what they wanted here in South Australia. But tonight we see again a sneaky move, a dodgy move from a dodgy government wishing to whip this through. People in South Australia want fairness. South Australians deserve fairness. We have seen this government before with tricks like 'putting your family first'. We saw them with the slogan, 'Can you trust Habib?' against the Liberal candidate for Elder at the last election. That is how this government operates, and South Australians deserve a heck of a lot better.

**The SPEAKER:** The member for Mitchell might turn his attention to the substance of the bill.

**Mr WINGARD:** And that we are, we are talking about the constitution and the fairness in this clause.

**Ms Bedford:** Divide!

**Mr WINGARD:** Fairness is vitally important in what we are talking about here—

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

**Mr WINGARD:** —and that is what the people of South Australia voted for at the referendum in 1991, and now the Premier wants this section removed. Section 83(1) is to be deleted, along with section 83(3), and now the Premier wants to bring in new section 83A, where:

- (1) The Premier must undertake a review of the operation of section 83.
- (2) The review required under this section must commence no later than 12 months after the general election of members of the House of Assembly next occurring after the commencement of this section.

- (3) The Premier must prepare a report based on the review and must, within 12 sitting days after the report is prepared, cause copies of the report to be laid before each House of Parliament.

Nowhere do the people of South Australia get a say like they did in the referendum of 1991. It is a sneaky government that would whip this through at the last minute and try to shut down debate, what is more, as this side of the house looks to raise issues and concerns about this amendment to the Constitution Act 1934.

I have talked about Gillman, Oakden aged care, the Repat and child protection, not to mention the economy, unemployment, youth unemployment, etc.

**The SPEAKER:** Not even close.

**Mr WINGARD:** They are very serious issues—

**The SPEAKER:** The member for Mitchell is not even close to the substance of the bill.

**Mr WINGARD:** —in South Australia and South Australians are seeing now that they have a sneaky government. They are the examples of the sneaky government that we have had here in South Australia for 16 years, and trying to move through a review like that, in place of what the people of South Australia voted for, is absolutely abhorrent.

We saw in 2016 the redraw of the boundaries to make it fair. Again, that is what South Australians want here. I came into this place knowing that people wanted a fair situation for South Australians, the opportunity to have their say. At the last two elections: the Liberal Party got 51.6 per cent of the vote in 2010 (well before my time), but in 2014 we got 53 per cent of the state vote. South Australians know that, if you get 53 per cent of the vote, you deserve to form government.

In Queensland, the Labor Party got 51 per cent of the vote and formed a majority government. South Australians know that if you get 53 per cent of the vote in this state and you do not form government, that is not fair. That is why at the referendum in 1991 people voted to have the fairness clause inserted, yet here we have a sneaky government coming in and trying to whip this in.

We look back, too, at what Labor did after the redrawing of the boundaries. They bleated—that is right, they cried foul—and did everything in their power to prevent this redistribution. They went to the Full Court of the Supreme Court: five judges, including the Chief Justice, heard this case and it was dismissed five votes to nil. The SA Labor Party were proven wrong again.

They were proven wrong, and most honourable people would say then, 'The umpire has made their decision, we move on and we play the game.' That is how most people work in society; that is how fair people work in society. But, no, the Labor Party lost, and here we are, on the eve of closing this parliament before the next election, and this sneaky move is pushed through before parliament.

South Australians again voted for fairness. That is the essence of what we are looking at here; that is what South Australians want. We have seen sneaky operations, sneaky deals that I mentioned before, at election after election—

**The SPEAKER:** The member for Mitchell will be seated. Standing order 128 reads:

If a Member indulges in irrelevance or tedious repetition of substance already presented in a debate,

1 the Speaker...may call the attention of the House...to that fact, and

2 may direct the Member to cease speaking.

I am now drawing the attention of the house to the member for Mitchell's irrelevant and tedious repetition. I ask him, in the remaining six minutes, to introduce some fresh material.

**Mr WINGARD:** Thank you, Mr Speaker, and I will. I will turn our attention back to the constitution, which is what we are talking about here, and the amendment to the constitution that the Premier has put forward, sneakily through the upper house. He has gained support, obviously. Do we know how, do we know why? No, we do not, but he has gained the support of people in the upper house who originally were not looking at or supporting this amendment, but something has gone on and, again, the appropriate time to debate, inquire and get more information on this has been removed from our side of the chamber. There are questions that need to be asked, but debate is

being shut down and members on my side of the house are not able to have those conversations or ask those questions.

The question has been asked: what Crown law advice did the government get on this bill? Again, we are not able to find any answers. When we look at the amendment to the constitution and what the Premier is proposing—bearing in mind that this was put in place because, as I have mentioned, in 1991, people voted at a referendum—the Premier is now allowing himself to decide for all South Australians exactly what he wants and how he wants to do it.

In effect, he is putting a gag on South Australians and that, in itself, is not fair. South Australians want a fair system. South Australians want a fair government. People are starting to look back over the past 16 years of this government and they are saying, 'Are they fair? Are they all about sneaky deals? Are they all about dodgy deals?' I have mentioned a number of those, and in spite of being asked not to mention them again, I will say that the people of South Australia have had enough.

When I came into this place, one thing I had driven into me by everyone I spoke to in my community when I doorknocked my local area was that, 'We don't like these sneaky deals. We don't like these dodgy deals.' Yet, here we are on the last day before the parliament rises before an election, and we are seeing one of the most sneaky, underhand, dodgy deals this government has ever produced, and they have produced plenty. I rattled them off before and I can rattle them off again—

**The SPEAKER:** If you do, I will rule under standing order 128 that you no longer be heard.

**Mr GARDNER:** Sir, would you please stop bullying the member for Mitchell on this point? You never do this to the Deputy Premier. You never do this to people on the other side, in terms of repetition.

**The SPEAKER:** The member for Morialta should be named, and I will confine myself to suspending him under the standing order for an hour.

**Mr Gardner:** Is that the standing order or the sessional order?

**The SPEAKER:** The sessional order—it has not yet been signed by the Governor.

*The honourable member for Morialta having withdrawn from the chamber:*

**The SPEAKER:** The member for Mitchell, who is not being bullied.

**Mr WINGARD:** I said I could name them, but South Australians know what they are. I do not need to name again all the dodgy deals that have gone on, but we can talk about this sneaky deal that has come before us tonight with the changes to the Constitution Act. I note that the bill has come through late on the last day of sitting, potentially, unless the government wants to sit again next week and debate it properly.

It is being raised tonight, which is the night before the test match starts, so we know that people will be enthralled with what happens with the cricket tomorrow. The government will be hoping that this slips through. That is the modus operandi and that is the guy that the government uses to bring through sneaky deals like that. Mr Speaker, while sharing a beverage at the races, you informed me of some of the wonderful tactics you use, like potentially photocopying notes of Liberal Party people who are holding—

**The SPEAKER:** I am sorry, I do not recall that at all.

**Mr WINGARD:** —listening post meetings and suggesting that you send down some of your people to have a chat to them. Those sorts of things are very sneaky. To send Labor Party people along—

**Ms COOK:** Point of order, Mr Speaker: relevance.

**The SPEAKER:** I do not recall any such conversation. We had a conversation at the races, but not about that. Anyway, do go on.

**Mr WINGARD:** Mr Speaker, if you have not done that, please say so, but it is on very good advice and conversations over a beverage. They are not illegal tactics, but they are very sneaky

tactics, and that is what we are seeing with the bill. The member for Fisher asks for the relevance, and the relevance is the sneakiness we are seeing tonight. That is what happens. A lot of people have had many other things happen to them during campaigns and I have mentioned them before. I think South Australians have had enough of this sneaky, dodgy government and they will have their chance to vote accordingly at the next election. Sadly, my time has expired because of the gag on this debate put in place by the government.

The house divided on the second reading:

Ayes ..... 24  
 Noes ..... 17  
 Majority..... 7

#### AYES

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

#### NOES

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

#### PAIRS

Hughes, E.J.	Treloar, P.A.
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Second reading thus carried.

#### *Committee Stage*

In committee.

Clause 1.

**Ms CHAPMAN:** Clause 1 identifies that this bill, once it passes, becomes the Constitution (One Vote One Value) Amendment Act. Why is that reference being pursued, given that there is actually an abandonment of the one vote one value principle of equality of electors to supersede the fairness clause, when in fact all this bill now does is abolish the fairness clause and have a review?

**The Hon. J.R. RAU:** The answer to the question is first of all this was the title that the other place thought was most appropriate, obviously, for the short title, and as a matter of statutory interpretation the short title is little more than that, the short title. It does not necessarily have to be a comprehensive description of the bill.

The second important point about the bill is that, as I understand it, if one is to look at the constitution and delete sections 83(1) and 83(3), one is left with a set of criteria that puts one vote one value as the primary remaining element, which of course is—

*Ms Chapman interjecting:*

**The DEPUTY SPEAKER:** Order!

**The Hon. J.R. RAU:** That is my answer. You may not like the answer, but that is my answer. My understanding is that it has always been the intention, certainly of the government in moving this in the first place, to achieve one vote one value, and by removing what was the distorting factor of the provisions that this bill from the Legislative Council moved, as I understand it, by Mr Parnell, does, this bill removes the elements that directed the boundaries commission to have regard to matters other than one vote one value.

**The DEPUTY SPEAKER:** The deputy leader has a second question.

*Members interjecting:*

**The DEPUTY SPEAKER:** Order!

**Ms CHAPMAN:** What is the Attorney's view, then, of section 77 of the constitution, which is untouched now by this bill, being so diversely different to what the Attorney had proposed and announced publicly back in September in his draft bill? Section 77, which I know that you are very familiar with, basically sets out the basis for redistribution and sets out how the electoral quota is to be calculated and what the permissible tolerance is. That still equates: number of electors divided by 47 seats, permissible tolerance of 10 per cent, so there is not going to necessarily be, even by this fairness clause being removed, equality of numbers of electors per seat, because the permissible tolerance is still 10 per cent. How is that going to work?

**The Hon. J.R. RAU:** Again, all I can tell the deputy leader is what my understanding is, which is that by the removal of the provisions that even the Supreme Court, I think, in its recent determination indicated were the provisions that deflected them from what otherwise would have been a clear objective of one vote one value by the removal of those, what is left is the primary consideration of one vote one value. That is point No. 1.

Point No. 2 is that, in that context, one then gets into a consideration of the dates and the moments at which the tolerance is to be assessed relative to the—

**Mr Marshall:** What is the tolerance?

**The Hon. J.R. RAU:** Am I allowed to finish, please—relevant to the day on which the question of what the boundaries are and what the numbers will be at the election time. We are dealing with—

**Mr Duluk:** What will they be after the new changes?

**The DEPUTY SPEAKER:** The member for Davenport, it is not your turn to speak.

**The Hon. J.R. RAU:** I am attempting to assist those who are interested.

**The CHAIR:** No, over here.

**The Hon. J.R. RAU:** The point is that the determination of the boundaries necessarily occurs and in fact lawfully must occur at a point in time prior to—some year or more or two years prior to—the actual election day. So there is a difference between what the population of a particular proposed district will be as at the moment of the handing down of the determination of the Electoral Boundaries Commission and what that district may be projected to be on election day. There are many matters to be considered, and I would encourage members who are really interested in the more arcane aspects of this to read the determinations of the Full Court.

The primary point, however, is quite simple. Because it is clear, as far as the court was concerned, that the elements of the current constitutional provisions that distracted the boundaries commission from its otherwise clear objective of achieving one vote one value as much as it possibly could are the ones that have been identified by Mr Parnell in his amendment, and those have been removed. Therefore, what is left is the primary objective as described by the Supreme Court. As I understand the Supreme Court's decision, they formed the view that that primary objective had been suppressed or overtaken or in some other way rendered secondary to the provisions in 83(1) and 83(3).

**Ms CHAPMAN:** I am looking then at the original bill, which provided a new section 77. The new section 77 was consistent with the statement the Attorney made in his press release the same day it was issued, which was:

This Bill requires the Commission to give paramount consideration to achieving equality in elector numbers across all electorates—in line with the principle of 'one vote one value'.

Specifically, the bill that you commissioned—I can use that general term—provided:

The paramount principle that the Commission must apply in making an electoral redistribution is that the number of electors in each electoral district should (as at the first polling day for which the order is to be effective) be equal.

So the original position was to actually make equal numbers. My point is that without referring to that at all—because it is not in this bill that we have now anymore—we are left with the original section 77—

**Mr Marshall:** Which provides for the 10 per cent variance.

**Ms CHAPMAN:** —which allows for the 10 per cent variance. So I am just struggling to understand: if you are saying the effect then of this bill in its current form, given to us from the Legislative Council, is one of removing fairness and therefore allowing one vote one value in accordance with what your government were aspiring to in terms of having supremacy or paramouncy, it is still surely defective according to your definition, in allowing the tolerance of 10 per cent.

