

## HOUSE OF ASSEMBLY

Thursday, 31 May 2018

The **SPEAKER** (Hon. V.A. Tarzia) took the chair at 11:00 and read prayers.

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

### *Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** I welcome to parliament today legal studies students from Charles Campbell College, who are guests of mine.

### *Motions*

#### **WOMEN'S SUFFRAGE ANNIVERSARY**

**Ms BEDFORD (Florey) (11:02):** By leave, I move my motion in an amended form:

1. That in the opinion of this house, a joint committee be established to inquire into and report on matters relating to the 125<sup>th</sup> (quasiquicentenary) anniversary of women's suffrage and to consider—
  - (a) the significance of the Adult Suffrage Bill 1894;
  - (b) the courageous political campaign by the South Australian suffragists, unions and women's rights movements;
  - (c) recognition of Aboriginal women in South Australia, who gained the right to vote in 1894 but were denied the right to vote at Federation until 1967;
  - (d) ways to commemorate the 125<sup>th</sup> anniversary of women's suffrage in South Australia; and
  - (e) any other related matter.
2. That, in the event of a joint committee being appointed, the House of Assembly shall be represented thereon by four members, of whom three shall form a quorum of assembly members necessary to be present at all sittings of the committee.
3. That a message be sent to the Legislative Council transmitting the foregoing resolution and requesting concurrence thereto.

Speaking to the motion, I remind the house that a very similar motion was passed in the 53<sup>rd</sup> parliament and, in fact, that committee had met to begin deliberations. I am grateful for the leadership of the then minister for the status of women (member for Ramsay), who led this initiative and refer you all to her speech in parliament on 18 May 2017 when she spoke about the beginnings of the suffrage movement in South Australia.

So many people came together, from women's rights movements, unions and across the wider community, to follow our nearest neighbour, New Zealand, into a brave new world. But the women of New Zealand advised South Australia to ask for the right to stand as well and the rest, as they say, is history. Dual suffrage was granted here, a world first and something of which we can be immensely proud, in 1894.

The social and industrial needs of women were the catalyst for the agitation and activism. The women and their male supporters knew enfranchisement would give them the capacity to influence their life's direction and living standards. This is still the case today. We must value the vote and our democracy where we all have a say in changing laws and, more importantly, where the power of the pencil rather than the gun changes governments.

It must be noted that South Australia was a free colony, so our settlers wanted a say in the establishment of everything in their new home. While bringing all the traditions from the old country, they also brought the troubles. But they were also determined to make their democracy responsive

and universal. For example, initially all Aboriginal people were to enjoy the same rights and freedoms. The right to vote was extended to Aboriginal people but lost at Federation, with more than 60 years passing before their rights were restored by referendum in 1967.

Women in South Australia were involved in factory, domestic and other low-paid work. It was the plight of these women that led to the role of Augusta Zadow and other factory inspectors and their work on conditions and wages, and then to the work of others, concentrating on improving housing, education and health issues. Families had important needs, too, and many of the women married to the leaders of the colony began their work to ensure better conditions for everyone, women such as Mary Colton, Rosetta Birks, Annie Chambers, the state's first public vaccinator—a timely thought when we consider the broad national debate continuing to this day and this week's debate here in the chamber on meningococcal disease—to name only a few. There were hundreds of them, and we need to make their inspiring stories known as well.

It was an exciting but hard environment establishing Adelaide and beyond, but the new ideas took root and things were possible for women. It is why people such as Muriel Matters (born and raised in South Australia) and others from all around Australia were able to travel to the mother country taking the message from the Dora Meeson Coates 1908 banner, 'Trust the women mother as I have done', and make such an impression in the struggle for the vote over there.

That message, and the banner carried by the women in the Australian and New Zealand delegation in the women's suffrage parade in London in 1911, was returned to Australia as a gift from the UK for the bicentenary. It now hangs near the Senate chamber in Canberra, and I hope this artefact is something we may be able to borrow to display for our celebrations. The activities for the 125<sup>th</sup> anniversary will encourage people to learn more about and understand better why our democracy is so important and how they can draw parallels with the activism of those days and use the participatory part of our democracy to achieve their aspirations now.

Here in this chamber, we deliberate in the presence of the images of the three widely acclaimed leaders of the South Australian suffrage movement—Catherine Helen Spence, Mary Lee and Elizabeth Webb Nicholls. It is the latter story of Elizabeth Webb Nicholls I hope to champion more widely in the coming year, as it was her work and the network of women in the Woman's Christian Temperance Union throughout the state that gathered the bulk of the signatures on our monster petition. Those original women were connected to their communities and achieved the support necessary to swell the numbers of people, both male and female, who signed the petition.

In the activities for the quasiquicentenary, I hope to see as much enthusiasm as was seen in 1984 when people all over the state became involved in projects (particularly the tapestries) and activities which saw a new optimism, which, as the member for Ramsay said in her speech last year, underpinned the suffrage movement all those years ago. I hope, too, that the committee can gather many of those involved in the centenary activities and learn from their work 25 years ago and perhaps even commission a new updated history book following on from the acclaimed *In Her Own Name*, by Helen Jones.

This is a celebration about our future, too, and getting everyone involved in knowing they have a part to play in shaping the future. It will require a funding commitment, and I hope the government will resource the committee and the projects that follow from it appropriately and adequately. I look forward to the deliberations and promoting the work of the committee, and commend the motion to the house.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:08):** It is with pleasure that I rise to indicate that the government will be supporting this motion, as we did in opposition when the matter was debated in similar form in May 2017. I further indicate that we agree to the amendment as foreshadowed in that motion, to identify the complement of proposed nominees from this house. They will join with an equal number in the Legislative Council upon the passage of this motion.

I indicate that the government's representative minister in respect of women, the Hon. Michelle Lensink, has continued to be active in this space. Immediately after the election, she wrote to a number of organisations to encourage their continued support in participating in

celebrations of this kind. The confirmation by the member's motion that a joint committee will be established is welcome and appreciated.

In addition to the matters raised by the member in relation to the history of suffrage in South Australia and proposed and/or recommended projects, it is timely to remember that here in our own chamber two tapestries hang as a result of work done during the 1994 centenary celebrations. If members are not aware, they were placed in the bank diagonally opposite on North Terrace. It was a bank in those days, and since that time it has been a few other things and is now a Jamie Oliver restaurant. In any event, there it sat, and South Australians were able to participate in the making of these tapestries for the purposes of recording for posterity the significant events of 1894 and highlighting the very significant areas of law reform that this very chamber and indeed this parliament has progressed.

Also in this chamber is the portrait of Joyce Steele, the first female member of the House of Assembly. She was elected in 1959 as the member for Burnside. She is there, gloriously displayed in Versace blue, and long may she reign. During the same election, Dr Jessie Cooper was also elected to the Legislative Council. Sadly, we do not have a portrait of her. If I were to confirm one of my continuing aspirations, even though I am not a member of the august body of the Legislative Council, it is that they consider recognising her in a fitting manner.

Of course, they will have to nominate this, but there is plenty of space on that side. There are huge portraits of presidents hanging there, so surely they could recognise the first female member, especially as she had to fight a Supreme Court challenge to her election. An unhappy LCL candidate by the name of Frank Chapman—no relation, I might add—challenged the constitutional validity of her election at the time through the Supreme Court. In short, it was to challenge her capacity on the basis that the word 'he' was referred to in the Constitution.

Even though there were acts interpretation laws for 'he' to be read as 'he and she', the reality was that she was unable to progress to sit in the Legislative Council without that challenge. The challenge having concluded, the then Playford government amended the state constitution to make absolutely sure that such a challenge would not occur again in the future. It took 65 years for women to get into parliament after this groundbreaking legislation passed, but we are here now and we are here to stay. I hasten to add that my grandmother retired from her business when she was 90, so I look forward to a long stint on this side of the house, I can tell you.

It is also important to remember the significance of the times when this legislation passed, back in 1894, and the subsequent elections that followed. It is worth remembering that women got the vote and, of course, the right to get into parliament, as I referred to, by the passage of this legislation. Some would argue that that was almost by accident because of the level of drunkenness in the colony at the time and the aspiration of various groups in the women's community to ensure that there were stricter laws in relation to the management, distribution and sale of alcohol.

Nevertheless, they wanted a say, and they ultimately got it through this legislation. They were not able to vote prior to that date; however, Aboriginal men were. They had the privilege to vote from 1857, along with other men in South Australia. Scandalously, one can say that now in today's contemporary time. However, back in 1901, all Aboriginal people were precluded from being on the roll after Federation. We had this rather interesting scenario in South Australia where black men could vote between 1857 and 1894, which was then added to by white women, but then after Federation, all Aboriginal people were disenfranchised.

The member indicates that they were unable to participate in a vote until after a referendum in 1967. My recollection is that Sir Robert Menzies changed the law in 1961 to enable voting. What occurred in the 1967 referendum was the right to be recognised as a citizen of Australia for the purposes of being included in the census. That was a groundbreaking referendum and it was fantastic that it passed, but I think the actual right to register to vote predated that.

Nevertheless, today both men and women, whatever their colour or sexual orientation, can sign up to be a voter in the state, as long as they are over the age of 18 years. Of course, there are some restrictions in relation to mental capacity, and soon there will be one in relation to voting while serving three or more years in prison. This has already been forfeited at the commonwealth level

and will soon apply to the state. It is important to recognise this significant milestone in our history, which was internationally groundbreaking and which I am very pleased to support as we progress.

Finally, of the many organisations that were very active in this space, the Christian Woman's Temperance Union—which was certainly on a mission, on the march and all sorts of things, and from whom I still receive some notices from time to time—has been a powerful advocate in relation to matters that have affected women and children in this state throughout its history. In particular, the work of Elizabeth Webb Nicholls—and I am pleased to see the mover of the motion agrees—should be more acknowledged in the process that we undergo.

Thank you to the female members of the parliament who fought hard to celebrate at the centenary. We will now have a new era of women who will ensure that we record to posterity those who have fought for the quasiqucentenary. I support the motion.

**Ms HILDYARD (Reynell) (11:17):** I rise to wholeheartedly support this motion and also to concur with the words from the members for Florey and Bragg. We can all be very proud that here in South Australia we have an inspirational tradition of activist women who were fearless advocates for equality and who took giant steps forward for the status of South Australian women—women such as Catherine Helen Spence, the first female to stand as a political candidate in Australia, and others who shaped the early battles for equality.

This was, indeed, a remarkable group of campaigning women who brought women together and relentlessly and collectively organised around their cause and won. It was through the extraordinary efforts of Catherine Helen Spence and her fellow activists that in December 1894 South Australia very proudly became the first Australian state to allow women to vote. At the same time, women were granted the right to stand in state elections—the first place in the world to do so—and in 1861 here in South Australia female ratepayers were granted the right to vote in municipal and local council elections.

In 1919, Susan Grace Benny was the first female local government councillor in Australia. Grace, as she was known, was elected to Brighton council in our beautiful southern suburbs. In 1986, South Australian Senator Janine Haines became the first female to lead an Australian political party and, also in 1986, Labor's Anne Levy became president of the South Australian Legislative Council, the first female to be a presiding officer of a house of parliament in Australia. Of course, we cannot forget that Australia's first female prime minister, Julia Gillard, also hails from Adelaide.

These pioneering triumphs for women's equality were the result of commitment and sheer hard work over many years by very determined women. Their impressive legacy spurs us on to continue to progress rights for women across the globe. I fundamentally believe that there are equal numbers of women and men with merit in any particular vocation, profession or industry. This is the case in politics, in the corporate world, in sport and in community services. If those equal numbers of women and men of merit are not reflected in the make-up of your organisation, something is not working and you need to do something about it.

I am proud to be part of a party, the great Australian Labor Party, that is doing something about it. It has rules and a deeply embedded plan for change that mean we are making significant progress towards equal representation of women and men in our parliaments. We still have progress to make, and make it we will. We have these rules, a plan and commitment to progress because we know that diversity in decision-making and parliaments that are representative of our communities always make for better outcomes. It is my hope that those opposite and their colleagues in parliaments across the country support and encourage more women to enter parliament, too. Their party, our parliaments and our community will be better for it.

I strongly support the establishment of a joint committee to report on matters relating to the 125<sup>th</sup> anniversary of women's suffrage. I congratulate the member for Ramsay on her efforts in our last parliament in this regard and the member for Florey on bringing this motion today. It is an excellent opportunity to reflect on our history, to celebrate the achievements of those who came before us and particularly to recognise the struggles faced by Aboriginal women. I wholeheartedly agree with the member for Bragg that our record on ensuring that Aboriginal women, and all Aboriginal people, can vote is indeed scandalous.

This committee will also give us an opportunity to create strategies to advance the status of all women and girls in every aspect of South Australian community life. It is always only by tackling the difficult issues together that real progress is made. Social and economic change for women is almost always a tough battle, and I look forward to working alongside my colleagues and the many individuals and organisations fighting the good fight until all the challenges facing women are met and won. I very much look forward to working with as many girls and women in South Australia as possible to ensure that many voices shape our 125<sup>th</sup> celebration and that many voices are involved in determining what we focus on together for the future to secure equality in every aspect of community life and our economy.

**Ms BETTISON (Ramsay) (11:22):** I rise today to support this motion by the member for Florey. I recognise her continuing interest in supporting women and their involvement in politics. I am pleased to say that I am a lifetime member of the Muriel Matters Society, as I hope all my female and male colleagues will seek to be. This motion putting forward a joint committee follows on from my proposition in the last parliament to continue this work. This is something we should be extremely proud of in South Australia: not only were we one of the first to support women to have the right to vote but we were the first to allow women to stand for parliament.

I hope that we have a re-enactment of the 1894 debate because history tells me that there was what one called a 'rider' to make it fall over, but instead of falling over it actually went through. It was considered a bridge too far to allow women to stand for parliament, God forbid, and it was thought that it would make the vote fail. Of course, it came to parliament several times, if I remember correctly, maybe four or five times in different forms. It reminds me of some different areas of social change: it might not happen the first time, but we can build momentum, knowledge and experience and bring people with us. It might take time, but it can happen.

So one of the things I am keen to see is that we have a series of proposals come from the committee of how we can recognise this event. Perhaps we can have a modern form of the tapestry in the way of some selfies of South Australian women and girls that we upload to have a combined face of South Australian women. I would like to see that we support grants throughout South Australia that enable all communities within South Australia to apply for grants to recognise this area in their own way. I encourage the committee to consider that.

I have touched on the potential of a re-enactment, so I would like to flag to our Clerk and Deputy Clerk that we would love some money from the parliament to recognise that. I think one of the other ideas was a time line. It could be a visual time line that we have somewhere here in Parliament House about women's rights and different things we have moved, or it could potentially be a timeline on a portal and available online.

But it would not be right without my recognising the fact that we are not represented in equal numbers in this house, and that is something I think we should aspire to. Politics more than any other industry and any other area of representation is by the people for the people and we should be reflective of how we are within the population. I hope that within my lifetime we achieve that. Like the member for Bragg, I intend to be here for some time, so hopefully we will all get to celebrate that together.

But there are a few things I want to touch on that women still need to fight for, and one of the key things for me is equal pay. We know that graduates from the same course start out in their first year with women on less money than men. How is this possible? Why does this happen? We must continue to understand the unconscious bias around this and understand that we are all going to have to work until we are 70—50 years of work—and within that time all of us are going to have time when we cannot work full-time because of caring needs, whether it be for children or elderly parents or our own health in fact.

That is something we have not achieved and equal pay is something we must continue to fight for. Equal pay, or lack of equal pay, goes to the issue of superannuation, and women particularly do not have the same level of superannuation as men. Most of this comes from the fact that we have breaks within our career traditionally but also because we are more likely to be casualised in the work that we do. We are seeing that now, with increasing rates of older women sliding into homelessness.

For many women who lived what we call a traditional life, there was an expectation that you would be the homemaker, that you would stay at home and look after the family, and that you would be supported and provided for by your husband. That has not always worked out. In fact, particularly when people have experienced the death of a spouse or a late in life divorce, they find that they do not have a lot of assets and, with the real estate market that has grown over the last decade or so, it is very hard for them to purchase property.

This is an area I learnt more about in my previous role as minister for social housing and minister for ageing, and I think as a nation we need to consider the differential between superannuation, because this issue of women having substantially less in their balance than men will not go away. I thank again the member for Florey for bringing this forward and I commend this motion to the house.

**Ms LUETHEN (King) (11:28):** I rise to speak to the motion moved by the member for Florey. I thank the member for her many years of determined advocacy on matters related to women's rights. I also thank our Deputy Premier for sharing her steadfast support for this motion and our colleagues for their support as well. I support the motion related to considering the significance of the Adult Suffrage Bill and support the points made in paragraphs (a), (b), (c), (d) and (e) and the move to appoint a committee.

I will take a moment to recap on the Adult Suffrage Bill 1894 in case anyone who may read or listen to my words is not aware. A petition with some 11,600 signatures was presented to the parliament by the then member for North Adelaide, the Hon. George Hawker, in August 1894 requesting that women in the colony be granted the right to vote. The petition can be viewed at Parliament House in Adelaide—the final roll measured 122 metres long—and is commonly referred to as the Women's Suffrage Petition. The wording of the petition is as follows:

To the Honourable the Speaker and Members of the House of Assembly of South Australia, in Parliament Assembled:

The Petition of the undersigned Adult Residents in the Province of South Australia humbly sheweth:—

- I. That your petitioners and convinced of the absolute justice of giving Women the Franchise for Both Houses of Parliament on the same terms as it is now, or may thereafter be granted to men.

This bill gave women the rights previously only granted to men. It was felt that in 1894 it was ridiculous that in that modern society of free settlers women did not have the same rights as men.

This was a significant moment in South Australia's history. In 1894, women in South Australia gained the right to vote when men had had the right to vote in South Australia since 1856, 38 years prior. In 1895, full adult women in South Australia, including Aboriginal women, won the right to vote and sit in parliament. In 1949, 54 years later, the right to vote in federal elections was extended to Aboriginal people who had served in the Armed Forces and who were enrolled to vote in state elections.

South Australian women were the second to gain the vote after New Zealand women, who secured this right in 1893. Momentously, South Australian women were the first in the world to gain the right to stand for election. Previously, South Australia had granted voting rights in local government elections to women property owners in 1861, but it took eight attempts and another 30 years before the parliamentary franchise was extended to all adult females. After private members' bills had failed, the government of Charles Cameron Kingston, who had originally opposed such a measure, adopted the proposal of the Women's Suffrage League.

I wholeheartedly support this motion today because (1) I know that I stand on the shoulders of the fearless and courageous women who come before me and (2) we recognise here, as Mary Lee said:

...the strenuous work that Australian women put into the suffrage campaigns—organising meetings, forming societies, writing speeches and delivering them, leading deputations to parliamentarians, securing signatures on petitions and making speeches.

I can only imagine how hard it would have been for these men and women to speak up 124 years ago and state the case for women to have the right to vote and to stand for parliament.

It is reported that feminists in South Australia in the late 19<sup>th</sup> century faced an unsympathetic media. They were labelled the 'shrieking sisterhood'. The men who supported them fared no better, being called 'poor, wretched creatures' and accused of being illogical and absurd. I have read:

...this was an era, after all, when it was still lawful for a man to beat his wife 'so long as he did not use a stick thicker than his thumb'.

But these women were not to be stopped. In my maiden speech, I talked about the change we in this 54<sup>th</sup> parliament can lead in our South Australian community today, and I was heartened by so many colleagues agreeing that it is time for a safer South Australia. Although today it is no longer lawful for a man to beat his wife, 124 years later we have talked about one in four children growing up watching and listening to this violence happening in our Australian homes today.

Violence is costing our community billions of dollars and it is still robbing too many people of the chance to live their best life possible. Experiencing violence in childhood, as I can personally attest, can adversely impact your health, your self belief and your confidence, which, of course, then impacts your ability to run for positions in government. The perpetration of men's violence against women is understood to be a manifestation of historically unequal power relations between men and women.

So 124 years after women gained the right to vote, we are still discussing the need for more research to understand which aspects of gender inequality have the most impact on violence against women. I have read that in 1894 male principles were severely tried by the idea that women should step out of their allotted role as guardians of the home to enter the sphere of male power. Cartoonists worried about who would cook the tea when women entered public office.

When I doorknocked in King, many women said to me after I introduced myself, 'I will just get my husband.' One woman, a mother in her 30s, said, 'I will let my husband know you are here when he gets home from work, as he makes these decisions for us.' Thankfully, there were many other couples who had this discussion with me together.

When I doorknocked, I wanted to hear from every person their thoughts on what would improve their quality of life and I wanted to hear their aspirations for our South Australian community. Men and women, young and old—I wanted to hear from everyone. I did wonder whether the women who were deferring their opinions to their husbands had knowledge of how hard the brave suffragettes had fought for our right to vote and to stand for parliament.