*Members interjecting:*

**The CHAIR:** Order!

**The Hon. J.R. RAU:** I understand the point. What I am trying to explain is this: the government's preferred position was to do what we did in our bills. We wanted to do that in that way, because so far as we were concerned that was the absolute 100 per cent outcome in terms of voter equality. We were so committed to that we were prepared to have a referendum on that, but what happened was, thanks to members of the opposition in the other place and other crossbenchers, we were told, 'No, you are not allowed to have a referendum on that. You are not even allowed to ask the people whether they want that. We won't let you do that.' That is what they said to us. 'There's no way you are getting a referendum'. Okay?

That means, because of the determination of your colleagues upstairs, we were not going to be given a referendum. That was for sure. At that point, Mr Parnell offered an alternative which did not require a referendum. I do not think it is as absolutely a 100 per cent outcome as ours, but it is a great deal better than what we have now.

So, the reason we accepted and ultimately supported the second-best alternative, which was being offered by Mr Parnell, was because it was being made clear by the opposition and the crossbenchers that they would not even allow the public to have a vote on what we considered to be the best outcome.

**Mr Knoll:** They had a vote in 1991.

**The CHAIR:** Order! Ten minutes have expired.

Clause passed.

Clause 2.

**Ms CHAPMAN:** There is provision here, 'referring to the amendment of a specified Act amends the Act so specified'. This is in the amendments to the constitution, as I understand it. Again, we come back to this question as to what we are going to call this act because, clearly, 'one vote one value' no longer applies, given what you have just acknowledged, namely, that if the quality of voters in electorates is what you have said is your defining aspect of 'one vote one value', we are still going to have a 10 per cent variance for different factors.

**The Hon. J.R. Rau:** No, we are not.

**Ms CHAPMAN:** We are. You tell me, with section 77 standing completely as it is.

*Members interjecting:*

**The CHAIR:** Order!

**The Hon. J.R. RAU:** I am taking a point of order under 128. We have moved on from the fascinating topic of what this four-clause, one-page bill is called. We are now on clause 2, which is a sentence with about 15 words in it, and so far all the comments—

**Mr Duluk:** Why don't you remove that from the constitution? Why don't you remove it?

**The CHAIR:** Order, member for Davenport!

**The Hon. J.R. RAU:** —have been pertinent.

*Members interjecting:*

**The CHAIR:** I am on my feet. The member for Davenport clearly does not want to stay in the chamber much longer. In fact, if he is not careful, he will leave immediately, so no more interjections.

**The Hon. J.R. RAU:** As I was saying, we have moved on from the topic of what it is called. The member for Bragg has expressed her point of view and I have attempted to respond, so these comments are not pertinent or relevant to clause 2.

**Mr MARSHALL:** I have a question regarding this clause and the amendment provisions. Both the Attorney-General and the Premier have spoken in this house, saying that the reason for these amendment provisions that are offered in this bill before the house is to have the primacy or paramountcy of the issue of having the same number of electors in each seat. They say this is absolutely paramount. This, of course, is exactly what they have said, both in the Premier's contribution in the house, only a few moments ago, and in the Attorney-General's comments, repeatedly. The reality is that the amendment provisions provided in this bill before the house do not actually achieve that.

There is no way that the amendments that are sought by the government are achieved by this because we go back to the original section 77, which clearly allows for a 10 per cent variance in either direction. So the very point that the Premier was making in the house only about an hour ago is not actually achieved. In fact, he was making the very point that a 20 per cent variance is allowable under the original act, which they seek to amend. This provision talks about the amendment provisions. He has said that these—

**The Hon. J.R. RAU:** Are you asking a question?

**Mr MARSHALL:** Yes, I would like to ask. Clearly, the question is: how can the Premier stand in this house and say that these amendment provisions provided in this bill before the house will not allow the continuation of up to a 20 per cent variance between the lowest and the highest, yet there is no amendment?

**The Hon. J.R. RAU:** At the risk of being repetitive—

*Members interjecting:*

**The CHAIR:** Order! I need to be able to hear the Attorney.

*Members interjecting:*

**The CHAIR:** Order! I need to hear him.

*Mr Knoll interjecting:*

**The CHAIR:** Member for Schubert!

**The Hon. J.R. RAU:** At the risk of being repetitive—but the questions have been repetitive, so unfortunately that becomes necessary—point number one: if you read what the Supreme Court had to say in their decision, what the Supreme Court is basically saying is, 'We have considered all the things that are supposed to be on the mind of the boundaries commission at the point in time at which it makes a decision.' We have come to the conclusion that because of the existence of 83(1) and 83(3), the most important consideration they have to have regard to is this.

The secondary matter of equality between the number of people from electorate to electorate gives way to that. That is broadly what they had to say. We then go to section 77(1) of the constitution, which provides:

Whenever an electoral redistribution is made, the redistribution shall be made upon the principle but the number of electors comprised in each electoral district must not—

and I get back to the point I was trying to make before—

(as at the relevant date)—

and we will come back to what that means in a minute—

*Mr Duluk interjecting:*

**The CHAIR:** Member for Davenport!

**The Hon. J.R. RAU:** Why doesn't the member for Davenport be quiet and learn something?

*Members interjecting:*

**The CHAIR:** I am on my feet. Sit down. I cannot believe that you are speaking that way with the live feed on for any poor person who is watching this tonight. You know the standing orders. You know the—

*Members interjecting:*

**The CHAIR:** I do not know any member in here who does not understand that the standing orders mean that the members need to be heard in silence. Your electors would be horrified.

*Members interjecting:*

**The CHAIR:** Order!

*An honourable member interjecting:*

**The CHAIR:** I will ask you to name them in a minute.

**The Hon. J.R. RAU:** As I was saying:

...each electoral district must not (as at the relevant date)—

which I will come back to in a moment—

vary from the electoral quota—

which I will also come back to in a moment—

by more than the permissible tolerance.

That is the broad proposition. Under subsection (2):

electoral quota means the nearest integral number obtained by dividing the total number of electors for the House of Assembly (as at the relevant date) by the number of electoral districts into which the State is to be divided as at—

*Members interjecting:*

**The Hon. J.R. RAU:** Can you please just be quiet long enough for me to finish reading the sentence. You asked me a question and I am trying to give you an answer—

the first polling day for which the order is to be effective;

So we have two different dates that we are talking about here. One is the relevant date and one is the polling day. They are not the same, and the reason they are not the same is because:

the relevant date means—

and it is defined here—

a date specified in an order as the relevant date, being a—

*Mr Marshall interjecting:*



**The Hon. J.R. RAU:** —what has your question got to do with clause 2 is a better question—  
date falling not earlier than six months before the date of the order.

That means that the relevant date is before the determination made by the electoral boundaries commission which means that on the day, which is the relevant date, the determination it makes must necessarily be a projection as to something that will be at a point in time a year or two in the future. The job of work that is being given to the boundaries commission by this provision is to say, 'Boundaries commission, you have the task of looking into the future. You have the task of imagining how many people are going to live in different places at a point in time in the future.'

*Mr Marshall interjecting:*

**The Hon. J.R. RAU:** You are starting to get what I am saying. This is good.

*Members interjecting:*

**The CHAIR:** Order! I am on my feet. The member for Davenport is persistently—

**An honourable member:** Name him.

**The CHAIR:** I will have to if he keeps—one more time. I am advised that under the sessional orders—

*An honourable member interjecting:*

**The CHAIR:** No, I mean you understand the rules of the house. I am supposed to be trying to prevent fights. I am also trying to listen—

**Mr Marshall:** Yet the rules of the house, we are being gagged at the moment.

**The CHAIR:** I can't deal with that. I am only dealing with the—

**Mr Marshall:** You can deal with whatever you like; you are in the chair.

**The CHAIR:** I can't because I can't hear anybody, and I am asking you all to obey the standing orders, which is to let him be heard in silence.

**Mr Duluk:** You know they are gagging debate anyway, so what is the point?

**The CHAIR:** I just ask you to observe the standing orders and, if you persist, I will have to name you and that makes everything really unpleasant on the last day. It is in your hands.

**Mr Marshall:** This isn't unpleasant—changing the constitution with this dodgy deal.

**The DEPUTY SPEAKER:** Well, the material before us is another thing. I mean the behaviour of the chamber.

**Mr Marshall:** This is outrageous. They haven't even got a decent point. This is all going round in circles.

**The DEPUTY SPEAKER:** Well, it is, but we only have a minute more of it on this clause.

**The Hon. J.R. RAU:** We are getting back to attempting to answer the question. There is a date selected by the commission, which is a date in the future, at which time the commission is obliged to do its best to make sure that the number of electors on that day in the future, divided by 47, is distributed equally amongst each of the 47 electoral districts. That is what the task is.

At the time, which is the relevant date, which could be a couple of years before that date, that may mean there is a difference between electorates which may be, according to this, permitted to be as much as 10 per cent. The electoral boundaries commission might know there is a new housing development about to go into an area. At the relevant date, they are under in the expectation they will be over later. I am sure I will get a chance to say this all again.

Time expired.

The committee divided on the clause:

Ayes.....24

Noes..... 17

Majority..... 7

AYES

Atkinson, M.J.  
Brock, G.G.  
Cook, N.F.  
Hamilton-Smith, M.L.J.  
Key, S.W.  
Odenwalder, L.K.  
Rankine, J.M.  
Vlahos, L.A.

Bettison, Z.L.  
Caica, P.  
Digance, A.F.C.  
Hildyard, K.A.  
Koutsantonis, A.  
Piccolo, A.  
Rau, J.R.  
Weatherill, J.W.

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

NOES

Chapman, V.A.  
Goldsworthy, R.M.  
Marshall, S.S.  
Redmond, I.M.  
Tarzia, V.A.  
Williams, M.R.

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

Gardner, J.A.W. (teller)  
Knoll, S.K.  
Pisoni, D.G.  
Speirs, D.  
Whetstone, T.J.

PAIRS

Hughes, E.J.

Treloar, P.A.

Clause thus passed.

*Sitting extended beyond 00:00 on motion of Hon. J.R. Rau.*

Clause 3.

**Ms CHAPMAN:** Having abandoned the new section 77 clause—

*Members interjecting:*

**The CHAIR:** I cannot hear the member on her feet. Order!

**Ms CHAPMAN:** Having abandoned the new section 77 clause and only progressing with the deletions in section 83, as in this clause, does the Attorney agree that that has the effect of leaving a division into electorates with a 10 per cent tolerance?

**The Hon. J.R. RAU:** Chair, can I just say—

*Members interjecting:*

**The CHAIR:** Order!

**Ms CHAPMAN:** There would be no change to section 77 and section 77 is still there, which still provides how it is to be divided with a permissible tolerance irrespective of the date that is there.

**The Hon. J.R. Rau:** This is not an argument. What is the question?

**Ms CHAPMAN:** Is it not that that all remains and it still includes a tolerance?

*Mr Duluk interjecting:*

**The Hon. J.R. RAU:** Can I make two points. If the member for Davenport could stop bellowing for a moment, I will finish answering the question. The point is, first of all, 138: this is repetitive, irrelevant and I have already answered this half a dozen times. My answer to your question is, no, I do not agree with you.

*Mr Duluk interjecting:*

**The Hon. J.R. RAU:** No, for the reasons I—

**The CHAIR:** Order! The Attorney is on his feet. I want to hear the end of his answer.

**The Hon. J.R. RAU:** Just so we do not hear this question another four or five times, the answer I gave at some length before we had our recent division—and I am not quite sure what that achieved, but nevertheless before we had that division—I explained, I thought, at some length the way I read the provisions and what I understand has happened.

I explained also to members that the government's preferred position was as contained in our legislation, but the government was left in a position where we were not able to proceed with that and the option presented itself, courtesy of Mr Parnell, to take an alternative which, for the reasons I have just explained, I think gets us as close as we possibly can to equality of electorates.

I do not agree with either the suggestion made by the member for Bragg or the suggestion made by others that we are adopting a position that contemplates a usual outcome of a 10 per cent tolerance on election day. Quite the contrary, I think the understanding is that on election day the proposals, if they are to be adopted by the house, will mean that we get as close as possible to equality in electorates.