I support this motion because I wish to provide further information to our community and cause more robust discussion about where we have come from, where we are today in terms of equal rights and representation, and what deeds, not words, are needed to progress us towards a time when the gap in female representation, which exists today across all levels of government, is not so substantial. This motion provides an opportunity to review, question, highlight and provide education on the current levels of female representation in local, state and federal government and to further explore the barriers to entry.

On 18 December 2019, South Australia will celebrate 125 years since the passage of a bill granting women the right to vote and to stand for parliament. The campaign at that time to gain public support was a collective effort by men and women. I personally have strong support from men and women in the Liberal Party to help me to believe in myself and to campaign to earn the trust of the electorate and to represent them well.

As I have shared, minister David Pisoni prompted me to consider running for parliament when he asked me, 'What will you do to make children safer in our community?' I will always thank him for asking this question and for his ongoing counsel. Similarly, I thank the Speaker of the house, the education minister and the member for Bragg for their ongoing counsel. I am proud to say that I feel very supported to be here today in this government and in our party. Both men and women have a depth of life experience to offer unique perspectives and this is valuable to decision-making and serving the community. I ask all of us here to consider how we make these opportunities to serve more accessible and a reality for those who wish to serve.

As the member for Bragg did, I recognise today the important tapestry hanging on the government side of this house above us: 'A woman's place is in the house.' It refers to this house:

Parliament House. I thank the member for Florey again for raising this important motion, which I support in full. I look forward to opportunities for lots of robust discussion and lots of input from men and women in the planning and decision stages of our preparation for the 125-year celebrations. I look forward to lots of actions and delivery of change with my colleagues in the house and in the community.

Time expired.

**Mr TEAGUE (Heysen) (11:38):** I rise also to support the motion. At the outset, I wish to recognise the member for Florey and others who have already contributed. This morning, I want to mention one famous South Australian in particular, Muriel Matters. Muriel Matters, born in 1877, was just 17 years old in 1894. She went on to advocate for reforms that she was to both benefit from and advocate for worldwide, and she has become very famous and well known for her work.

I mention Muriel Matters because, on 26 April last year, I was fortunate to be present, along with my wife, Dr Maria Teague, at Matilda Bookshop at Stirling in my electorate of Heysen, for the launch of a book about Muriel Matters called *Miss Muriel Matters*. I commend it to all members. It tells the story of her wonderful life. I mention it in particular because I was fortunate to be in a full room at Matilda Bookshop, as so often happens on the evening of a book launch, and present also were the member for Florey and the former member for Heysen, Ms Isobel Redmond.

It was not lost on me that night that we were there talking about Miss Muriel Matters and the proud history of her journey, and in that very room was—if the member for Florey will permit me—living history of just how current and recent the steps and journey that we are commemorating really are. The member for Florey was elected in 1997 and has been in this place for more than 20 years now. The former member for Heysen, Ms Redmond, was elected in 2002, and, significantly, was the first female to lead a major party in our state—living, current, reform, development, advancement, all very important.

That occasion has stayed in my mind particularly in the context of the anniversary that we look forward to celebrating next year. I particularly want to recognise Joanna Hill and Gavin Williams, the proprietors of Matilda Bookshop, for the great work they have done in bringing great books like *Miss Muriel Matters* to the public. I wholeheartedly put an ad in for that: if you do not already have a copy of the book, do yourself a favour, as Mr Meldrum would exhort us to do.

I want to also briefly reflect on the proud history of reform in South Australia. I think it is worth noting that the 1861 Local Government Act, although not proactively taking reformist steps at that stage, did not specifically exclude women. At that time, women voted in municipal elections and that formed a part of the foundation for the moves that were to follow later in the century in that that participation was cited as an example when women's suffrage was being brought to the fore as a state matter.

I also want to note the role of the man for whom the district of Stirling is named, Dr Edward Stirling, who was a Strathalbyn local, who later built a home at Stirling and became the first chair of the Stirling district council. In 1885, Edward Stirling proposed a resolution to grant the franchise for both houses to property-owning single women and widows. That proposition ultimately failed in the short term but, again, laid the groundwork for the reforms to come.

I recognise that South Australia, in leading the way, benefited from the good work of women and men from the outset. I certainly join with others in both recognising our history and advocating for the continued importance of further reform in this area so that we may continue to claim a proud history in this state in advancing all aspects of equality of participation and representation.

**Ms BEDFORD (Florey) (11:44):** In closing the debate, I would just like to let the Deputy Premier know that the Woman's Christian Temperance Union had some marvellous activities for History Month. It has a vast archive of ephemera, in particular postcards between Mary Lee and Elizabeth Webb Nicholls. These relics, remnants of past history, are just sitting there. It is just amazing to see little postcards that had zipped across to Adelaide to let each of them know what they were doing.

In my contribution, I neglected to mention Serena Thorne Lake, who was also one of the main agitators at the time, and her links to the Methodist Church. The Wesleyan Methodists in



particular were very involved in making sure that social justice issues that we are all concentrating on as well were a part of what the suffrage movement was focused on. One of the famous women involved, Jessie Ackermann, visited Australia at the time and said that a seat in parliament is not a reward for past services but an opportunity for further work. It is such a wonderful saying. I am even thinking of embroidering that on a cushion just so I can remember that every day of my life.

I am truly grateful for the Deputy Premier's support and leadership, along with that of the minister, the Hon. Michelle Lensink, and all the government members who have spoken today. I also thank the opposition members, who I know are behind it, and members of other parties in the Legislative Council who I know are supporting this as well. I would also like to acknowledge the work of the Hon. Steph Key and everything she has done for women in South Australia.

I also acknowledge the work of people such as Sandra Kanck, Diana Laidlaw and Anne Levy, just to name a few of the women who have been in parliament over the years, agitating for the rights of women. In reflecting on what the member for King has said, I think we need to say 'deeds and words', because deeds and words are what we need, along with the dollars I know the government will give us to make sure that this truly happens and is worthwhile.

I would also like to mention the Centre for Democracy, which is on the corner of North Terrace and Kintore Avenue in the Institute Building. It is a place that former premier Jay Weatherill established and somewhere I hope that people will go and look at what is going on. I know that it will play a vital role in the quasiquintenary, which is of course for all South Australians, all the men and women, to reflect on all we have achieved and all that lies ahead, knowing that their influence in this place exists because of the vote.

I will be doing my best to promote South Australia and its place in the world nationally and internationally. Those works have already started because South Australia is a focus, along with the story of Muriel Matters in the education centre at Westminster—a place I hope you all get to visit at some point. I commend the motion to the house.

Motion carried

### UNIVERSAL AMBULANCE COVER SCHEME

**Ms BEDFORD (Florey) (11:48):** This motion is actually self-explanatory. By leave, I move my motion in an amended form.

That this house establish a select committee to inquire into and report on the feasibility and effectiveness of a universal ambulance cover scheme for South Australia; and in particular—

1. (a) the potential benefits of a universal ambulance cover scheme;
- (b) the extent to which there are gaps in current coverage arrangements and the social costs thereof;
- (c) the administrative and financial costs and risks associated with current arrangements;
- (d) models for a universal ambulance cover scheme (including models for universal ambulance cover in other jurisdictions);
- (e) the likely costs of a universal ambulance cover scheme and potential funding models, including alignment with other social insurance schemes;
- (f) the legislative and governance arrangements that would be optimal for a universal ambulance cover scheme; and
- (g) how a universal ambulance cover scheme could be best implemented.
2. The select committee may obtain evidence by any means it thinks fit and may hold public hearings.
3. The select committee is to make findings and recommendations.
4. The select committee must report to the house within 12 months of its establishment.

This motion calls for South Australia to have the same access that other parts of the country have to a vital part of lifesaving services at the time of greatest need and vulnerability, that of an emergency. According to the South Australian Health Care Act 2008:

...an emergency ambulance service means an ambulance service that—

- (a) responds to requests for medical assistance (whether made by 000 emergency telephone calls or other means) for persons who may have injuries or illnesses requiring immediate medical attention in order to maintain life or to alleviate suffering; and
- (b) is set up to provide medical attention to save or maintain a person's life or alleviate suffering while transporting the person to a hospital;

The Queensland Ambulance Service Act 1991 is a separate act for ambulances, unlike here in South Australia where it is incorporated into the Health Care Act. From *Annals of Emergency Medicine*, the definition of 'emergency service' is:

...any health care service provided to evaluate and/or treat any medical condition such that a prudent layperson, possessing an average knowledge of medicine and health, believes that immediate unscheduled medical care is required.

Another definition of 'health emergency', from the *Australian Health Review*, is:

...a sudden or an unexpected threat to physical health or wellbeing which requires an urgent assessment and alleviation of symptoms.

States without universal coverage usually have a large number of unpaid fees, which can lead to a funding shortfall. Victoria, as at 2017, was chasing \$40 million of unpaid fees, \$21.3 million of which were in the hands of external debt collectors. Those figures are from October 2016, and one can only imagine what that figure might be had they not taken some action. Due to this, Victoria wrote off \$14 million of debt in 2014 and \$18 million in 2015. This caused an emergency service review so that its billing and debt retrieval processes were examined to maximise efficiency. Funding structures can obviously present challenges, and this is why a committee must look into how and why other states can provide this service, and how we can do the same thing here for our own citizens.

People do delay calling an ambulance due to the potential costs involved: 43 per cent of respondents to a national survey of 11,000 people said that it would be too expensive to call an ambulance even if they thought they were having a heart attack; 20 per cent of the patients who went to hospital because they had had a heart attack or warning signs, but who did not use an ambulance to get there, said the cost of the ambulance was a determining factor in their decision to drive themselves or seek other modes of transport. We know from statistics here that people do drive themselves to hospital while they are having significant medical traumas, and we know the problems that causes or can cause should they be involved in an accident for themselves, and for others not knowing what is going on in the other person's life.

There is support for universal ambulance cover, and I quote an old survey from the Heart Foundation some years ago that found 85 per cent of people supported the notion of universal ambulance cover. I know, too, that the Ambulance Employees Association here in South Australia has called for a review of all ambulance services, so now would be the ideal time to consider the ambulance service in general.

We also need to explore the services already in place in other states and to ensure that the service here would be used only for emergencies. I think that is the most quoted fact when people talk to me about this, and of course the cost, but I think if it can be afforded in other states we can certainly find a way to do it here. Most importantly, I believe that the extra confidence and reassurance the community would gain from this measure are essential in providing the health care our system is meant to provide to them. I commend the motion to the house.

Debate adjourned on motion of Mr Pederick.

#### *Bills*

### **PUBLIC INTEREST DISCLOSURE BILL**

#### *Second Reading*

Adjourned debate on second reading.

(Continued from 16 May 2018.)

**Mr TEAGUE (Heysen) (11:54):** I rise to speak in support of the bill, being the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill 2018, Carly's Law. I was proud to be present in the chamber when the bill was introduced on 10 May, and also present in the

chamber on that day was Sonya Ryan, who founded the Carly Ryan Foundation, and I recognise again—

**Mr Picton:** It is not Carly's Law we are doing: it is the Public Interest Disclosure Bill. You are talking on the wrong bill.

Debate adjourned.

*Parliamentary Procedure*

**SITTINGS AND BUSINESS**

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:55):** I move:

That Order of the Day No. 1 be postponed until after Order of the Day No. 2.

Motion carried; debate adjourned.

*Bills*

**CRIMINAL LAW CONSOLIDATION (DISHONEST COMMUNICATION WITH CHILDREN)  
AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 10 May 2018.)

**Mr TEAGUE (Heysen) (11:56):** I am glad I spelt it out. It took those opposite a moment or two.

**Mr Picton:** It will be in *Hansard* forever.

**Mr TEAGUE:** It took those opposite a moment or two but, clear from the outset, I was proudly speaking in support of the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill 2018. I continue my remarks. As I have indicated, I was proud to be present in this chamber on 10 May when the bill was introduced. Sonya Ryan was present on that day, and I recognise her presence in the chamber again today. I thank you for being here, Sonya.

In 2006, Carly Ryan thought she had met her dream boyfriend online. The online caricature who engaged with Carly at that time was said to be an 18-year-old musician from Melbourne by the name of Brandon Kane. In fact, no such person existed. Brandon was a fiction; he was a construct of a paedophile by the name of Garry Francis Newman, who was a 50-year-old predator. Tragically, in 2007 Garry Newman, having convinced Carly to meet with him, ultimately took Carly to a secluded beach at Port Elliott. He there bashed her, put her face in the sand, suffocating her, and he then threw her into the water to drown. She was 15 years old.

Within 11 days, detectives located Mr Newman in Victoria. They found him at his computer, logged in, seeking to engage with a 14-year-old girl in Western Australia. They arrested him, charging him with Carly's murder. In the trial in the Supreme Court of South Australia, which continued over an extended period, a jury ultimately found Garry Francis Newman guilty of murder. He was sentenced on 31 March 2010. Justice Trish Kelly sentenced him to serve life behind bars, with a 29-year non-parole period.

In sentencing Garry Newman, Justice Kelly observed that he deserved a life behind bars for his grossly perverted plan to deceive, seduce and murder Carly. 'It was a terribly cruel thing you did to this beautiful, impressionable 15yr old child,' Justice Kelly said. 'I say child because that's what she was, a child that fell in love with the idea of the handsome, musically inclined and rather exotic Brandon Kane, the real man was in fact an overweight, balding, middle aged paedophile with sex and murder on his mind.' Justice Kelly went on to say, 'You were sexually obsessed with Carly to the degree that when you couldn't get your own way, you prepared to and did kill her.'

In the words of her mother, Carly was a beautiful, sensitive, loving and amazing young lady with her whole life ahead of her. For Carly, her dreams, goals and future were taken away by a selfish, twisted, deviant sex predator.

The bill before the house would introduce into the Criminal Law Consolidation Act 1935 new section 139A, 'Dishonest communication with children'. It would provide that a person of or over the age of 18 years, who knowingly communicates with a child and makes a false representation in such a communication that the person is younger than they are or is someone other than they are, and who meets or arranges to meet with the child, is guilty of an offence with a maximum penalty of imprisonment for five years.

It would further provide that a person of or over the age of 18 years who knowingly communicates with a child and makes a false representation in such communication that the person is younger than they are, or is someone other than they are, with intent to commit an offence against a child is guilty of an offence with a maximum penalty of imprisonment for 10 years. These are the insidious criminal behaviours that this bill would directly address, with serious penalties for these serious offences.

Carly's mum, Sonya, incorporated the Carly Ryan Foundation. Rather than dwelling in her grief and devastation at what happened to Carly, as would be completely understandable in all of the circumstances, Sonya has displayed exemplary strength and dedication to turn that devastating event into something we can all benefit from. Her aim was to do two things: both to create awareness of what had occurred and to educate children and parents about using the internet and interacting with all of the technology that is now so much a part of daily life and which particularly involves children nowadays from a very young age.

Sonya is a constituent of mine, and the foundation office is located in Heysen, at Stirling. I am proud to have got to know Sonya over the last years: firstly, as a grateful parent, as my daughters have attended her education sessions via their local primary school; and, secondly, as a candidate for election over the course of the last year and now working with her, I am proud to say, as her local MP. As a small point of connection, we can be sure to find information, ably provided by the foundation, readily available at my electorate office as well. Spreading the word and advancing the advocacy of the foundation is something that I am very proud to do.

I am also proud to have the opportunity to be working with Sonya as part of this new government, committed to recognising and supporting the work of committed local people who take initiatives of this kind to strengthen community and build resilience. As has been said so often over recent times, Sonya and others like her do the work that no government can do on its own. In commending this bill to the house, I particularly wish to recognise Sonya and the good work of the foundation.

**Mr PICTON (Kaurna) (12:06):** I rise to speak on this very important piece of legislation.

**The DEPUTY SPEAKER:** Member for Kaurna, you are the lead speaker?

**Mr PICTON:** Yes, that is correct. I rise to indicate the Labor Party and the opposition's support for the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill 2018, otherwise known as Carly's Law. Under this legislation, any adult who lies about their age or pretends to be someone other than they are and attempts to meet with a child or attempts to commit an offence will be severely punished. This important legislation—which has become widely known as Carly's Law—has come about in the most tragic circumstances.

There is nothing that anyone anywhere, including those in this chamber, can say to take away the pain and anguish that Carly Ryan's family and friends will experience for the rest of their lives following Carly's heart-wrenching death in 2007. I note there are family members here in the chamber today. Carly was ripped from the lives of her family far too early. At 15, she was contacted online by an adult predator, who pretended to be a teenage boy and who groomed, deceived and killed her. This is not fair; this should never have happened. We hope this legislation will help our police intercept predators before they can harm our precious children.

This amendment will introduce two new offences. The first new offence will apply wherever an adult communicates with a child and lies about their age or identity and seeks to meet with that

child. The second new offence is where an adult communicates with a child and lies about their age or identity with the intent of committing an offence against that child. The previous government supported the introduction of this legislation in the lead-up to the 2018 election, and Labor continues to do so in opposition. It is important that this law be implemented.

This legislation will make it an offence, with a maximum penalty of five years' imprisonment, for a person to communicate with a child and lie about being younger than they are or about being someone else and to meet or arrange to meet that child. It will also make it an offence, with a maximum of 10 years' imprisonment, for a person to communicate with a child and say that they are younger than they really are, or that they are someone else, and also have the intention of committing a crime against a child.

The internet is an important and positive resource in our modern lives, but it does pose dangers for our children. It is vital that we, as adults and parents, become more aware of those dangers and that our police are armed with laws that will punish those who misuse this valuable resource. It is an unfortunate part of the world we live in that not everyone's actions are steeped in good intentions. For predators who intend to harm our children, the opportunity for anonymity is provided all too easily through the internet.

It would be remiss, at this time, not to pay tribute to the hard and tireless work of the Carly Ryan Foundation. The foundation was formed by Carly's mum, Sonya. As the website states, their aim is to create awareness and educate children and parents using the internet. She will work to expose the thousands of multiple identities paedophiles use to lure young children. Labor's shadow attorney-general from the other place, the Hon. Kyam Maher MLC, has met with the Carly Ryan Foundation on a number of occasions, and we commend Sonya and the rest of Carly's family for their bravery in advocating during this difficult time in their lives. In a media statement about the introduction of this legislation released earlier this month, Sonya Ryan said:

Knowing our home state will soon have a law named after my beautiful daughter that will help police catch predators before they harm children, is an indescribable feeling.

Sonya and all those involved with the Carly Ryan Foundation may never know exactly the enormous difference this will make in our communities, but they will know that Carly's name will be attached to a law that will work towards stopping these online predators in their tracks before they can harm any more South Australian children and devastate any more South Australian families. With those words, I indicate Labor's support for this legislation and commend the bill to the house.

**Mr CREGAN (Kavel) (12:10):** I rise to support the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill. The state Liberal government has introduced legislation to protect young people from online predators, and I am proud that we have taken this step early in the life of this parliament. The shocking death of Carly Ryan in 2007 highlighted the dangers of young people being deceived by online predators in circumstances carefully related to the house by the member for Heysen. There is a need for the law to impose severe penalties on those who try to manipulate and deceive children in the circumstances my friend has outlined.

Carly was pursued online by a man who pretended to be a teenage boy. The court recognised that that man groomed, deceived and subsequently murdered Carly after she rejected his advances. It was an honour to meet and speak again with Sonya Ryan, Carly's mother, at Parliament House on the sitting day last Thursday before parliament rose. As many people in our community will know, Sonya has led a brave and determined campaign to strengthen laws protecting children. With Ms Ryan present to observe, we introduced the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill, which, as the house is aware, proposes new offences.

The first new offence would make it an offence punishable by a maximum of five years' gaol for a person to knowingly communicate with a child and to make a false statement that they are younger than they are or someone other than who they are while attempting to meet, or in fact meeting, with a child. The second offence would make it an offence punishable by a maximum of 10 years' gaol for a person with the intention of committing an offence against a child to knowingly communicate with a child and to make false statements that the person is younger than they are or someone other than who they are.

Information technology is reaching further and further into people's lives, but it now reaches also into children's lives. The offences in the bill apply to persons who are over the age of 18 years and a child is defined as a person under the age of 17 years. Importantly, we have drafted the bill in a way that we hope will give police the power to intervene before an offender actually comes into contact with or causes harm to a child, whether through grooming or through direct contact.

Regrettably, the commonwealth act regarding these matters deals with offending relating to carriage services and is limited importantly in that way. As a result, there are serious gaps in the federal law. The commonwealth legislation does not cover every instance where a person lies about who they are or how young they are while meeting or attempting to meet a child. Our bill makes it an offence in whatever circumstances for a person to lie to a child about who they are or how young they are while arranging to meet them or in fact meeting them.

We want to give South Australian police in this context every available tool to allow them to swoop early in circumstances where experience tells us that great harm is imminent or may be caused. By criminalising certain conduct that experience tells us is likely to precede serious offending against a child, we are putting in place a very practical framework for police in South Australia. In this legislation, we have used the word 'communication' deliberately, with a view, as I foreshadowed, to changing technology to the future generally.