**Ms CHAPMAN:** I understand that if you had progressed with section 77, as you were hoping to achieve. As you were hoping to achieve, it would just have an equal number of electors as at the first polling day for which the order was to be effective. That was your clause, right? I am just trying to understand. Having not progressed with that and being left with the current section 77, which still has in it a tolerance factor of 10 per cent, do you agree that, when looking at the redistribution, it still has a tolerance allowed? That is all I am trying to ascertain.

Clearly, you are moving on to add in a no fairness clause—I get that—and section 83(2) remains, setting out topography, population, demographics and so on. For the purposes of the future commission, they will be using the basis of redistribution as per currently published in the constitution, because I have not noticed any other change. I just want to be clear about it.

**The Hon. J.R. RAU:** I have made it clear: the government had a preferred position. It was made clear by the opposition and the crossbenchers that the government was going to be denied that position. Mr Parnell offered an alternative, which a majority of the members of the other place agreed with. It is not as good, from a drafting point of view, as I think the original position of the government is, but, having looked at his suggestion, having looked at the constitution and having read the judgement of the court, I am reasonably confident that this particular amendment has the effect of requiring the commission to do its very best to have an equality of voters in each electorate on election day, and that is what we are after.

**Ms CHAPMAN:** Alright. Let's consider that, then. I appreciate that it is your opinion and your view. Did you obtain legal advice from the Crown Solicitor or anywhere else in respect of the drafting of the first set of bills?

**The Hon. J.R. RAU:** I am sure that I did.

**Ms CHAPMAN:** At that time, a referendum bill was introduced and considered separately to the constitutional amendment. The referendum bill was to require a number of things, but basically to ask the question: do you approve of the Constitution (One Vote One Value) Amendment Bill 2017? That was the bill that went in with the original bill by Mr Malinauskas.

**The Hon. J.R. RAU:** If I can just explain again, what was being attempted originally—and there was no secret about this—was to directly deal with this problem in a particular way. That particular way required an amendment to the constitution, which in turn, because of the particular method that was chosen, required the constitutional amendment to be ratified not only by the parliament but by the people in a referendum, which is why there were two—

*Mr Marshall interjecting:*

**The Hon. J.R. RAU:** Can the Leader of the Opposition please stop yelling? I am trying to answer a question. So, that is why we introduced two bills, two paired bills. There was no secret

about this. They were introduced in the other place as paired bills and it was quite clear what we were trying to do. We have not been hiding it. It has been hidden in broad daylight ever since we introduced the bills. It has also been hidden in broad daylight, and in some contexts almost the subject of moderate self-congratulation, that there is no way the government was going to get the numbers to have a referendum on that.

In that context, the debate continued elsewhere and a proposition was advanced by one of the crossbenchers. That proposition offered a different way of pursuing the same outcome, which did not require a referendum because it was a different way of attempting the same outcome, and the other place decided that they were okay with that. I do not know whether that is because they do not like referenda or what it was, but that is what they did. And, because that was entirely consistent with the government's objectives, this proposal that has come from there—is their proposal; it is not the government's proposal; it is the upper house's proposal, actually—we accept. We say, 'We accept it.'

**Ms CHAPMAN:** Minister Malinauskas in the other place advised them that he had obtained legal advice. I do not know whether you have seen it. Have you seen any further legal advice on the proposal in this bill without there being a referendum?

**The Hon. J.R. RAU:** I do not know what legal advice the minister was talking about. I was not—

*Mr Marshall interjecting:*

**The Hon. J.R. RAU:** As much as I am interested in what happens in the other place, during the course of the day, including today, I have not been in a position to listen to all the conversations going on in the other place. I do not know specifically what questions were put to the minister and I do not know what advice he may have been referring to, whether he is talking about advice leading up to the drafting of the bills that we put in in September; what he is talking about, I do not know. I do not know what he was talking about.

**Ms CHAPMAN:** Well, here is the situation Attorney: we have a bill before us, which is amending the state constitution, which is specifically to abolish what we all know is the fairness section 83(1), to remove it completely. It only got in the constitution by virtue of a referendum in 1991.

**The CHAIR:** Order! I draw members' attention to the clock. The time has expired, and I am bound by the previous motion of the house that clause 3 as printed be agreed to.

Clause passed.

Clause 4.

**Ms CHAPMAN:** Most concerning to me, Attorney, is that, given all of that, we are now being asked to deal with a bill pushed through the lower house today. You may or may not have been privy to all of what happened down there. We are being asked to change the constitution, in fact specifically to remove what the referendum determination had put in without a referendum, which was necessary, apparently, to go with your bill, but now that you are doing a different clause that you are changing the constitution—no referendum.

I did listen to some of the conversation down there today, and you have my concern and I would appreciate your comment on that. But, in relation to that, minister Malinauskas referred to having the Solicitor-General's further advice. If you have not had an opportunity to see it or be privy to what is happening, how can we possibly in this house progress this bill without having some clear answers to those fundamental questions in changing this constitution?

**The Hon. J.R. RAU:** There are several things here. First of all, there has been some ambiguity about what advice at what point in time the deputy leader is talking about. Can I tell you this: in answer to the first question she raised—why is it that a change to section 77 requires referendum and a change to 83(1) and 83(3) does not—the answer is: each bit of the constitution is not exactly the same from the perspective of special manner and form and so on. So my advice at the time of us preparing our bills was that our bills almost certainly were in that class of amendment which required the third step.

As I said, the reason we have not pursued that third step is not because we did not want to; it is because we were told we were not allowed to, which is, incidentally, the third time we have been told to do that in the course of the last couple of years, but that is by the by. We then had an alternative proposal put up by the Hon. Mr Parnell. It is my belief and my advice—

**Mr MARSHALL:** Based on what?

**The Hon. J.R. RAU:** My advice; I have advice.

*Members interjecting:*

**The Hon. J.R. RAU:** What is wrong with Mark Parnell? I am advised, and it is my belief, having thought about it, that this is correct and that 83(1) and 83(3) are not entrenched in the same way as the provision in 77 was. That is the government's view and the fact is this: if the government is wrong, then what has happened after the parliament passes this bill and it receives the royal assent is nothing because the special manner and form required has not been complied with.

The position of the government is that the appropriate manner and form for this is that it is an amendment to the constitution requiring only the compliance of both houses of parliament. That is our position. If those opposite disagree with that position, they have as much time as they want to take advice on that. They can seek whatever form of relief they want about that. If they are right and their advice is that the government is wrong and they want to take that matter up and there is a determination that special manner and form was required, no harm has been done and nothing has changed.

This particular change would not have effect until the boundaries commission was formed in approximately 2020 or whenever it is going to be. Our advice is that we are doing this in a constitutionally appropriate way, and if those opposite wish to seek their own advice and form a different view they are entitled to—

**Mr Marshall:** We can't. You gagged the debate. You brought it on without any warning whatsoever. Where can we seek advice from at midnight?

**The Hon. J.R. RAU:** Well, the reason it is midnight is that you have been wasting so much time, but can I say—

**Mr Marshall:** Because we wanted to seek advice.

**The CHAIR:** Order! It is unparliamentary to interject and to respond to interjections. I do need to hear the members in silence.

**The Hon. J.R. RAU:** This is fairly straightforward. If the parliament passes a law that it cannot pass, the law actually does not ever start. Our view is—

**Mr Marshall:** What about passing laws that are constitutional?

**The CHAIR:** Is that a question? Is that your question, is it? Would you like to stand up and ask the question then?

**The Hon. J.R. RAU:** Our view is and we are advised—

**Mr MARSHALL:** Can the Attorney-General provide advice to this parliament as to where he received his advice that this was a valid amendment to our constitution not requiring a referendum?

**The Hon. J.R. RAU:** The answer is that I have sought advice from—

**Mr Marshall:** From whom?

**The CHAIR:** Order! He cannot answer it if you are screaming at him.

**The Hon. J.R. RAU:** If you keep bellowing, I cannot answer you.

**The CHAIR:** Order!

**The Hon. J.R. RAU:** If you just tone it down a little bit—

**The CHAIR:** Order!

**The Hon. J.R. RAU:** —it is so much nicer.

**The CHAIR:** Let's all just stop and answer the question.

**The Hon. J.R. RAU:** I have received advice from both the Crown and my—

**Mr Marshall:** When?

**The CHAIR:** Order! He has not finished the answer.

**The Hon. J.R. RAU:** I am not going into all this for you. I am just telling you that I have received advice from the Crown—

**The CHAIR:** Solicitor.

**Mr Marshall:** Regarding?

**The CHAIR:** Order! Hang on, that is a—

*Mr Marshall interjecting:*

**The CHAIR:** Order! That is an answer to your question: where did you receive the advice from?

*Mr Marshall interjecting:*

**The CHAIR:** Hang on, you are wasting time. You get another question in a minute.

**The Hon. J.R. RAU:** The advice is that this is valid.

**Ms CHAPMAN:** I perfectly understand that you got advice at the time of drafting your bills and it required a referendum on section 77. Now that we are doing section 83, did you seek or obtain any other advice in respect of section 83, or are you just relying on the original advice?

**The Hon. J.R. RAU:** Yes, we did seek additional advice because when the matter of Mr Parnell's amendment came into the picture—and I have to say that we did not initially have any idea as to what sort of additional support Mr Parnell might have had for his amendment—and it got to the point where it appeared to us that there was some prospect of there being support for that in the Legislative Council, we obviously thought we needed to find out a bit more about exactly how it would look and whether—

**Ms Chapman:** In the last week?

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

**Ms CHAPMAN:** It is just that there is a question of section 83 in your original bill as well. You say that the advice was that you needed the referendum to change section 77. Is it not concerning to you that, in getting that advice, we are now deleting 83(1) and 83(3), the provision of which required a referendum to put it in there back in 1991? Did you, in getting that advice, ask your advisers to direct their attention to that?

**The Hon. J.R. RAU:** I did, actually, quite specifically. I have to say I thought, much as the deputy leader thought, that, given the fact that a group of measures were contained in that material, there may have been a question as to whether, by reason of that group simply being clustered together, it all thereafter became material to which a special manner and form was attached. The other alternative was that some it required special manner and others, as a matter of law, became lawful once they passed both bits of parliament, but they were stuck in there as well anyway and the special manner and form bit of it made no difference. Ultimately, that is in essence the advice I have, in as much as it refers to section 83.

**Ms CHAPMAN:** Will you make that advice available?

*The Hon. J.W. Weatherill interjecting:*

**Ms CHAPMAN:** I beg your pardon? I had an interruption from the Premier, but I am happy to hear that from the Attorney. Will you make the advice available?

**The Hon. J.R. RAU:** I am not in the habit of handing out legal advice provided to the government—

*Ms Chapman interjecting:*

**The CHAIR:** Order! He is still answering the question.

**The Hon. J.R. RAU:** I am telling the parliament that the advice that we received was as I have described. It was an important factor in us considering whether or not to support Mr Parnell's proposal that we have regard to that before we made a decision.

**Ms CHAPMAN:** Not making it available, will you then agree to adjourn further consideration of this debate until we have an opportunity to get our advice?

**The Hon. J.R. RAU:** No, because it will not make any difference. In the end, we are either right or wrong. We say we are right, and you might say we are wrong. If you want to pursue whether or not we are wrong, there is an avenue that is available to you. If it turns out that you disagree—your advisers disagree with what we understand the position to be—and you want to agitate that through the appropriate forum and ultimately that forum sides with you, then no harm has been done by any of this process because nothing ever happened.

**Ms CHAPMAN:** Apart from that being the most disgracefully amateur approach to legislation-making by this parliament, especially when we are being asked to change the constitution of South Australia—

*The Hon. J.W. Weatherill interjecting:*

**Ms CHAPMAN:** Can you just shut up—

**The CHAIR:** Unfortunately—

**Ms CHAPMAN:** Can you just ask the Premier to be quiet—

**The CHAIR:** Well, the time has expired.

**Ms CHAPMAN:** —because we are trying to deal with a very serious matter here—

*Members interjecting:*

**The CHAIR:** Order!

**Ms CHAPMAN:** —and my question, while we are on the Premier, is why is the Premier to undertake the review of the operation of section 83?

**The CHAIR:** Time has expired and I am bound to put the question, which is that clause 4 stand as printed.

**Ms CHAPMAN:** My question, specifically on 83A(1) is: why is the Premier asked to do this review?

**The CHAIR:** It is out of order.

Clause passed.

Title passed.

Bill reported without amendment.

*Third Reading*

**The Hon. J.R. RAU (Enfield—Deputy Premier, Attorney-General, Minister for Justice Reform, Minister for Planning, Minister for Industrial Relations, Minister for Child Protection Reform, Minister for the Public Sector, Minister for Consumer and Business Services, Minister for the City of Adelaide) (00:03):** I move:

That this bill be now read a third time.