We are deeply thankful to Ms Ryan and to the foundation for the substantial work done to educate the community, parents and children about the safe use of the internet. As Ms Ryan has pointed out, the internet is a valuable tool for communication and education, but when somebody with a prurient interest uses the internet to harm children, there must be a practical and useful framework to both deter potential offenders and assist police in their work. I commend the bill to the house.

**Mr MURRAY (Davenport) (12:15):** I rise to speak in support of the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill 2018, otherwise known as Carly's Law. Before I move on, I also wish to acknowledge Sonya Ryan and, in particular, attest to the outstanding work she has done with the foundation, given that the communication methodologies now in place are a sizeable issue. I speak as someone with a background in internet-based software. I can, as a result, attest to the industrialised or scaled-up capacity that modern communication methods provide not just for good but also for harm.

I am very proudly the president of the Norwood basketball club, which is the largest sporting club in the state, with in excess of 2,800 children registered as players. I can attest to the necessity for aggressive and proactive measures to enable the protection of children in an environment such as that. Our club has a comprehensive child protection policy, but the bill will substantially enhance those measures.

The bill is named in memory of Carly Ryan, who was cruelly taken from her loved ones in 2007 at the age of 15. Carly should have been 26 years of age now. As the father of a daughter of a similar age, I am acutely aware of the responsibility that we in this place have and the opportunity the bill provides to us to execute that responsibility on behalf of our community. Put simply, the bill is founded upon the premise of prevention of harm to children. The bill is founded on the entirely reasonable premise that there is no excuse or justification for an adult to communicate with a child and, in doing so, lie about their age and/or their identity.

As other speakers have pointed out, the act seeks to prevent the knowing communication with and intention to lie to a minor, with a penalty of five years in the event that there is an intention or an attempt to arrange a meeting with the child. There is a further penalty of a maximum of 10 years for communication knowingly made and intentionally designed to mislead with, at its heart, the intention to commit an offence. The act effectively seeks to prevent grooming; that is, it enables the prosecution of someone before they have had a chance to come into physical contact with or cause harm to a child.

The bill is not confined to regulating merely online or internet-based communication, although this is the usual conduit for the behaviour it seeks to prevent. Communication can take any form. The member for Kavel has pointed out that, by constructing the bill in this fashion, it takes care of any future communication methodologies that technology may provide. However, I also point out that in

the case of Carly, her murderer made contact by telephone as well as online. So the wording is deliberate in that regard. It also provides for an offence to 'knowingly communicate'—that is, the communication must be deliberately designed to lie to or to mislead a child.

The bill provides our community and, in particular, those tasked with the protection of its most vulnerable members with the ability to intervene before harm is caused. This preventative measure sets this bill apart from similar measures implemented in other jurisdictions. It is in response to a request for this capability so as not to have to wait until contact is made and/or harm is actually done. There is no need to prove an intention to cause harm, unlike other jurisdictions—that is, there is no justification for an adult to communicate with the child and in doing so to lie about their age and/or their identity.

I acknowledge that the bill would prescribe a situation in which, for example, an 18 year old knowingly misleads a 16 year old to believe that the 18 year old was in fact 25, by way of example. My response in that situation is that we, as a society, already charge the 18 year old with responsibilities in many other respects by virtue of their status as an adult. I reiterate, not to knowingly communicate with a child with an intention to lie or deceive is not, in my view, an unreasonable responsibility given the intention of the bill.

This bill is an opportunity for us to proactively protect our current and future generations. It is a first in many respects in Australian jurisdictions. To my mind, it is a self-evident response to what is a self-evident issue. I commend the work of the foundation and I commend this bill to the house.

**Dr HARVEY (Newland) (12:21):** I rise today to support this bill to amend the Criminal Law Consolidation Act 1935 also known as Carly's Law. As others have done, I would like to acknowledge Carly's mum, Sonya Ryan, in the chamber today, and I congratulate her on all her wonderful work that I very strongly believe will go a long way to protecting many children into the future.

This bill is an important step in protecting our children from some of the worst kinds of predators in our community—a special kind of depraved, manipulative, evil individuals. These individuals, at the end of the day, are solely responsible for the evil that they perpetrate. However, what we can do here in this place is to put in place measures to enable authorities to get to these people earlier than they can now.

The online world offers so much potential to do so much good but, as is the case with any powerful tool, there is enormous potential for great harm. The online world has transformed incredibly rapidly, so fast in many ways that we have across the board really struggled to keep up—that is, whether it is legislators here, law enforcement agencies, schools or even as parents. In fact, the school that my children attend is a primary school and it has held a number of cyber safety sessions. Indeed, one of them was by Sonya Ryan and I will never forget that session. It had an enormous impact on everyone who was there.

There have been a couple of others organised by other people, as well. On one occasion, there was a session for the parents in the evening, but they had also held one during the day with the students. One of the points mentioned to the parents from the student sessions was when they asked the children in the room—keeping in mind these are from year 4 to year 7—how many had Facebook accounts and the vast majority of the audience put their hands up. These are kids aged from about eight through to 12 or 13. I think about 60 per cent or 70 per cent of kids put their hand up. Then they were asked how many had more than 100 friends on Facebook and about half the room put their hand up.

I do not know about you, Mr Deputy Speaker, but at that age I probably did not know 100 people, let alone have 100 friends, and therefore it is incredible how many of those people they probably did not even really know. Moreover, there are other platforms now like Snapchat, that allow messages, images and videos to be sent between individuals without really even keeping a record. There has also been a recent study by the Australian psychological association that has found that 15 per cent of teenagers reported being contacted by strangers daily, and nearly 10 per cent actively communicating with strangers.

While these platforms have become much easier to use and much more embedded throughout society, and devices have become much more mobile, essentially our kids now can be

communicating with someone they do not know, anywhere in the world, from their bedroom. Our young people, particularly teenagers, are at an age commonly associated with rebelling from parents, wanting to fit in amongst peers, making them particularly vulnerable to manipulation by predators online, and we have seen the disastrous consequences that that can lead to.

This bill creates two new offences with appropriately strong penalties attached. If an adult knowingly communicates with someone under the age of 17 and lies about their age or identity, and meets with them, or even arranges to meet with them, then they are liable for a maximum prison term of five years. If an adult knowingly communicates with someone under the age of 17 and lies about their age or identity, and has the intent to cause an offence against them, then they are liable for a maximum prison term of 10 years. This will allow for early intervention by police in cases of suspected grooming.

While there are federal laws that to some extent address predatory communications online, at the state level there is much that we can do to further widen the ambit of prohibited behaviour to prevent adults from grooming children. There is no good reason for an adult to communicate with someone under the age of 17 and lie about their age or identity, and there is absolutely no good reason for them to seek to meet. Importantly, under this bill, that attempt need not be successful or even be responded to by the child to be unlawful, which is exactly as it should be. It is essential to provide our law enforcement agencies and our courts with the ability to intervene early before there is harm.

As I described earlier, the online world is changing rapidly and this presents many opportunities but also many very serious and terrifying risks, particularly for our younger people. As a father myself, and, as I am sure is the case for everyone in this place, we hold the protection of our children as the highest priority. In the world of cybersecurity and online safety, there is much more work for us all to do, and this is right across the community, not just here. I do very strongly believe that what is being proposed here today will go a long way to protect our children from predators in our community, and I commend the bill to the house.

#### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** Before I call the next speaker, I welcome students and teachers from Christies Beach High School, who are guests of the member for Reynell. Thank you for coming today, and we hope you enjoy your visit.

#### *Bills*

#### **CRIMINAL LAW CONSOLIDATION (DISHONEST COMMUNICATION WITH CHILDREN) AMENDMENT BILL**

#### *Second Reading*

Debate resumed.

**Ms LUETHEN (King) (12:28):** I rise to support this bill and motion to the house, which targets the appalling and unacceptable behaviours of predators who misrepresent their age online and criminalises planning to harm a child. It gives police the power to act before a predator has the chance to harm children.

I would like to acknowledge the brave Sonya Ryan, who has been an incredible advocate for change since the tragic murder of her daughter, Carly. I thank you for creating an awareness of the need for these protections and, indeed, for your parent education sessions. Like my colleague the member for Heysen, I was also proud to be in the chamber when this bill was introduced in May by our new government. I thank the member for Heysen for moving the motion today. I also thank each of my colleagues on both sides of the chamber for rising to support this legislation today.

To actually get this legislation passed to protect children is a huge and real step in protecting our innocent, vulnerable, beautiful kids who are just trying to play and connect in the online space with the mobile and future technologies that we have available. Our young people should be able to interact online without having to worry about being taken advantage of or hurt, or worse, by a criminal



trying to infiltrate their lives. As technology has permeated our lives and those of our children, an insidious reality has arisen. Strangers can now chat online to our children right under our noses.

While there are so many great educational and fun apps out there, a lot of them also have chat functions that can open up the virtual door to predators engaging with our children. It is so difficult for parents and caregivers to keep up with all this technology and ways these predators will use it to try to engage our children and our young people. I encourage parents to be very vigilant with regard to this risk, and I thank the community and our law enforcement agencies for working together to educate and lobby for ways to keep our children safe.

Above all else, the parents I know want to protect their children from harm. We need to create more awareness that it is important that, if we give our child a tablet or a smart phone, we must lay down the ground rules and stay engaged in our children's online lives. I hope the rules that we set in the early years will stay with our children as they get older. From the moment a child takes their first digital steps online, we need to be educating them about how to use technology safely and set firm boundaries around that use inside and outside of the home.

As parents, we are our children's first line of defence against the risks they can be exposed to online and hopefully we set up channels of communication that will stay in place over coming years. When I attended a child protection training program with Child Wise a few years ago, I was told by a worker there about a terrible case about a young lady who had built up a friendship online with a man who was not who he said he was. After many, many months she was lured to meet him to receive some concert tickets. He raped her. When she reported this rape to her parents, and because she was very courageous to do so, the police found out he had raped over 50 people before her.

This legislation we hope will help police intercept predators and it will introduce harsher consequences for deceptive conduct. This legislation will make it an offence to lie about being someone else, and it is a critical protection we need to keep our children and young people safe online. I commend this bill to the house.

**Mr DULUK (Waite) (12:33):** I just want to say a few words on this very important bill that has been brought before the house. I think it is one of our very first bits of legislation in this area of reform. This bill is instrumental in protecting children, which is so important. Governments should not be afraid of tackling this issue when it comes to cybercrime and the changes that we are dealing with. There is no doubt that parliament is sometimes slow to react to these issues because of the legislative framework that goes around with it.

However, as the needs of the community change, to ensure that our community remains safe and that we protect the most vulnerable, especially our children, it is important that parliament has the ability to recognise technology and to amend our legal framework to reflect a changing society. To me, this bill is really important because it deals with the issue of child protection in a new paradigm which did not exist 10, 15, 20 years ago, but the reality is that the same sinister behaviour by individuals unfortunately does not change. As a parliament, we always need to be prepared to move with the times.

Some elements of the bill are obviously very important, and they are to increase prison terms for this type of behaviour and to give the authorities the ability to deal with that. This bill has become known as Carly's Law. As previous members have already noted in their contributions, in February 2007, Carly Ryan, who was only 15 years old, was murdered by 50-year-old Garry Francis Newman at the beach in Port Elliot.

For 18 months prior to the murder, Carly had been communicating online and on the phone with who she believed was an 18-year-old musician from Melbourne named Brandon Kane. This was, in fact, a lie. Brandon Kane was a fictitious character created by Garry Newman in order to seduce Carly. When police arrived to arrest him, they found that on his computer he had been messaging a 14-year-old girl in Western Australia. We are talking about a pretty sick individual. Garry Newman had over 200 fake online profiles.

One of the most important reasons for this bill is to assist with early intervention by police in these matters. As Mrs Sonya Ryan said recently, this legislation will, and I quote, 'Make sure that

police are able to step in before they (the offenders) are able to get in front of a child.' It is vital that police can intervene before sexual predators are able to act. Another important reason for the bill is to make it clear in the law that there is no justification or situation where it is acceptable for adults to communicate with children under the age of 17 where they lie about their age or identity. I think it is really important that, as people in society, we are allowed to go along with our business trusting and knowing that we are always dealing with honest situations. The law must be reflective of that.

A statistic from the United Nations shows that there are over 750,000 sexual predators online. Since Carly's death, social media use has only increased, as I said back in 2007. A recent report from the Office of the eSafety Commissioner, titled 'State of play: youth, kids and digital dangers', found that, on average, young children have three social media profiles and teenagers have five profiles. An alarming statistic in their report was that young children between the ages of eight and 12 were significantly less likely than teens to undertake a number of tasks in order to stay safe online.

The report also found that 38 per cent of young people in Australia aged eight to 17 had used the internet to talk or chat to someone they did not previously know in the 12 months leading up to June 2017. These statistics, along with Carly's tragic story, are why this government is taking the initiative and putting forward this legislation. As a result of the new online age that we live in, children and teenagers are engaging with strangers online and potentially putting themselves at risk of sexual predators. It is our duty of care to ensure that we do what we can to ensure that this does not happen.

As has been mentioned, the Carly Ryan Foundation does some amazing work. I remember many years ago, when Mrs Ryan spoke at the Aberfoyle and Districts Lions Club at Flagstaff Hill, that the presentation she gave certainly reminded us of the important work she had been doing. The foundation is a certified online safety provider under the Office of the eSafety Commissioner as part of their certification scheme.

The foundation also offers online safety seminars for organisations and schools. I implore any school group or service club, such as Probus, Lions, or Rotary, to engage the services of the foundation to teach not just kids about online safety but all the community. I would like to thank Sonya and the foundation for the work that they do on behalf of Carly so that this tragedy does not happen to anyone else in Australia.

The member for Davenport touched on some of the federal legislation—the federal government passed similar laws last year. I know that there is going to be more work done through COAG on this matter to ensure that other states and other jurisdictions come on board to allow all kids across the nation to be safe, so that those predators know that wherever they are and wherever they hide, there will be serious consequences to their despicable behaviour. I support this bill and I support the government on its initiatives to ensure child protection and wellbeing.

**Mr PATTERSON (Morphett) (12:39):** I rise to support the dishonest communication with children bill today. This bill creates two new offences with harsh penalties attached. If an adult knowingly communicates with someone under the age of 17, lies about their age or identity and meets with them or arranges to meet with them, they are liable for a maximum prison term of five years. If an adult knowingly communicates with someone under the age of 17, lies about their age or identity and has the intent to cause an offence against them, they are liable for a maximum prison term of 10 years.

The bill is a result of the tragic circumstances that led to the murder of 15-year-old Carly Ryan in February 2007. Carly was manipulated and controlled by an internet predator who posed as a young boy, a cyberspace alter ego of a 50-year-old predator and paedophile. This adult sexual predator spent months masquerading as an 18-year-old musician before arranging to meet Carly and luring her to a final, fatal meeting at Port Elliot. These deceptive actions of lying about his age to Carly and pretending to be someone other than who he was, which ultimately led to Carly's death, are not a crime under existing state law.

I must acknowledge Carly's mother, Sonya Ryan, who was in the house when the bill was first read and is here in the house today. She has endured the ultimate pain of losing a child at the hands of an online predator and has risen from such devastation to campaign tirelessly for a law that will give police more power to intervene.

In my electorate of Morphett, there are two demographic groups that are highly represented. One of those is 40 to 50 year olds, many of them in families with young children. The other demographic is 65 to 70 year olds, many with grandchildren. Safety and wellbeing of children are therefore a priority for the people of Morphett, and this is why the bill before us today resonates so highly with me and many others in Morphett. As I outlined in my maiden speech, I have four children; three of them are under the age of 17, and one is a 16 year old. While not projecting my home situation as the basis for decision-making, it can help inform me and, speaking with many other parents in Morphett, my experiences in this area of online communications are not uncommon.

At the time of Carly's death in February 2007, online access was different from today. In early 2007, online access was principally obtained via a computer or laptop. It is worth noting that July 2007 saw the first iPhone released in the US and 11 July 2008 marked the release of the iPhone with 3G access here in Australia. This smart phone and other similar devices have seen an explosion of communication and accessibility tools that are now available to people via social media. These social media and other tools are taken for granted today, especially by young children under the age of 17, who really have grown up with this as an intertwined way of forming relationships.

There are often multiple handheld devices in each household. In my case, my 16 year old is becoming independent. As many other parents would attest, at this stage of her life friendships are just as important to her as her family, so she is constantly communicating with them online. To totally remove this ability to communicate is a form of social isolation that older generations may not understand and may not necessarily agree with; nonetheless, it is reality for the teenagers in today's online world.

As parents, when my wife and I are at home with all the children after a busy day, there really is a sense of reassurance that everyone is at home, safely protected within the four walls of our house. I imagine, for example, going to each of my children's bedrooms to let them know that dinner is ready and, on opening my 16 year old's door, I find an unknown adult sitting on her bed. That is quite confronting, and no parent would accept that; however, in the non-physical world of the internet, that is exactly what could be occurring while we, as parents, are making dinner, not seeing the dangers that may be confronting our children. That is why I was pleased last year, following the 10<sup>th</sup> anniversary of Carly's murder, that the federal government agreed to insert a version of Carly's Law into the Commonwealth Criminal Code.

The Criminal Code Act 1995 was amended to include the new offence of using a carriage service to prepare or plan to cause harm to, engage in sexual activity with, or procure for sexual activity persons under 16. This new offence carries a penalty of imprisonment for up to 10 years. At a commonwealth level, while Carly's Law is broad and the preparation to cause harm or engage in sexual activity with a child is outlawed, including lying about age, it requires police to prove that there is intent to commit harm. This commonwealth law has allowed alleged offenders to be charged under this law; however, police are burdened with the need to prove intent to harm.

The feedback from police is that they are watching predatory behaviour unfold online but cannot immediately act. The police are eager for a law that allows them to arrest a predator before a child is groomed or procured for sex, and consequently before harm can occur, while at the same time police are also warning that this predatory behaviour towards children online is on the rise. The time frame between an adult sexual predator actually making contact with a young person and then attempting to meet them is reducing. In Carly's case, it was 18 months. More recently, it has been a few months; now we are seeing as little as two weeks. This is brazen behaviour that must be addressed.

I, myself, cannot imagine the reason why an adult would lie about their age and want to meet a young child under the age of 17. This amendment bill, if passed, says that society in South Australia will not tolerate this. There should be no situation where an adult sexual predator is able to take advantage of a child through deception and, for this reason, I support the bill. It is a bill that will give police the ability to identify and, where appropriate, prosecute people before they have an opportunity to either meet with or cause harm to a child.

It is legislation that demonstrates that this government is putting the protection and wellbeing of children as a priority and ensuring community safety and will act as a clear deterrent and provide

for early intervention. Again, I acknowledge Sonya Ryan and the Carly Ryan Foundation for their tireless work to see this bill come to this house and also for the other work the foundation does to protect children by educating them and their parents that, while the internet is a valuable tool for communication and education, they need to understand that their intended audience may be very different from what the actual audience is and that not everyone has the right intention online.

I also thank the Attorney-General for her advocacy and work on this bill. Pleasingly, she has outlined in this parliament that, should this parliament approve this legislation regarding dishonest communication with children, she will use her best endeavours to ensure that it is replicated around the country. I commend this bill to members.

**Mr COWDREY (Colton) (12:48):** I rise to support the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill and thank all members so far for their contributions to this debate. It is evident sitting here the passion those who have children have contributed to this debate and, as somebody who is not yet in that situation, it is evident that no parent wants to see their children put in harm's way. To have the ability for this bill to address a portion of that and to reduce risk for parents of young people, it is an incredibly important bill.

The situation relating to Carly Ryan's death has been addressed by many of my colleagues, so I do not wish to detail those events any further, but I wish to recognise the loss of Carly Ryan. I also recognise that what happened to Carly could have happened to any South Australian child. The bill seeks to introduce two new offences to apply. The first is where an adult communicates with a child and lies about their age or identity and seeks to meet with the child, and the second is the same but with the intent to commit an offence against a child. I note that serious penalties will apply to those who find themselves on the other side of this bill.

With any bill, we look at the intent behind it and at what it is seeking to address. The government has introduced this bill and sees it as a real opportunity to promote the safety of children in this state. Obviously, that is something all of us in this chamber want to address. It is our responsibility to address child safety issues where we can, and this will allow the important part, the early intervention, before the behaviour moves any further down the track. As many have said, there is absolutely no justification for adults to communicate with children and to lie about their age and identity.

I also wish to recognise the vitally important work that Carly's mum, Sonya, and the family have undertaken since Carly's death. The active advocacy role that Sonya Ryan has taken since Carly's death is absolutely important, for her to have stayed vigilant and to have seen the gap in the commonwealth legislation. It is incredibly important that this situation is addressed and that, if possible, we do not see this situation happen again.