**Mr KNOLL (Schubert) (00:03):** I wish to make a brief contribution at the end here. Essentially, what we heard from the Premier is that this bill is designed to deal with the unfairness of

there being electorates that have up to 10 per cent over quota in the number of people, and then electorates that have 10 per cent under quota. That is the same issue that we had prior to 1975 in South Australia. The interesting thing is that what we have heard during the committee stage of this bill is that the answer the government has come up with will not actually achieve what they want to achieve. The reason it will not is that page 33 of the 2016 Report of the Electoral District Boundaries Commission states the following:

The Commission considers it is appropriate to address the imbalance in the country districts by reducing the area and number of electors in each of those districts. In fact, the reduction in numbers has also been a function of falling population.

An additional factor is that, having slightly fewer electors in the larger electorates in the outlying districts allows for the needs of those electors to be better met. It should impact to a small extent on the time available to each Member to service each district. The demands on those Members—particularly for Giles and Stuart—in terms of time spent travelling are acknowledged to be onerous.

Those conditions still exist after this bill passes—they still exist. So, when the next boundaries commission makes its decision and has regard to the same issues that it has in the 2016 report, it is going to make the same decision. We are still going to have electorates with up to 10 per cent under quota and still have electorates with up to 10 per cent over quota. The reasons for it have nothing to do with section 83—nothing. It has to do with the fact that we have large regional electorates that have large distances for their MPs to travel to deal with their constituents' issues. Nothing.

We have heard from the Attorney the fact that we have some fairly vague understanding of the legal advice that he sought. He has asked us to make decisions based upon nothing, upon a 'trust me'. Nothing. What we are going to have now is a subversion of democracy and a corrupting of the process, and people in South Australia will not stand for it. This is the moment at which this government has gone too far. Of everything else that it has done in the last 16 years, this is the point at which South Australians will understand that these guys have to go.

In my closing remarks, can I just say that there is a famous quote about power: power corrupts and absolute power corrupts absolutely. I have never seen a more clear example of that than what has happened just now in this house.

**Mr WILLIAMS (MacKillop) (00:06):** I do not make a habit and have not made a habit of speaking at the third reading of bills very often, yet it has not been very often in 20 years that I have experienced what I have experienced on my very last day in this house, and that is the use of the guillotine. To be quite honest, I do not understand the fourth clause of this bill. To be quite honest, I cannot, for the life of me, believe that the house understands it because we have not had the opportunity to ask questions. It states:

The Premier must undertake a review of the operation of section 83.

Is that section 83 as it stood before we have done what we have done this evening, which will be the section 83 under which the very next election will be held? What is the review about? Is it the impact of section 83 as amended today and the effect on the operation that that will have on the next election because, of course, it will have no effect on the next election? It states that the review under this section:

...must commence not later than 12 months after the general election of members of the House of Assembly next occurring after the commencement of this section.

Does that mean after the commencement of this section, which presumably will be fairly soon, which will be the next election, or does it really mean the implementation of this new section, which will be not later than 12 months after the following election, which will be the 2022 election? I make these points because the use of the guillotine denies the proper processing of the legislation.

*Members interjecting:*

**The SPEAKER:** Let the member for MacKillop finish.

**Mr WILLIAMS:** It denies the proper processing. I note the member for Colton is yet again quite vocal and I will guarantee that the member for Colton does not understand the full implications of these clauses. I will guarantee he does not, yet he is quite happy for the rest of the house to be as ignorant as himself.



**The SPEAKER:** I would like to make a couple of concluding remarks.

*Members interjecting:*

**The SPEAKER:** Well, I am just about to put it and I gave the member for MacKillop some extra time. I wanted to remark that at the caucus meeting at the Weintal in the Barossa many years ago, long ago and far away, I was the only speaker in the parliamentary Labor Party against the fairness clause. I have lived long enough in the house now to see the fairness clause removed, so it has bookended my vocation. The second thing I would like to say is that I have been told that the Hon. Rob Lucas did not have time to consult with the Hon. John Darley about this bill this week, and perhaps his mind was on other less relevant things.

The house divided on the third reading:

Ayes ..... 24  
Noes ..... 17  
Majority ..... 7

**AYES**

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

**NOES**

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

**PAIRS**

Hughes, E.J.	Treloar, P.A.
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Third reading thus carried; bill passed.

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

*Final Stages*

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

No. 1. Clause 2, page 3, lines 6 to 12—Delete the clause and substitute:

2—Commencement

- (1) Subject to this section, this Act will come into operation on the day on which it is assented to by the Governor.
- (2) Sections 21, 22, 23 and 24 will be taken to have come into operation on 1 July 2017.
- (3) Subject to subsection (4), sections 13 to 18 (inclusive) will come into operation on 8 July 2018.

- (4) If this Act is assented to after 8 July 2018, sections 13 to 18 (inclusive) will be taken to have come into operation on 8 July 2018.
- (5) The following sections will come into operation on a day to be fixed by proclamation:
- (a) sections 5 to 12 (inclusive);
  - (b) sections 19 and 20;
  - (c) sections 25 to 34 (inclusive).

No. 2. New clause, page 7, after line 11—After clause 13 insert:

13A—Insertion of section 6B

After section 6A—insert:

6B—Acting Chief Magistrate

- (1) Subject to subsection (2), the Chief Magistrate may, by instrument in writing, appoint a magistrate to be Acting Chief Magistrate during a period, and subject to any conditions, specified in the instrument of appointment.
- (2) The appointment of an Acting Chief Magistrate under subsection (1) ceases on the office of the Chief Magistrate becoming vacant.
- (3) If—
  - (a) the office of the Chief Magistrate becomes vacant; or
  - (b)—
    - (i) the Chief Magistrate is absent, or, for any reason, is unable for the time being to carry out the duties of the office; and
    - (ii) an Acting Chief Magistrate has not been appointed under subsection (1),
 the Governor may appoint a magistrate to be Acting Chief Magistrate until—
  - (c) a person is appointed to the office of the Chief Magistrate; or
  - (d) the Chief Magistrate returns to official duties,
 (as the case requires).
- (4) On the appointment of a magistrate to be Acting Chief Magistrate under this section, any power or function attached to the office of the Chief Magistrate under this or any other Act devolves on the magistrate so appointed.

No. 3. Clause 14, page 7, after line 13—After line 13 insert:

- (2) Section 7(3)—delete 'administrative powers or functions' and substitute:  
powers or functions under this or any other Act

No. 4. Clause 16, page 7, lines 17 and 18—Delete clause 16 and substitute:

16—Amendment of section 11—Chief Magistrate

Section 11(3)—delete 'Deputy Chief Magistrate and, if both are absent, on a Magistrate appointed by the Governor to act in the absence of the Chief Magistrate' and substitute:

Acting Chief Magistrate appointed in accordance with section 6B of the *Magistrates Act 1983*

No. 5. New clause, page 8, after line 18—After clause 21 insert:

21A—Amendment of section 4—Relevant Acts prevail

After the contents of section 4 (now to be designated as subsection (1))—insert:

- (2) Subsection (1) does not apply in relation to a rule made under section 92(1)(ka).

No. 6. New clause, page 9, after line 21—After clause 22 insert:

22A—Amendment of section 92—Rules

- (1) Section 92(1)—after paragraph (k) insert:

- (ka) providing that a rule made pursuant to paragraph (k) is to prevail over an inconsistent provision of a relevant Act; and
- (2) Section 92(5)—delete 'The' and substitute:  
Except to the extent specified in subsection (1)(ka), the
- No. 7. New clause, page 10, after line 34—After clause 25—insert:  
25A—Amendment of section BA—Exclusions may not apply
- (1) Section 13A—after subsection (1) insert:
- (1a) A young person in relation to whom a finding has been made (as constituting a conviction for the purposes of this Act) that is taken to be immediately spent under section 4(1a), may apply to a qualified magistrate for an order that a prescribed exclusion under clause 14 of Schedule 1 does not apply in relation to the finding.
- (2) Section 13A(6)—delete 'this section' and substitute: subsection (1)
- (3) Section 13A—after subsection (6) insert:
- (6a) The making of an order under subsection (1a) is at the discretion of the qualified magistrate and that discretion will be exercised having regard to—
- (a) the nature, circumstances and seriousness of the relevant offence; and
- (b) whether the relevant offence involved a child or children or a vulnerable person or persons; and
- (c) all the circumstances of the applicant, including—
- (i) whether the applicant has a history of offending; and
- (ii) the circumstances of the applicant at the time of the commission of the offence and at the time of the application; and
- (iii) whether the applicant appears to have rehabilitated and to be of good character; and
- (iv) whether not making the order would have an unduly deleterious effect on the applicant's career or employment prospects; and
- (d) whether the removal of the exclusion by operation of an order under this section might present a risk to children, vulnerable persons or the public more generally (and, if so, the extent of that risk); and
- (e) whether there is any public interest served in not making the order; and
- (f) any other matter considered relevant by the qualified magistrate.
- (4) Section 13A—after subsection (8) insert:
- (9) In this section—  
*young person* means a person of or below the age of 25 years.

No. 8. Clause 26, page 11, line 8 [clause 26, inserted clause a1(2)]—Delete '13A' and substitute '13A(1)'

No. 9. Clause 26, page 11, after line 8 [clause 26, inserted clause a1]—After subclause (2) insert:

- (2a) A prescribed exclusion under clause 14 of Schedule 1 does not apply in relation to a finding (as constituting a conviction for the purposes of this Act) that is taken to be immediately spent under section 4(1a) in respect of a particular young person if a qualified magistrate has made an order to that effect under section 13A(1a).

Consideration in committee of the Legislative Council's amendments.

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

That the Legislative Council's amendments be agreed to.

**The Hon. J.R. RAU:** I indicate that all of the amendments are accepted.

**Ms CHAPMAN:** And similarly, I indicate that the opposition accepts the amended bill.

Motion carried.

*Adjournment Debate*

**VALEDICTORIES**

**The SPEAKER:** The member for MacKillop on indulgence.

**Mr WILLIAMS (MacKillop) (00:17):** I began my valedictory speech this afternoon, before dinner, saying that I did not—

*Members interjecting:*

**Mr WILLIAMS:** Indeed, it was yesterday. I remarked at the opening that 20 years ago I did not expect to be here at this time 20 years later. When I made those remarks I did not expect to be here this time tomorrow—at that point it was tomorrow.

I earlier commented on the work that I had done seeking a fair boundary redistribution here in South Australia. I was rather proud of that. In fact, I think it gave me one of the outcomes that I was most proud of in my 20 years in this place. I was unaware that at the time the government was undoing all of that work; albeit that the very next election next March will be held on what I believe will be a relatively fair set of boundaries.

I am looking forward to the people of South Australia taking a great big bat to the Labor Party in this state because, as I remarked earlier in the evening, I believe the actions taken by this government tonight will go a long way to making their defeat even worse than it otherwise would have been. I believe that the actions that this government has taken create an imperative for the Liberal Party to take the next step in electoral reform in this state and move probably, I would argue, to a top-up system to ensure that the people of South Australia in the future get the government that they want.

It pains me to make these remarks, but from time to time members of parliament do things that undermine the integrity of all of us, and that happened again today when members of this house who were elected—particularly one member who was elected under a banner where what has just occurred would be a total anathema—voted for this, and I am talking about the member for Waite. The people of Waite would be horrified at what has just happened. They would be horrified. I will take a few moments to urge the member for Waite to do the right thing, to nominate for the election next March, to make sure that the people of Waite can tell him what they think of him.

I can tell you a little story, Mr Speaker: on the day the member for Waite decided that his future was much more important than the future of the people of South Australia, and particularly the people who put him into this place at the most recent election—on the day he decided that he would be much better benefited by becoming a member of the government and a member of the cabinet—I was in the country and I received a telephone call from my office breaking the news to me, and I immediately rang our leader. I said, 'How are you going, Steven?', and he said, 'Well, I'm not having one of my better days'. I said to Steven, 'Mark my words, Steven, this will be one of the best days you have ever had in politics.' You know what, I lived for a long time in the Liberal Party that leaked like a colander. Was it coincidence that the Liberal Party from that day has not leaked?

All I can say is that, when people are elected to parliament and behave very badly, they demean all of us, and that hurts me and it sorrows me. I have lived my life under the credo that I have only one conscience to satisfy. I put my head on the pillow each night and close my eyes with a clear conscience. Many people in this place are unable to do that.

Let me get back to where I was before the dinner break, all those hours ago. Yesterday, I was beginning to thank some of the people who had helped and supported me. I particularly started to talk about my staff in my electorate office. I mentioned that over the years we have had many trainees come through the electorate office. All of them attended to their work diligently, and I was delighted to be able to help them in their careers.