The circumstances surrounding the death were obviously difficult for Sonya, to have to be in that circumstance, for any mother to deal with such a tragic loss of their child, but the strength Sonya has shown, the ability to work for the benefit of other South Australian parents both in the establishment and the work of the foundation on internet safety, as well as the advocacy efforts around Carly's Law, are both honourable and absolutely commendable. I join the Attorney and Deputy Premier, as I think all in this house do, in urging other state jurisdictions to introduce similar legislation if this is passed by this parliament—and I have no doubt it will be.

While I do not wish to speak for too long on this bill, that certainly does not represent the importance I believe it has for our South Australian community. I am absolutely certain that the people of Colton want this behaviour addressed in legislation, and I am absolutely certain that the people of South Australia want this behaviour addressed by legislation. The seriousness and prevalence of this behaviour cannot be understated, and in this light I commend the bill to the house.

**Ms WORTLEY (Torrens) (12:53):** I rise to speak briefly on the Criminal Law Consolidation (Dishonest Communication with Children) Amendment Bill 2018. In doing so, I would like to highlight the fact that the significant points are that this bill will target adults who lie about their age to get a child under the age of 17 to meet with them and that it will deliver severe penalties as a result.

I chaired the federal parliament's Joint Select Committee on Cyber-Safety in 2010. It was the first time I met Sonya Ryan, and it was interesting to have Sonya appear before the committee wanting to offer support and wanting to offer advice and solutions to some of the issues we were

faced with. She did not come in and say, 'Don't let your children go on the internet,' or, 'Take away their devices.' What she put across to us was that we needed to do whatever we could to help keep them safe, and that is what this legislation today is endeavouring to do.

If you go onto the Carly Ryan Foundation website, it says, 'Our vision is to create a positive experience online for all children, teens and young adults.' I know that with the work Sonya has done that is what she has set out to do—to ensure that what happened to Carly will not happen in the future. This legislation goes some way to being a deterrent for predators so that we do not have situations like this occur again.

Sonya, I really do thank you for the contribution you have made. I know that when we put forward legislation like this we will not know about the individual children who are protected by it, but we know that the work you have done and the work this parliament is doing today will ensure that our children are safer than they have been previously. The member for Hurtle Vale has asked that I also place on the record both her gratitude and Neil's gratitude for the work you have done in Carly's name, so I do that and I am pleased to be able to support the bill today.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (12:55):** I sincerely thank all members who have made a contribution to this debate and indicated their support, particularly those in the opposition, who indicated early that this would have their complete assent.

There are just two matters I wish to update the house on in relation to legislation of this kind. Before I do, I formally thank parliamentary counsel for their diligent work in dealing with the drafting of the bill. It is not legislation without controversy. I expect that some aspects of it will be raised at the Council of Attorneys-General in June that will not support entire favour. There is a principled position in relation to criminal law that espouses that you can really only be guilty of actually committing a crime, rather than thinking about committing a crime, so this is on the edge. But in circumstances where children are vulnerable to predatory behaviour via our telecommunications, this is necessary and we are proud to be presenting it.

The two matters I want to raise are that, in respect of the commonwealth offence, partially of which this law is developing because of the difficulty of successfully prosecuting under the commonwealth offence, there has been a successful outcome in Western Australia. I wanted to report that to the house. Only a few days before the tabling of this bill, Patrick Ian Crowley was found guilty of three offences in relation to predatory and grooming offences, one of which was the commonwealth equivalent of Carly's Law. He is aged 27 and was convicted of those three charges and is now facing deportation to Ireland. I am sure that is at least one family who would be saying thank goodness for this type of law that would enable someone to be caught, convicted, sentenced and face deportation.

The other matter I want to raise is really in continuation of what I said in presenting this bill. It is not as though we do not have other serious offences that apply to exploitation, assault and criminal conduct towards children. I alert members to section 63B of the Criminal Law Consolidation Act 1935. That relates to all the laws surrounding procuring a child to commit an indecent act.

Although we are today amending the deception laws currently in our Criminal Law Consolidation Act by adding in a new aspect of deception and a criminal offence for it, I would just advise members that under 'Procuring child to commit indecent act' there are a number of categories. I now have to hand the number of recorded offences over the last few years in relation to this legislation. It should highlight to members the reason why it is important that we have a process and, indeed, an offence that can hopefully intervene at an earlier stage. I seek leave to continue my remarks.

Leave granted; debate adjourned.

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

*Parliamentary Procedure*

#### VISITORS

**The SPEAKER:** I welcome today to parliament members of the Australian Political Exchange Council, the 12<sup>th</sup> Delegation from New Zealand, who are visiting parliament today. I

especially welcome the Hon. Alan Ferguson, former Liberal senator and former 22<sup>nd</sup> president of the Australian Senate. Welcome to you, Mr Ferguson, as well.

Before I call the Minister for Transport, Infrastructure and Local Government, I am informed that his predecessor, the great Mr Venning, the former member for Schubert, is also present with us here today. Welcome to you, sir.

*Members interjecting:*

**The SPEAKER** Order!

*Ministerial Statement*

### **PUBLIC TRANSPORT**

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:01):** I seek leave to make a ministerial statement and note that the printed copies of this are on their way and will be here momentarily.

*Members interjecting:*

**The SPEAKER** Order!

Leave granted.

**The Hon. S.K. KNOLL:** I rise today to talk in relation to the state government's ongoing commitment to improve South Australia's public transport system. Bus patronage represents about 80 per cent of public transport use in the Adelaide metropolitan area. The state government is working to ensure that the community is provided with the best possible public transport services which also represent value for money to the state. Passenger bus services in metropolitan Adelaide are currently provided by private operators.

The existing contracts expire on 30 June 2019. Following consultation with bus operators and key stakeholders from across multiple state government departments, the government has exercised an option under section 39(2) of the Passenger Transport Act 1994 to proceed with a competitive tender process for the purchase of Adelaide metropolitan bus services. This decision means that existing bus service contracts will not be extended. As part of the procurement process, the Department of Planning, Transport and Infrastructure will seek input from the market on innovative approaches to the delivery of passenger bus services in Adelaide.

The Passenger Transport Act provides a framework for the competitive tendering of public transport services in South Australia. These new contracts will enable the new Marshall Liberal government to initiate the future plan for public transport in South Australia by establishing contracts that encourage innovation and are responsive to social and technological changes. This complements our vision to create the South Australian Public Transport Authority, which will aim to increase public transport patronage, review public transport fare structures and work towards delivering a better public transport system for all South Australians.

SAPTA will be dedicated to delivering efficient public transport services for all areas of metropolitan Adelaide and, where feasible, providing innovative public transport options in the regions. SAPTA's mission will be to provide public transport services which are affordable, safe and secure, frequent along key corridors, clean and comfortable, easy to understand and use, friendly with helpful drivers and staff, and inclusive, including accessible to people with mobility challenges.

*Parliamentary Procedure*

### **VISITORS**

**The SPEAKER:** I also welcome to parliament, students visiting from Heathfield High and two representatives of the South Australia Youth Parliament, Verity Castleton and Ciel Schmarr. Yes, we need more young people in our parliament, so welcome to you.

*Parliamentary Committees***PUBLIC WORKS COMMITTEE**

**Mr CREGAN (Kavel) (14:04):** I bring up the first report of the committee, entitled Port Road Drainage Project—Stage 2.

Report received and ordered to be published.

*Question Time***GRANDPARENTS FOR GRANDCHILDREN SA**

**The SPEAKER:** Do members have any questions? The member for Badcoe.

*Members interjecting:*

**The SPEAKER:** The member for Waite is called to order, as is the member for Lee.

**Ms STINSON (Badcoe) (14:06):** My question is to the Minister for Child Protection. Was any proposal ever put to the minister enabling her to fund Grandparents for Grandchildren within her own department's budget?

*Members interjecting:*

**The SPEAKER:** The minister will be heard in silence. We have guests from New Zealand here.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:06):** By whom, and who are you referring to? Can you explain your question?

**The SPEAKER:** Would the member for Badcoe like to ask another question?

**GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:06):** Just to repeat the question: was any proposal put to the minister enabling her to fund Grandparents for Grandchildren within her own department's budget?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:06):** I thank the member for her question. Just to remind the house, this tender process for a peak body was initiated by the former government; it was opened and closed by the former government, and all of the negotiations and considerations were done without my involvement at all. The Nyland recommendation 116 that was accepted by the Labor government was to have one peak body.

**Mr KOUTSANTONIS:** Point of order, sir.

*Members interjecting:*

**The SPEAKER:** I do believe that the minister is answering the question, but I will hear the point of order.

**Mr KOUTSANTONIS:** The question is relevance, sir. The minister was asked whether she received—

*Members interjecting:*

**The SPEAKER:** Order, members on my right!

**Mr KOUTSANTONIS:** —advice about funding within existing resources.

**The SPEAKER:** Yes, it was. The point of order is for relevance, 98. I believe at this stage that is a bogus point of order. The minister is entitled to relay background information in order to elicit an answer that is directly relevant to the question, and I am sure that she will come to that as soon as possible. And she will be heard in silence.

**The Hon. R. SANDERSON:** So there was a process that I was not part of. In that process, it was determined that recommendation No. 2 of the five that were given would be accepted, which was to have one peak body. That went out to tender and, as I said, I was not part of that process. It was my belief that the intention of the department was to fund one peak body and no other funding

would be provided. There was no money in any of the accounts anywhere that I have been able to identify in my department so, thankfully, given the new Liberal government works as a cabinet, I was able to negotiate with my ministerial colleagues to fund for three years out of the Department of Human Services budgets.

*Members interjecting:*

**The SPEAKER:** Order!

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:08):** My question is to the Minister for Child Protection. Subsequent to the tender process concluding, was a proposal put to the minister by Grandparents for Grandchildren enabling her—

*The Hon. S.S. Marshall interjecting:*

**The SPEAKER:** The Premier is called to order.

**Ms STINSON:** —to fund Grandparents for Grandchildren within her own department's budget?

*Members interjecting:*

**The SPEAKER:** Members on my right will remain quiet. Members on my right! The minister will be seated.

*Members interjecting:*

**The SPEAKER:** Order! Before I call the minister, I call to order the Premier, the Deputy Premier, the Minister for Energy and the member for Hammond, who has been doing it all day.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:09):** The government has fixed a problem of the former Labor government's making, and we are very pleased to have announced three years' funding for Grandparents for Grandchildren.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:09):** My question is to the Minister for Child Protection. Did the minister receive a proposal from her own department for her to continue to fund Grandparents for Grandchildren within her own department's budget?