Most importantly, Di Casimaty came to my electorate office not long after I was elected all those years ago. Di has been with me, I suspect, for 19 of the 20 years I have been in here. Unfortunately, Di's health has not been the best in the last couple of years, but she is working through that. I say publicly in this place and put on the record that Di Casimaty has been a wonderful help to

me and to the people of MacKillop. I would hate to think how many inquiries she has handled, and she handled them in such a way that many did not even have to be brought to my attention.

She built up a great rapport with people in the agencies, particularly agencies like Centrelink and the Housing Trust in Mount Gambier where we had to field many inquiries. I do not believe I ever had one complaint, but I could not count the number of people who have said to me over the years how wonderful Di was in handling their inquiry to my office. I thank her from the bottom of my heart. She protected me at every turn, she did a huge amount of work, and I will be forever indebted to Di Casimaty.

Kristie McTernan has not been with me quite as long as Di, but Kristie came to me as a trainee. One of my other office workers going on maternity leave coincided with the end of Kristie's traineeship. She became part of my permanent staff and has been with me ever since. Most of the time, Kristie has worked within this building. She has been my chief researcher. I mentioned earlier the policy areas I was involved in, particularly as a shadow minister. There was hardly a paper that was written that was not researched by Kristie. She actually did the typing because that is something I am not very good at. She has been fantastic.

Like the member for Heysen, I am probably from the wrong era to be up to date and up to speed with the electronic age. Notwithstanding that, many years ago when I was at the University of Adelaide, I was probably one of the more computer-literate people in South Australia because I was studying applied mathematics and surveying. In fact, my surveying lecturer recommended that we get an electronic calculator. I think I was probably amongst the first few hundred people in South Australia to have an electronic calculator, simply because my parents had been to Hong Kong and brought one back for me.

Kristie has an uncanny ability to find anything I need found. I remember saying to Kristie things like, 'Kevin Foley made a speech in April. I think it was five years ago or eight years ago,' and within a minute or two, she would have it. I do not know how she did it, but she did it, and she did it year on year on year.

**Mr Duluk:** It's called *Hansard*.

**Mr WILLIAMS:** Well, maybe for some people, it is simple but she was a fantastic help to me and had been for a long time. I will be forever indebted to Kristie. More recently, Bec Elsworthy has done relief work in my electorate office. She is a great person and I wish her all the best in the future. Even more recently, Narelle Olsen has done quite a bit of relief work, particularly because of Di's health issues.

Gary Burford drove me for a considerable time. Mr Speaker, I believe he drives you now. Gary was a fantastic person and looked after both Leonie and me as we travelled around the state on parliamentary business. I developed a very good relationship with Gary and I enjoy catching up with him from time to time as we bump into each other around the house. I followed his children through their schooling, etc. His daughter, Ally, is now at university.

Liberal Party members in my electorate—again, as I came in as an Independent, there could have been some friction between myself and the membership of MacKillop. The membership of MacKillop have been fantastic and have supported me tirelessly over most of my 20 years here, and I thank them sincerely. Leonie and I have struck up many firm friendships with the members of the party and that is something we will miss, but I have assured them that I will not be traipsing around the electorate in the future going to AGMs. There are something like 10 or 11 branches in my electorate.

Most particularly, I wish to thank my family and my children. My children were at university and the latter years of high school when I came into this place. Since then, three of my children have been married. One has been divorced and has repartnered. I recall that one evening in here I was lamenting that we needed a change of government because now I had a grandson. I now have a grandson, Tom, and his sisters, Eva and Mischa. I have a granddaughter, Grace, her brother, Michael, and Jonathan, who was born only a fortnight ago. I have another grandson, Lachlan, and his sister, Georgia. That is eight, and my son Matthew's new partner has brought Noah into our family too.

**Ms Redmond:** Great name!

**Mr WILLIAMS:** That is a great name. Our family has grown. They have supported me. I have not always been there due to my workload, but they have supported me fully, most particularly my wife, Leonie. It has been a fantastic relationship. It has been a great pleasure that, as I go around the electorate from time to time, in fact quite regularly, I am introduced as the member for MacKillop, Mitch and Leonie.

I do not know how many times Leonie has sat there in the gallery. Certainly, when I was the deputy leader, Leonie was in the gallery for every question time. Indeed, she was getting frustrated and sending me text messages from time to time. I was sitting here one day and a journalist texted me and asked me the question, 'Mitch, is Leonie paid as part of your paid staff, or is she paid by the Liberal Party?' I texted back and said, 'She's just a loyal, loyal constituent.' Leonie, thank you very much.

**An honourable member:** She's a groupie.

**Mr WILLIAMS:** She is a political groupie—no, that is not quite right, but she has taken a great interest in my political career. She has taken a great interest in the politics of this state. It has been a fantastic team effort on our behalf, and I am very thankful for that.

Can I just say in conclusion it has been an honour, a privilege and a pleasure to have represented the people of MacKillop for 20 years. They have supported me in a way most fantastic. I am very proud that they have supported me at every subsequent election in greater numbers than they did at the previous one, something that is of unending surprise to me. I am genuinely somewhat gobsmacked by the fact that they have supported me for so long. I have had a ball. I am not going to miss it. I have plenty of other things that I want to go on and do, and I hope and pray that the good Lord gives me at least a few years to do that. I thank the house for its indulgence.

**Mr MARSHALL (Dunstan—Leader of the Opposition) (12:32):** On indulgence, I would just like to make some concluding remarks for this year. I will keep them brief, given the hour, and I will have a more fulsome thanks to the people who work in this house at our end of year drinks we will be holding later this month.

Can I just acknowledge that there are five members of the government who will be retiring voluntarily at this election. I have heard the speeches that have been made by those retiring members and the comments by the Premier. I would just like to endorse the comments of the Premier and acknowledge the service of all those who are choosing to retire, in particular yourself, Speaker. I have always enjoyed a very good working relationship and I am sure that that friendship will continue into the future.

Because of the hour, I will not go into detail on any of the other retiring members, not because I do not wish to but just because I am very keen to hear what the member for Colton has to say in a few moments. I think it is important just to place on the record a comment on our retiring members. There are five of them on this side of the house. In no particular order, I would just like to make some concluding remarks.

First of all, the member for Kavel is often referred to on our side of the house as the gold member, the gold standard. He is an outstanding, reliable team man. In 2016, he came to me and said that he was contemplating retiring from this house. He said that he would go through some thinking about this. There was never any suggestion from anybody in the leadership team that he should go. In fact, I have always found him to be extraordinarily reliable and dedicated. He is a friend to all, an enemy of none.

He made a decision earlier this year that he would not be continuing. That is after, I think, he worked very hard to find a worthy replacement. He has endorsed the current candidate and I know that he is working tirelessly to do everything he can to make sure that Kavel is held by the Liberal Party at the next election. I thank him for his service to the house, which began on 9 February 2002. I know that he will remain dedicated and loyal to the Liberal Party for the rest of his time on this earth.

I would now like to make some brief comments on the member for Finniss, who I think is one of the true remaining characters of this parliament, in fact of any parliament going. I am not saying

he is the most incredible character that exists in any parliament in the world, but he would certainly be in the grand final.

He is a straight talker where many people now are using lots of weasel words to skirt around issues. I always enjoy his Saturday morning calls, which come every Saturday morning, when he wants to give me an appraisal of the week that was. He gives me a little rating and some unsolicited but nevertheless worthwhile advice. Of course, he was and remains very much a good friend of Dean Brown. He is a passionate man; he is a man of no compromise. Every time I see a tweet going up from his phone, I get worried, and I am sure that is going to continue a long way into the future.

I want to make some comments about the member for MacKillop, who spoke both yesterday and today to put on the record some of his concluding remarks. As he said, he came in as the member in this house in 1997. He is an approachable guy. He is a guy who likes to tackle the difficult questions. If we are having a debate in the party room, he is the one who will often choose the hardest topic to research, discuss and debate. He is often successful, but when he is not successful in that debate, he does not hold a grudge. He just gets up and gets on with the next debate.

I have always enjoyed my time with him. When visiting his electorate, sometimes we have had the opportunity to go for a bit of a drive around. I have always enjoyed those times, because when you are sitting in a car and you are driving with somebody for a day or two, you get to learn a lot about them. He has a great family and a great support base. I thank him for his time in this place, especially the work that he has done over the last four years in electoral reform.

I now would like to make some remarks regarding the member for Goyder. He is another outstanding person of high integrity, a man I think most people describe as a true gentleman. He has run a straight race the entire time that he has been in here; he has run a true race. To be quite honest, unlike everybody who might be leaving this place at the moment, he has not switched off. He has read every document right the way through, probably to today's debate. He has used his staff to support all of our efforts.

As a leader, you are often called upon to make difficult decisions. The member for Goyder has served in my shadow cabinet for four of my nearly five years, and I really appreciate the contributions that he made. He was a good shadow minister, but from time to time a leader has to make tough decisions, and it certainly was one of the toughest decisions that I had to make early this year with the reshuffle.

The member for Goyder subsequently made a decision that he would leave this house. He does not leave it any way other than with his head held high for the contribution that he has made to this parliament since he came in 2006. He will always remain a great friend to all of us in the Liberal Party, both the parliamentary Liberal Party and the team more broadly. I wish him all the very best. I know that he is really looking forward to spending more time with his wife, his family and, of course, his new grandson, Nate, who I think is about 18 months old now. Good luck to the retiring member for Goyder, the final member for Goyder in this house. I have left the member for Heysen to last.

**Ms Redmond:** 'Out,' I thought you were going to say.

**Mr MARSHALL:** I have not left her out. Her contribution to the house today was extraordinary. I think every member coming into this house would do well to watch and reflect and consider some of the ideas she offered to the house today. Every new member would do well to—

**The SPEAKER:** They would.

**Mr MARSHALL:** —read it or watch it, because we now have a recording. I think she is the very best Premier that we never had. I think she is—I tried to write down some words, sir—genuine, capable, courageous. We heard about that tasing incident earlier; there is just no way anybody else would have put themselves through that. I do not know whether that was inspired courageous leadership—

**Ms Redmond:** Foolhardiness.

**Mr MARSHALL:** —or just crazy. I think often in political parties leaders get carried out in a box. There are not that many leaders ever that can leave without being battered and bruised, and although the member for Heysen today said it has taken her a little bit of time to get back on her feet

after that battering and bruising time as being the leader, she walks out of this place with her head held high.

Very few members of the opposition ever, I think, get to make a significant contribution to a state. It is hard to achieve things from opposition; yes, you can amend things here and there, but I think in the case of the member for Heysen, for the work she has done improving legislation in this place, and in particular her absolutely fantastic advocacy for an independent commission against corruption in South Australia, she can walk out not only with her head held high, not only with friends on this side of the house and on the other side of the house, not only with the enduring respect of all of the people in this state but knowing that she has with her contribution made an extraordinary change for the people of South Australia.

She also, like other members, has some fun things to look forward to. In recent days, of course, she has become a grandmother for the second time. She was already a grandmother to her grandson Austin, and now she has another grandchild, Emmett. We wish the member for Heysen all the very best for whatever lies ahead.

It is the end of a long four-year cycle. It will be an interesting election. I do not think anybody can really with any degree of accuracy predict what is going to happen. I think we live in the most tumultuous of times. I think there is a frustrated and anxious electorate, and I really, for one, am very much looking forward to coming back to this place in April next year just to see who is here, who is not and what sort of parliament we can be, going forward.

Finally I just wish everybody all the best. Christmas is my favourite time of the year. It is one time that I can pretty much definitely guarantee I will get my children off to church, which I think is always a bit of an achievement in my family. It is a good time. I hope people get some rest over the break, and I look forward to seeing them next year.

**The Hon. P. CAICA (Colton) (00:42):** I want to begin or at least finish off my last contribution by firstly saying that we meet on the lands of the Kaurua people, and we respect their spiritual relationship with the land. I also want to pay my respects to the First Peoples and all the First Peoples nations across the length and breadth of this nation.

Well, Mr Speaker: my last contribution. I tell you what: it's been a pretty weird night, I think. I think it has been a weird night, and from here it might—

**The Hon. A. Piccolo:** Morning, morning.

**The Hon. P. CAICA:** Well, it has been a weird night, and it has been a weirder morning, and maybe it is about to get more weird, alright? As you would know, sir, I was elected in 2002. At that time my mother and father were alive. Annabel's parents were alive; our sons: James was going on 14, Simon had just turned 11; Annabel looked beautiful; I looked short, fat and bald. Sixteen years on, our parents have all passed away, our children are going on 30 and 27, Annabel still looks beautiful, and I am still short, portly and bald.

These 16 years have just gone so quickly. It is quite unbelievable. In 2002, essentially, I came straight into this place from the fire service and as the national secretary of the firefighters union, my union, the UFU. I am very proud to be still a card-carrying member of my union.

I remember the Friday before the election in early February. I had delivered my resignation letter to the then acting chief officer, John Gray, and he said, 'What am I going to do with this?' I said, 'You can do two things: firstly, if I am elected, process it. If I am not elected, tear it up on Monday morning.' So, I was fortunate that he actually processed that.

When I first stood for the Labor Party, I was absolutely thrilled to be considered for preselection, but I also put some conditions on that preselection (which was very unusual) for the people within the party. Those conditions were: I want to be preselected for the seat in which I grew up and in which I have been a resident all my life, and where my wife and I have been residents, and I will work my arse off. If I work my arse off, I do not expect to be left like a shag on a rock. I remember today that Vickie had never heard of that, but everyone here knows what it means, and I do not expect to be left like a shag on a rock. If I work my arse off, I expect to get that level of support.



Prior to the preselection convention, the then party secretary rang me, wanting to meet with me and have a coffee. I said, 'I don't drink coffee,' but the reality is that if the party secretary requests a meeting, you deny that at your own peril. That secretary is now a very good Minister for the Environment. So, I did not decline that request. We met at Billy Baxter's on Burbridge—

*Members interjecting:*

**The Hon. P. CAICA:** That's right, he was paying. Billy Baxter's was on the then Burbridge Road, which is now called Sir Donald Bradman Drive. The suggestion from the party secretary was that perhaps I would consider nominating for another seat. I was not really going to talk about this, but why not? It is my last bloody night. I said, 'What seat might that be?'

**The Hon. A. Koutsantonis:** The seat of Torrens.

**The Hon. P. CAICA:** No, the seat of Enfield, which, of course, our outstanding Deputy Premier has held, and will hold for as long as he wants. So, I contemplated this for about a nanosecond, and then I asked the secretary a series of questions. Firstly, I said, 'Do we want to win the election and form government?' The answer was yes. My second question was: 'Am I the person best placed to win the seat of Colton?' Yes. The third question was: 'Do we need to win Colton to form government?' Yes. That was essentially the end of the conversation. We won Colton and we won Adelaide. It put us in a position to form government, and the rest, as they say, is history.

When I first came into this place, I thought to myself, 'How the hell did I get here?' It was a bit like 'What the hell am I doing here?' At the time, it felt pretty weird—almost as weird as tonight and probably even a bit more weird. But how could it be that the son of a Romanian refugee and a lovely woman from Broken Hill—my mum, who, incidentally, met my dad when they were working at the Ramsgate Hotel—becomes a member of parliament? How could that be? I want to pay a tribute to my parents. What they provided for me, amongst the many things they provided, was a set of values that I have carried with me all my life: treat people how you would like to be treated, treat people with respect, treat people as equals and call out those who do not do that.

The point I am making is that when I first got here, I was actually better prepared than I thought I was at the time. I was properly prepared, I think, in hindsight, to be a member of parliament. I did not think that at the time, but in hindsight I think that is the case because of the values my parents had instilled in me, my time in the fire service, the value of serving, my time as a trade union official serving my fellow members of the UFU and even my time in the hospitality industry. The young kids say to me, 'What course do I have to do to be a member of parliament?' I say, 'It's really a bit like the course of life. Go out and experience things. Go out and get to know people. Get out and get to know how to deal with people.'

I learnt how to deal with people from a variety of different backgrounds when I looked after the Grange Hotel and when I worked in the Ramsgate Hotel. One day you would have the chief justice at the front bar of the Grange Hotel and the next day you would have people from less auspicious backgrounds than the chief justice.

My first four years in parliament were a very exciting time. I came in every day and thought—and I continue to think—'How the bloody hell am I here? What has caused this?' I worked very hard during those four years as the Chair of the Public Works Committee, and it was a good committee. I remember my first meeting with my good friend the member for West Torrens. We had a very good committee. We had the member for Torrens, the member for Schubert, the member for Norwood and the member for Unley. It was a very interesting mix, an eclectic mix some people might say. At our first meeting, the member for West Torrens and the member for Unley had a big blue.

*An honourable member interjecting:*

**The Hon. P. CAICA:** No, it wasn't unusual.

*The Hon. A. Koutsantonis interjecting:*

**The Hon. P. CAICA:** Yes, that's right. I said, 'I am the Chair of this committee. Let's stop for a minute, Tom.' Tom was still a smoker then, so I said, 'Let's go outside.' I said, 'Tom, we are in government. We don't have to have a fight. We have the numbers on the committee,' and for the

next four years the committee worked perfectly well. I think we only had two dissenting reports and that was in the lead-up to the 2006 election. That was one of the pleasures of my life.

What the Public Works Committee helped me understand—and I am sorry for those people who are yawning; I will not be too much longer, just another two hours—was how government works, how the bureaucracy works and what the objectives of the government were. For those people who might be listening—I am sure there are thousands at home listening tonight at 12.50am—it is a very good stepping stone to learning about how government operates. The irony is that in my first week here I chaired a Public Works Committee and I did it again this morning. Go figure. No wonder I am leaving.

I learnt a lot through that and the people I worked with have been great. I understand that even Ivan has invited us around for another barbecue at his place this year where I will again cook for the former members of the Public Works Committee and those from the Natural Resources Committee. There were other good things that happened during that time as well. I did not know what was going on. I remember the dinners with Peter Lewis—he was a very interesting character—and Randall Ashbourne. Randall was a very important player during those first four years, and it is unfortunate the circumstances that occurred, but that is the way life is.

I was meant to become friends with people, and naturally I am friends with people, although I was very hurt by the member for MacKillop tonight with those awful words you said about me.

**Ms Redmond:** You will get over it.

**The Hon. P. CAICA:** I am over it. You must recall, member for MacKillop, that I think I was the only person in this chamber who on your 50<sup>th</sup> birthday actually congratulated you on turning 50, which was reported in that right wing paper you have in Mount Gambier. Anyway, I will get over how hurt I was tonight about your comments and I will move on. Then there was the Constitutional Convention, which was agreed with Speaker Lewis, and I was instructed to become friends with Meg Lees. It was over here, I think, that I had to sit with her, and I quite liked her. She was good and we did become quite—

**The DEPUTY SPEAKER:** Close.

**The Hon. P. CAICA:** —friendly. Friendly more than close. It was Julie Bishop I became close with. What is it called? We got the high-value SABRENet. She was very good. She gave us the money for it and that is what it was all about, trying to get what we could from the commonwealth government. Those first four years also allowed me to continue to work in my electorate, to work with my constituents, my schools and my sporting and community groups, and that paved the way for the future.

In the 2006 election, as we all know, the Rann-slide, Colton had a margin of 16.5 per cent. I mean, that was unbelievable—a 16.5 per cent margin. Primary around 57 per cent. Can you figure that?

**An honourable member:** Well deserved.

**The Hon. P. CAICA:** Yes, that's right. It was an incredible result. We all had good results at that time. I do want to pay tribute to Mike Rann as well. He was an excellent premier. I think that a big part of the reason, amongst others, that we are still on this side of the house is that election result in 2006. I could go into that in more detail, but essentially 2006 allowed us to win, despite what the opposition say, the 2010 election. We were never in doubt in 2010, and it was a good campaign. We were able to send resources north and south to those areas where they were required, knowing full well that we were not, I do not think, going to lose that election.

Had we had the same margin perhaps as Jane Lomax-Smith—10 per cent—if Pat Conlon had that same margin, if I had had that same margin, we would not be here today. What the 2006 election enabled us to do was to win 2010 and then, leading into 2014, have pretty hard marginal seat campaigners. Despite all the crap we went through tonight, elections are won on the seats that a party wins. We were able to win in 2010, I think, without any problem, but it also allowed us to be in a position to win in 2014. I will talk about 2014 a little bit later tonight—this morning.

As I said, I thought Mike was a very good premier and he showed confidence in his ministers and despite the views of those opposite, as I said, I always believed we would win in 2010. We had a fair bit of bark stripped off us at that election and we were always going to. A margin of 16.5 per cent is not a realistic margin for Colton. We came back to about 4.5 per cent after the 2010 election.

I was very proud that during the 2006 to early 2013 period I was honoured and privileged to be a minister across a variety of portfolios. I will just touch on my first radio interview as a minister. Wendy Glamocak rang me up. Wendy is a good person. She said, 'Hey Paul, have you been hearing some of these interviews we have been doing?' I said, 'Yes.' It was like 'meet the new member': Grace Portolesi and a few others were there. She said, 'What we want to do is an interview "Meet the New Minister".' I asked, 'Is this a set-up, Wendy?' She said, 'No, it will be fine.' Matt and David. Don't worry, I was a quick learner after this.

Anyway, I said, 'Yes, I will do that.' I sat there. You might not remember it. She said, 'We are going to undertake this interview today "Meet the New Minister". We are going to ask some probing questions.' I thought, 'That wasn't the deal.' The first question was, 'You are now the gambling minister. Have you ever taken a donation from the hospitality industry, the AHA?' My little sphincter was going like that. I was really worried. I thought that this was going to be the shortest-lived ministry that anyone has ever had.

I thought, 'Well, I can't bullshit, can I? You have to tell the truth.' I said, 'Yes. I think there's probably only one member of parliament who hasn't taken a contribution from the AHA and that would be Nick Xenophon. Of course I have.' She then asked, 'Will you take any from them in the future?' I said, 'Of course I won't. I have a responsibility now and as the minister for gambling I won't do that.' I tell you what, I nearly pooped myself on that interview because I thought, 'This is the end.' That type of thing. Even my then chief of staff said, 'Perhaps you should talk to me before you go on the radio.' I said, 'That's good advice as well.'

I loved being a minister and I enjoyed my time as a minister and my mum always reminded me that self-praise is no recommendation. But, at the very least, I would like to think that as a minister I could be considered as solid. I was disappointed when it all ended, but I am over it. It is what it is and I treasure the time that I was a minister. I will speak later about some of the things that I think, at least from my perspective, constitute highlights and others that are clearly lowlights.

I will move on to the 2014 election, if I can. That election was always going to be a tough election. I love elections, and by the way I am working very hard to make sure that we get returned in a few months' time. I never believed that we were going to win that election, but I always believed that we could. That in fact is the difference between this side and that side, without being disrespectful, and if you think it is, well, it does not matter. You over there think you will win and work accordingly. We on this side think we can win and work accordingly. What that means is a differentiation between the work ethic that we undertake given the views that we each hold.

*The Hon. L.W.K. Bignell interjecting:*

**The Hon. P. CAICA:** No, I don't think they would learn. It is also true, I think, that there are still people on this side who believed we would lose Colton at the 2014 election. I can hear people saying, 'No, that's not true,' but I know it is. I remember a discussion I had with a person—and I will not name this person because I am trying not to name anyone tonight—when I was attempting to scrounge some resources.

This person said to me, 'Have you seen the polling in Colton?' I said, 'No, because no-one shows me, but I can tell you this: it's not 54-46, as has been reported in the paper on a two-party preferred across the state, and it's not a 52-48, as a statewide poll might show. I'll tell you what it is: it's closer to 50-50.' Well, lo and behold, three weeks out from the election or thereabouts—maybe it was three and a bit, I do not know what it was—all of a sudden a Dan Wills' article said, 'Colton on a knife edge: 50-50 polling.'

**The Hon. A. Koutsantonis:** Money flowed in.

**The Hon. P. CAICA:** Not only that but, whoosh, everything came in.

**Ms Redmond:** Hansard didn't quite get that.

**The Hon. P. CAICA:** That means everything was coming in.

**Ms Redmond:** Hansard was struggling with that.

**The Hon. P. CAICA:** Sorry. It meant it created a black hole where everything came into that particular area, but it was really a very bright hole. So that poll I think energised our campaign, I really believe that. People were saying, 'If Caica is on 50-50, why aren't the other seats?' It was a very good moment for our 2014 campaign because we realised that we were in with a chance to win, and we worked accordingly.

I also have to pay tribute to our Premier during that period of our 2014 campaign. His work ethic, I referred to him as 'the cork'—he was bobbing up everywhere and working 24 hours around the clock. Of course, I would joke with him when he came down to my electorate along with others and said, 'You're only coming down here to rub off my popularity.' The fact is that I appreciated that he and others were there. I remember being in thongs and shorts at a press conference in the square talking about boats I think.

**The Hon. A. Koutsantonis:** You said your wife wouldn't let you have one.

**The Hon. P. CAICA:** Yes. I think I was asked the question, 'Have you got a boat?' I said, 'No, I used to have one.' They said, 'Well, are you going to get one in the future?' I said, 'If my wife allows me to.' It cracked you up, didn't it? Anyway, that was a galvanising moment of the campaign and, without taking any credit for what happened, I think that it was a moment that actually allowed people to think we could win. The Premier ran a fantastic campaign, and the results are evidence of that campaign: we are still here on this side.

The 2018 election will be more than just interesting I think. The opposition will campaign like it knows it is going to win. We will campaign on the basis that we think we can win—and I believe we can, actually. It will be a three-way contest, something that we have never had before. I am not sure, honestly, whether either party will win a majority in its own right, but I can say that we on this side are in with a real chance to be able to win the next election, and we will be working exactly towards that objective.

I hope I am able to sit home on election night with a couple of beers, or maybe a wee dram, and watch the telecast, but most likely I will do what I do—not so much in state elections, and this will be the first one I have done; I have done federal elections—I expect I will probably be scrutineering somewhere in Colton and having to pack up some bloody booth somewhere and make sure that all the A-frames are returned back to Steve Georganas in an orderly fashion. That will be my objective.

Now to the highlights of my political career. I think probably the number one is being elected the member for Colton and having the honour and privilege of representing my area, the area in which I and my wife grew up and my children grew up. Before talking about other highlights that others probably might not think are highlights, but that does not matter, I briefly want to speak about my electorate.

My father used to say, and he certainly believed, that he fell on his feet when he came to Australia. The Speaker has heard this before. My father would say that he lived in the best suburb in the best city in the best state in the best country in the world, and I concur with his view. Like much of Adelaide, the seat of Colton has transformed. When I was growing up, the seat of Colton and Henley High School were multicultural before that term was even coined. We had the Bulgarians, the Italians, the Greeks and the Macedonians, both sides of the mountains. We had a multitude of people who came from different backgrounds.

**The Hon. A. Piccolo:** Did you play 'spot the skip'?

**The Hon. P. CAICA:** No, we did not. We used to have certain games at school, but that was not one of them. As I said, we were multicultural before the term was even coined. Interestingly, the poorest people lived on absolute beach frontage—it is amazing, isn't it?—because of the maintenance costs that were involved. The poorest people lived along the absolute beach frontage. I know that the member for Wright lived just behind where I grew up—Mr Pooch's place, wasn't it? I will tell you what: it was a working class area.

I think that Annabel tells it as well as I. How do you say how things have changed? I will pre-empt this by saying that this is a little bit of a joke, so if I upset people, just relax. She can tell you how it changed. She said, 'Paul, when we were growing up, those with some criminal intent used to go out of Henley Beach to rob houses in other areas. It's changed so much that today those people from outside of Henley Beach come down to rob the houses in the western suburbs.'

**An honourable member:** That's progress.

**The Hon. P. CAICA:** Of a sort; that is right. As I said before, if anyone takes offence, just relax. The point is that our area, my electorate, has changed dramatically. It looks nothing like it did when Annabel and I were growing up. It looks nothing like it did when the Premier grew up in the same suburb I did. However, in many ways, it remains the same, if not somewhat more gentrified than it was when we were growing up. It remains an area predominantly populated by decent, caring human beings with outstanding schools and sporting community clubs. It remains a community-spirited electorate. For that, I am very proud to be their representative, and, after 17 March, I will remain proud to have been their representative.

Now the highlights. I will try to be brief because there are probably not too many. I was part of the government that rebuilt Henley High School. When my kids went there, they sat in the same rooms that I did when I was at school many years before. For those who remember, we had the old spine that went down with those wooden classrooms out the front. When we came here in 2002, there were only two schools in South Australia that had a spine: one was a historical site that was not going to be touched and the other was Henley High School, which was operating as a functioning school.

I am very proud that we were able to rebuild Henley High School essentially from the ground up. It was the school that my sons went to and that I went to, that the Premier went to, that the Deputy Premier went to and that others in this chamber, and previously sitting in this chamber, went to. We batted above our weight. There must have been something in the water or something going wrong there. I am very proud that, as a school, it is now outstanding and is back at about 1,200 students or thereabouts. It is a shining light within the western suburbs.

Other things during my time as a minister included the employment programs when I was the employment minister, the Goal 100s, saying where were going to get our apprentices from. We worked to encourage employers to take on apprentices. I was involved in the Murray-Darling Basin Plan, of course, and the water allocation plans. With the water allocation plans, I remember being at some meetings, at Strathalbyn amongst others, where there were about a thousand people baying for my blood and saying to me, 'Why are you trying to steal our water?' Then I would try to explain to them, 'Well, do you support the Murray-Darling Basin Plan and all this?' They would say, 'Yes, we do.' I said, 'Well, this is the same. It is making sure that there is a proper redistribution of that water.'

I remember that night at Strathalbyn. There were about a thousand people there. I said to Nick Xenophon afterwards, 'Nick, you shouldn't tie your caboose to these people here,' particularly the ones who were organising that particular show because they were not people who really cared about anything else but themselves. Anyway, I said, 'Look, this has been a hard night, a tough night. I have been screamed at all night and asked these questions. Let's go over the road and have a beer at the pub, the Strathalbyn Hotel.' He said, 'No, minister, you can't do that. You are going to get beaten up.' I said, 'Cut it out!' He convinced me that I should not go in there, and I said, 'At least go and get a six-pack so I can drink it on the way home,' which is what happened. So I set the water allocation.

History will show that we made the right decision with respect to the desalination plant and also the north-south interconnector so those two areas could make sure the water could transfer through. I am very proud of that. In terms of marine parks, there is another series of meetings where I got slaughtered, but it was the right thing to do and it will remain the right thing to do.

There was the First Peoples' recognition in our state constitution, and I was very proud of my involvement in that. In terms of natural resource management reform, I think we did very well in that. I must admit that I am a little bit disturbed about the opposition's plans, even though they are a little bit hard to fathom at the moment, should they come into government, about future natural resource

management reform. I think they should talk to people before they make announcements about policy. There are others that I could speak about, but I think that will do.

The lowlights? I guess the most disappointing one for me was not being able to close the negotiations in the teachers' dispute in 2009. That was tough as well. Michael Wright was then the industrial relations minister. That was taken away from him for no other reason, I think, than the fact that the instructions given to him by cabinet were not enough to be able to close the deal. He was not given enough negotiating power to be able to close it. Premier Rann put me in there with an instruction, 'Fix this up, will you? Fix it up.' I thought, 'Oh, jeez, I'll do my best,' but I also said, 'You've got to give me the leeway. You've got to be able to offer something that is realistic.' In reality, we were not offering them anything realistic to fix it up.

So I spoke to the treasurer and got some instructions, and the terms then were I think reasonable enough to be able to close out the deal. I got those appropriate instructions to make some realistic offers. I remember the Speaker—we should not break cabinet confidentiality, but, what are you going to do, sack me?—saying, 'The teachers, put them to the sword.' I said, 'Hang on, Michael. At best, we are most likely not going to get many teachers handing out how-to-vote cards for us, but what we want to do is make sure that we don't have teachers handing out how not-to-vote cards for us,' which of course is what we did for the federal member for Port Adelaide on the Peninsula. We did not tell them not to vote for him; we just said, 'Maybe you might want to consider this.'

In the end, Michael and everyone agreed. It was quite an interesting discussion because what we wanted to do was resolve it. I have been a negotiator all my life, and I failed and I failed miserably in regard to this one. I still believe that what I offered to them on the table was more than reasonable, it was better than what they actually got through arbitration. It would have given them a better deal, but it also would have saved them a couple of million dollars for whoever their lawyer was from the eastern seaboard, who was able to buy an extra beachfront property as a result of the costs that were incurred by that.

That was probably my biggest disappointment. As a negotiator, you do not go to arbitration; you try to resolve it. The other disappointment was voluntary euthanasia. I am not going to dwell on that. I was disappointed; in fact, I was devastated that we could not get it up. There are other regrets with things that, if I had the opportunity again, I might do differently, but I am not going to dwell on those.

I think it is time now to say a few thank-yous. These people are going to get overtime now because we have gone beyond 1 o'clock, which is good for the workers, and that was part of my deal. As a said, I deliberately decided not to name individuals. It would take too long and also it would be really rude if I forgot to name people.

The people of Colton, I thank you for supporting me at four elections, and that also includes the sporting and community groups. I want to read a text to you from one of my constituents today. There will be a few beeps through it. This is a constituent who has voted for me each year, over four years. He is not necessarily a Labor person, but you will understand that when you hear this. He says:

Good luck for your final speech today. You have served your community well. You can be proud of your achievements. As for your red ragging, union, commie [beep beep] mates, tell them to go and [beep beep] themselves.

My point here is that I have been fortunate enough to have a lot of people vote for me who would not necessarily have normally been regarded as Labor voters. I guess that comes through with this particular bloke. I could say a couple of other things about him.

*An honourable member interjecting:*

**The Hon. P. CAICA:** No, it is someone else. I also want to thank my union, the UFU. I thank my union for the support that it has shown me over the years. It has been a good union and it will remain a good union. On that issue, I want to express some concern. An article appeared in the paper recently about 14.5 per cent union membership across Australian workers. I find that to be very concerning. Something has to be done about that. I would be very interested to know what

percentage within that 14.5 per cent were actually public sector workers as opposed to private sector workers.

I think the trade union movement has to have a look at what it is doing and how we can galvanise all workers to make sure that their best interests are protected because, quite frankly, a lot of people benefit from the work that the unions do, but a lot of them are not members as well. That is something that I am not going to resolve, but it is something that I am concerned about.

To all those people with whom I have worked, you do not win four elections in a marginal seat unless you have brilliant staff, and that is exactly what I have had in my electorate office since 2002. They have been absolutely brilliant. I thank them for all the work that they have done for me and the loyalty that they have shown not only to me but to our party and our electorate. This also includes my staff during my time as a minister.

I would not have done a thing at a ministerial level without the people who work with me, and they were terrific. I have had 14 trainees over this period, many of whom have gone on to do very good things and achieve some amazing things. I thank them for the opportunity to have them as a trainee. My sub-branch: I think it was said by someone today that you do not achieve what you can achieve without a sub-branch and the multitude of volunteers who have supported my campaigns and not just the campaigns at election time but the period in between those elections.

To the workers in this place—Hansard, the library, catering, maintenance, committee staff, parliamentary counsel, officers and staff of this chamber, our procedure office, PNSG and corporate services—I want to thank you for all the work you have done over an extended period of time. Hansard always makes you sound a lot better when you are being read than what you actually were when you were being heard, if that makes sense. I want to thank all the people here.

*The Hon. A. Koutsantonis interjecting:*

**The Hon. P. CAICA:** I am about to talk about that. When I first arrived here, I made the effort to meet as many of them as I could. I wanted to meet the workers of this place because I was not only a worker myself but a workers' representative, so I wanted to meet them, get to know them and to understand what they did. Why? Because, as I said, I am a worker and was a representative of workers. There was a little bit of self-interest there. I worked in the fire brigade a long time ago. Do not make enemies. If you make an enemy with the control room operators, all of a sudden it will be, 'Attention, attention 202, you are required to go to a call wherever it might be.' You scratch and say, 'That wasn't our call: that was 201.' Do not upset them. You might actually help me as well if I am friendly and proper to you.

**The Hon. A. Piccolo:** Off track.

**The Hon. P. CAICA:** No, I am not off track. There is a little bit of self-interest there, that is what I am saying, Tony, alright? It is after midnight; you do not need to have that moustache anymore. Can you go and shave it off? My office is open and there is a razor blade in the bottom drawer.

On my first day here, I did not realise you could book things up in the Blue Room; I had no idea. I come from a background where cash is king. I thought, 'What's this booking up stuff?' Anyway, I ordered a meal and I was asked whether I wanted to book it up. I said, 'Oh, okay,' and when they asked, 'What's your name?' I said, 'Tom Koutsantonis.' They saw straight through me. They said, 'No, you're not.'

**The Hon. A. Koutsantonis:** I used to say 'Nick Xenophon'.

**The Hon. P. CAICA:** Well, you might have got away with that. Anyway, to all of you—each and every one of you—the staff members who make parliament work, I say thank you and I hope that you feel I have treated you with respect. To those who know me—and I know you do, Mr Speaker—I am a man of little faith, as you know, but those who know me also know that I am a person who believes in people's right to believe. There are some provisos on that: do not think that your faith is superior to anyone else's and do not ram your faith down my throat, or anyone else's. Resultantly, the world will be a better place if that is the case.

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

**The Hon. P. CAICA:** No, I am happy to go to church on occasion. I actually like the Orthodox Church; I think it is very cool. I also like it because you can go out and have a cigarette and then you can come back in again. It is a very cultured church from my perspective. The reason I raise this point about faith, and it might be a long bow to draw, is that people on the other side on this chamber who claim to be Liberals do so when it suits them, and on other occasions they feel the need to tell people how they should feel and act, and I do not like that.

I leave this place in the belief that I have always supported every person being who they are. I have great pride in the equality measures this parliament introduced and supported earlier this year. I have already mentioned voluntary euthanasia, and as I said, I do not want to dwell on that issue. The issue of sex work reform is now a matter for a future parliament, and I wish the future parliament all the best in its deliberations on these matters.

I also want to recognise, acknowledge and thank those other workers: my parliamentary colleagues. It has been a privilege working with you guys, it really has, and that includes people on the other side as well.

**The Hon. A. Piccolo:** Are you sure about that?

**The Hon. P. CAICA:** No, it does. I can say this to you right now: there are some people over there I like as much as some of the people on this side. I am not going to name them, and I am not specifically looking at you, Tony. I am just saying that there are people here who I like and whom it has been a great privilege and pleasure to work with. As I said, that includes MPs on both sides of the house.

I have worked with people who, in my view, have been political giants. They are political giants who will be remembered in history for what they have achieved. We might not have realised it at the time, but I certainly feel that I have worked with people in this chamber who are and will be recognised as political giants when history is reflected upon. As I said, I am not going to mention any names; those people know who they are and, if they do not, they can think I am talking about them. You know who you are: some are here and some have retired. I thank my parliamentary colleagues for their guidance, their support, their friendship and their advice over the years. I very much appreciate it.

Finally, and I will name them because I will get killed if I do not, but I want to anyway. To Annabel, James and Simon, I thank you for your support, which has been unconditional. It has been your love for me and mine for you that has kept me going in this place. I just want to read another text, if I may. This is from Simon. He is a funny bloke.

**The Hon. A. Piccolo:** Any beeps in this one?

**The Hon. P. CAICA:** No beeps. He is pretty funny, and this is probably not as relevant as the other one might have been, but here is what he says in relation to my final speech today:

Congrats. You dodged the citizen scandal—

Now, he can say this, because at Henley High School I was called 'the white wog', so I can say that.

**The Hon. A. Koutsantonis:** The white wog?

**The Hon. P. CAICA:** The white wog—Romanian; that is what I was called. The text continues:

(you dirty wog) and you've dodged the Chinese donor scandal. Well done.

I have had to put up with this crap all day, stuff like that. I thought that was funny anyway, even if others did not. I do not want to offend people by using the term that I used there, but I am allowed to say that and you are not allowed to say it to me, but Simon can and I can.

To get back—and I apologise, when Annabel reads this, that I had a diversion there because I did not mean to do that—their love for me and my love for them has been unconditional. They have been of great support to me. People generally do not realise how hard you work as a member of parliament. It is often thought, 'You've got your snout in the trough,' all this, that and the other, and 'What do you do?' If you are to be successful and if you do your job properly, you work your backside off and you have to, particularly if you want to stay in this position. There is no doubt in my mind that



the general public has no comprehension of how hard you work as a minister. It is just a ridiculous workload. I make this point on the basis of the impact these responsibilities—

*The Hon. A. Koutsantonis interjecting:*

**The Hon. P. CAICA:** Are you laughing at me?

**The Hon. A. Koutsantonis:** I was just telling a story about you and Brokenshire.

**The Hon. P. CAICA:** Do I know this story?

**The Hon. A. Koutsantonis:** Yes, you do.

**The Hon. P. CAICA:** Alright, we will talk about it later then—the impact these responsibilities can have on you and your family. If the family unit is to survive it takes commitment because you really have to work hard because it is a tough occupation. I love Annabel, I love Simon and I love James more than anything else in the world and I thank them for the support they have shown me and the love they have for me.

Annabel is a bit tougher than me. For those who know her, she is a pretty tough woman. I can see Tyson up there nodding his head; he knows it. I think she probably would have made a better politician than me, in a roundabout sort of way. She certainly could not have been in a marginal seat. It is a bit like I used to say to Pat Conlon, 'You're not suited to a marginal seat, Pat. You should be somewhere in the upper house—you don't like people.' It is not that she does not like people, it is just that she does not have that level of tolerance that you need to have when you are in a marginal seat.

I will probably get into trouble for what I have said there, but who cares? It does not matter. So, if she was ever to be a member of parliament, she should have been in a safe seat. It is safe to say that she is not as tolerant as I am. I guess it is also safe to say that she has generally not really liked my job much. She does not like my job. I am just thankful that she still likes me.

I am looking forward to my retirement from this place. People say, 'How are you feeling? How are you feeling?' and I say, 'I am quite comfortable with what is going on.' I am looking forward to my retirement. I am looking forward to spending more time with the woman I love and the person that I have been with almost my entire life.

The other thing that is certain is that she will probably get sick of me pretty quickly. She has already said, 'What are you going to do when you retire? You can't sit out here and read the papers all day,' so I already know what I am not allowed to do and now we will work out what I am allowed to do, which is the basis of a good relationship really, is it not?

Finally—and I know you will be thankful that this is the case—I did want to keep you until 3 o'clock because I thought it is a pretty weird night and bummer you people over the other side. I thought I might as well keep you until the sun comes up. I want to finish off where I started. If anyone had ever said to me that I would be an MP, I would have replied, 'You are joking.' I am going to write a book one day and it is going to be called *Who Would Have Thought?* It will be a good book. Without being disrespectful to John Hill, I think it would be better than his. It would be a lot funnier. John, if you are listening out there, if you are not already asleep, perhaps you can read about this. By the way, I love John Hill. He was a very good minister and all that type of stuff. I am not doing a mea culpa or anything, I am just saying it could have been better.

I have always believed that politics and political life is about a matter of timing. I came in at the right time and I believe—in fact, know—the timing of my departure is right for me and that is why I am not filled with sadness. I am not overly filled with happiness, but I am not filled with sadness. If the devil had come to me on the eve of the 2002 election—who knows if it was a he or she, whatever gender it might be—and said, 'I've got a deal for you,' and I had said, 'What is it?' 'You're going to get four terms in a marginal seat. You're going to be an MP for four terms in a marginal seat. You are going to have almost seven years as a minister, and you're only going to have one hour and 55 minutes in opposition,' I would have grabbed it straightaway. In fact, truth be known, I probably would have grabbed two terms if that was the offer. Anyway, I got the four and there was no deal with the devil; it was just damn hard work for us to be able to achieve this. As I said, I would have grabbed that deal with both hands; in reality, I would have grabbed the two-term deal.

It seems a bit ironic, if that is the right word. When I was first elected, I was nominated to do the first Address in Reply when we formed government and I tell you what, I was shitting myself, I really was, because all of a sudden I was sitting on this side of the house over there—

*An honourable member interjecting:*

**The Hon. P. CAICA:** Yes, we became a government, didn't we? It was an incredible thing, and I was swept up in the euphoria of the occasion. Then, all of sudden, I heard my name being called out and I was like a rabbit in the spotlight. I thought, 'What's going on here?' and I had to apparently stand up and say that I accept to give the Address in Reply. The irony is that after we formed government in 2002, I gave the first speech outside of question time as the Address in Reply. I could feel my voice wavering and, as I said, I was pooping myself.

I got up here and spoke, mum and dad were up here, others were in the chamber and people I worked with in the union. There was a big crowd here and I was thinking, 'Good God, what is going on here?' I felt nervous and I felt my voice was wavering. Is Frances asleep? No, she is listening.

*Ms Bedford interjecting:*

**The Hon. P. CAICA:** I have that effect on people, Frances, I apologise. After about 10 minutes or thereabouts, I looked around and thought—and this gets me back to what my parents taught me—'There's no-one better than me in this chamber. I've got nothing to be worried about.' Despite the fact I was very nervous and I felt my voice was wavering, although people said afterwards that it was not, I looked around—

*An honourable member interjecting:*

**The Hon. P. CAICA:** Well, I was wearing a tie then, too, and I did not have a new policy.

**The Hon. L.W.K. Bignell:** You used to have to tie them before and hang them on a hook.

**The Hon. P. CAICA:** That's right. Now I have a policy: if it is over 14°, I will not wear a tie. Anyway, I looked around and thought, 'Well, there is no-one better than me. We're all equal in here and I am as good as anyone else in here,' and I relaxed a little bit. The irony of course is that here I am at 1.32am after a weird day. Believe it or not I got here at 6 o'clock this morning, so I have been here now for nearly 19½ hours. Can you believe that?

I came in at 6 o'clock because I had not done any work on this, I had not done any work on the Public Works Committee stuff and I had not done my grievance that I had to do today. I thought, 'Oh, God, Annabel is asleep. I'm going to have a shower and nick off and come to work.' So I have been here and I would not have expected that I would be doing this at this time of the night, but it is what it is.

People say that I have hardly changed since I have been here, and I say that is bullshit—have a look at this. This is how I looked. Mr Speaker, I know props are inappropriate, but if you want to sack me you can. That is how I looked after the 2006 election, and you can see that I looked a lot better then than I do now. This was done by some art students and I found it at a bus stop, and I have kept that since the 2006 election. It is very good. I think I look as good as I ever have and that is it.

It has been a privilege. I leave this place without regret. I have had a good time and a long time, never expecting to achieve both. To everyone, thank you and thanks for having me. To all my colleagues who are retiring—the class of 2002, those from the class of 1997, those from the class of 1989—I thank you for your magnificent contribution to this parliament and this state. It has been a privilege working with you and I wish you all the very best for the future.

**The Hon. T.R. KENYON (Newland) (01:34):** As the whip I would like to quickly say some things on behalf of the Labor Party. I would like to thank our retiring members, especially all of those we have heard from. I wish them the very best and a very happy Christmas and all the best for their retirement. I thank my colleagues for their work this year and their patience, especially with me. Insofar as I have been able to do the job as whip, it has been entirely with the help of Carol and Ellie who are actually organised people as opposed to me, and I thank them for that.

I thank my electorate office staff who also assist in the smooth running of my duties in the parliament: Michael, Lucas, Matt and Michael Iammarrone and Matthew Marozzi as well. I would like to especially thank Hansard who, as so many people have said tonight, make us sound better than we actually are. I would like to thank the table staff, the attendants, catering, education officers, and all the administrative staff who make this place tick over, all in the service of the people of South Australia embodied in those of us who are elected.

I would like to wish everybody in the chamber, those opposite and on this side, a very happy Christmas, a holy Christmas, and a safe Christmas—take care when you are driving around the state. I would like to wish everyone good luck in the coming election and, as Pat Conlon used to say, I wish ours a little more than theirs. Ladies and gentlemen, thank you very much for a wonderful four years and I look forward to being here in another three months.

*Parliamentary Procedure*

**STANDING AND SESSIONAL ORDERS SUSPENSION**

**Ms CHAPMAN:** I move without notice:

That standing and sessional orders be and remain so far suspended as to enable Private Members Business, Bills, Order of the Day No. 12, set down in the *Notice Paper* for Thursday 30 November, to take precedence over Government Business forthwith.

**The DEPUTY SPEAKER:** I need an absolute majority for that. Once more with feeling, ring the bells.

**The DEPUTY SPEAKER:** Time has expired. Attorney, sorry, I cannot accept the 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) (01:40):** In those circumstances, I move:

That the house at its rising do adjourn until Thursday 21 December 2017 at 10:30.

On indulgence, can I say briefly to all the retiring members: I wish you all the very best in your future endeavours and thank you to the extent that my thanks are of any value for your service here.

I thank all the staff here: Hansard, Mr Crump and his team, the catering people and everyone who makes it possible. In particular, I would like to thank my ministerial staff, all of whom have worked extremely hard, parliamentary counsel, and can I say a special thank you to Libby Eates, who has done an extraordinary job in managing all the bills this year. Libby, I apologise: we did not get as much through as you wanted, but we will try harder again next year.

I also put on record that Will Evans, my Chief of Staff, is moving on. It is a terrific loss to us that he is moving on, but I would like to put on the record my sincere thanks for his tremendous work and assistance. I am sure members of the opposition who had the experience of dealing with Will would have found him very professional and competent in everything he did. Thank you to all of those people and I wish everyone a very happy and prosperous festive season.

Motion carried.

At 01:42 the house adjourned until Thursday 21 December 2017 at 10:30.