*Members interjecting:*

**The SPEAKER** Order! Minister.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:10):** The problem left by the former Labor government has been fixed by my government, and I am very pleased to have secured three years' funding.

*Members interjecting:*

**The SPEAKER** Order! The member for Finniss.

#### **EMERGENCY SERVICES LEVY**

**Mr BASHAM (Finniss) (14:10):** My question is to the Premier. Will the Premier update the house on how the government is delivering on the commitment to reduce the emergency services levy and what this will mean to South Australian households from 1 July?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:10):** It's with great pleasure that I rise to answer this question. It's an important commitment that we made to the people of South Australia in the lead-up to the election. We wanted to put more money back in their pockets so that they could spend that money in their lives in accordance with the way that they want to spend the money—not the way the government wants to spend the money, but in the way that they want to spend their money. We were very happy to make that commitment: \$90 million a year, \$360 million over the forward estimates, and that will start on 1 July—so only a few days to wait for relief for households and businesses in South Australia who are subject to the emergency services levy.



One of the commitments that we made in the lead-up to the election was that this would be a 50 per cent reduction on the emergency services levy for the median house price here in South Australia. That is exactly and precisely what we have delivered. In fact, we have delivered a higher saving than that. The saving will be \$145 per household on the median price.

Obviously, as price varies, so will that reduction. Importantly, the reduction that we are offering the people of South Australia as of 1 July is a very significant difference from that which the previous government took to the election. In fact, South Australian households, on average on the median house price, are \$165 better off than they would be under the former Labor government.

We believe in lower taxes. We want to put more money back in the pockets of South Australians. That's why we blocked the car park tax that those opposite introduced when they were last in government. That's why we blocked the introduction of the state bank levy, because we don't believe that taxing people into oblivion is a solution to the economic woes that those opposite created. By contrast, what we want to do is lower taxes in South Australia because we want to create more incentive for people to invest in their businesses, to grow their businesses, to create employment and, of course, to keep young people here in South Australia. That will always be the Liberal way: lower taxes. The Labor way will always be higher taxes. It's in their DNA.

#### GRANDPARENTS FOR GRANDCHILDREN SA

**Ms STINSON (Badcoe) (14:12):** My question is to the Minister for Child Protection. Why did the minister inform the house that Grandparents for Grandchildren could not be funded from her department's existing resources, despite advice that it could?

*Members interjecting:*

**The SPEAKER:** The minister.

*Members interjecting:*

**The Hon. D.C. VAN HOLST PELLEKAAN:** Point of order, sir: standing order 97, the question includes argument, and I ask you to rule it out of order.

**The SPEAKER:** It does assume that there was that advice, but if that advice is available—if you would like leave of the house and can provide that, I am more than happy to allow the question, or rephrase the question, please.

**Ms STINSON:** I am happy to rephrase the question, Mr Speaker.

**The SPEAKER:** Thank you, member for Badcoe.

**Ms STINSON:** Why did the minister inform the house that Grandparents for Grandchildren could not be funded from her department's existing resources?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:13):** Thank you for the question. What I will say is that I knew that the former Labor government was incompetent, but when I saw the books that you left me with—

*Members interjecting:*

**The Hon. R. SANDERSON:** It is extraordinary what you have left me with. You wait until you see the budget as to what state you left child protection in. You will see, when the budget figures come down, why it was that there was no money left or available in my budget. You will find out very soon.

*Members interjecting:*

**The SPEAKER** Order! The member for Chaffey will stop interjecting, and he is called order, and the Deputy Premier. Member for Badcoe.

#### GRANDPARENTS FOR GRANDCHILDREN SA

**Ms STINSON (Badcoe) (14:14):** My question is to the Minister for Child Protection. Did the minister tell Grandparents for Grandchildren in a meeting words to the effect, 'I could lose my job over media attention on this issue'?

*Members interjecting:*

**The SPEAKER:** That is not an excuse for audible exclamations, which are out of order. Minister.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:14):** I don't recall the exact wording. I have had several meetings with Grandparents for Grandchildren and, certainly, negative media is not good for any new minister. However, it is of the former Labor government's making. I am fixing the problems that the former Labor government have left me and I assure the house there are many more to come because you have left a huge issue in child protection. Not only the children who died, not only the staff you employed who sexually abused children—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R. SANDERSON:** —there are a lot of issues you have left me with and I am dealing with them in the best—

**The SPEAKER:** I have not left you with issues.

**The Hon. R. SANDERSON:** —possible way forward.

**The SPEAKER:** Before I call the member for Badcoe, the member for Hurtle Vale is called to order, and the member for West Torrens. You should know better.

**Mr Pederick:** Chuck him out.

**The SPEAKER:** Might do that. Member for Badcoe.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:15):** Supplementary, Mr Speaker: did anyone tell the minister that her job was at risk because of media attention on this issue?

*Members interjecting:*

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

*Members interjecting:*

**The SPEAKER:** I'm not looking for coaching, especially not from the opposition.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:16):** Thank you, Mr Speaker. I believe that negative media is not good for any new minister, but how I deal with that is my responsibility.

*Members interjecting:*

**The SPEAKER** Order! Leader, order! Member for Badcoe.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:16):** My question is to the Minister for Child Protection. Did the minister tell Grandparents for Grandchildren in a meeting words to the effect, 'You got me into this trouble'?

*Members interjecting:*

**The SPEAKER** Order! Minister, would you like to answer the question? Premier.

*Members interjecting:*

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

*Members interjecting:*

**The SPEAKER** Order! The Premier will be seated. I have given the opposition enormous latitude for the first 10 minutes of question time. The Premier will be heard in silence.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:16):** Thank you very much, Mr Speaker. As you would be aware—unlike those opposite—it's up to the government of the day to determine who actually answers the question. Quite frankly, the opposition has had seven questions in a row on the same topic. They have actually got no issue to raise here whatsoever because the new government has actually fixed—

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. S.S. MARSHALL:** —the problem left by the former government. I want to commend the Minister for Child Protection, who acted swiftly to address a problem that had been left by the previous government. We all appreciate, and we will go through it very carefully here, that a specific recommendation of the Nyland royal commission report was regarding the consolidation of the advocacy services for these people. The government that was in previous to the election was aware of that.

**Mr KOUTSANTONIS:** Point of order, sir.

**The SPEAKER:** Point of order; this better not be another bogus point of order.

**Mr KOUTSANTONIS:** No, sir, it's relevance. The question was about remarks made by the minister at a meeting with grandparents for grandkids.

*Members interjecting:*

**The SPEAKER:** I do believe the Premier will return to the substance of the question shortly

**The Hon. S.S. MARSHALL:** It's so sad, sir, that those opposite are so upset by the fact that the new government is fixing their problems and all they want to do is to come in here, ask the same question over and over again. You would think, given the time between 17 March and the time we came back, and the week that we have just had off between the parliament last sitting, that they would have some questions to ask about the key issues for the people of South Australia.

**Mr KOUTSANTONIS:** Point of order, sir: the Premier is now debating the issue, sir. I ask you to bring him back to the substance of the question.

**The SPEAKER:** Will the Premier come back to the substance of the question please.

**The Hon. S.S. MARSHALL:** It's all about money going to Grandparents for Grandchildren, and that is precisely what we have fixed up.

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. S.S. MARSHALL:** And to quote the immortal Christopher Pyne, 'We're fixers.' We have seen the problem and we have fixed it—a problem that had been left by the previous government.

#### **COST OF LIVING**

**Mr COWDREY (Colton) (14:19):** My question is for the Premier. Will the Premier update the house on how government measures to reduce the cost of living, such as reducing the emergency services levy, will have a broader impact on the South Australian economy?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:19):** I thank the member for Colton. He cares about the future of South Australia and is asking important questions that are of relevance to the people of South Australia.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** The cost of living is a very, very important—

*Mr Malinauskas interjecting:*

**The SPEAKER:** The leader is called to order. Please don't respond to interjections.

**The Hon. S.S. MARSHALL:** The leader, of course, wants to talk about child protection. I find this incredible. I find this incredible. Those opposite should hang their heads in shame over the woeful way they addressed this very important issue over a long period of time.

**Mr KOUTSANTONIS:** Point of order: relevance, sir. This has nothing to do with the question he was asked.

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

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Thank you, sir. If those opposite could sit quietly—

*Members interjecting:*

**The SPEAKER:** The Premier will be seated. It is highly out of order to interject and also to respond to interjections. Please, members, address your remarks through the Chair. Premier, please return to the substance of the question. Thank you.

**The Hon. S.S. MARSHALL:** The substance of the question, as you would be well aware, sir, is the impact that the new government is having on the economy here in South Australia. Can I say that the policy settings that the new government is putting in place will grow the South Australian economy. It will create new jobs and it will keep young people here in South Australia.

Earlier today, of course, we fulfilled the commitment we made to the people of South Australia regarding the \$90 million relief that we provided on the emergency services levy, which will come into effect on the bills that are received after 1 July this year. But we are not content to stop there, sir. As you would also be aware, when our budget comes down in September we will be providing relief to every single small business in South Australia. In fact, every business in South Australia with a payroll below \$1.5 million per year will not pay a cent—will not pay a cent—of payroll tax. We take these decisions and we put these measures into place because we want to grow our economy.

One of the other things that we are considering through this parliament in the coming weeks is the deregulation of shop trading hours. We do this as well because we want to create more jobs in South Australia. We want more South Australians employed. Those opposite want to live under some sort of crazy regime from decades and decades ago and make sure that our young people don't have a future in South Australia. We, by contrast, want to make sure that we provide every single opportunity for the next generation to stay here in South Australia and have employment and fulfilling careers. That's one of the reasons why we are focused on growing the size of exports out of South Australia.

Those opposite were content to sit on their hands and see our exports to very key trading partners like China diminish year after year. We will not be complacent. In fact, I have already made a trip to China, as I outlined to the house yesterday—and encouraging signs. But we won't stop with looking at the Chinese market. We will look at markets right around the world because we want to give our exporters every opportunity to sell their goods and services to a range of jurisdictions so that we can bring money into South Australia, grow our economy and grow jobs.

We are also looking at creating new start-ups in South Australia. I have spoken at length before about the work that we are doing with the adaptive re-use of the heritage buildings on the Royal Adelaide Hospital site. This is a great opportunity to put business start-ups at the heart of new jobs here in South Australia. Another issue that we will be supporting on this side of the house of course is the federal government's push to lower corporate tax rates in Australia. We think this is a good measure.

We know we've got to be competitive on the international stage. We see other jurisdictions around the world focused on growing the size of their economy. They are putting measures in place to lower the taxes they put onto the corporate sector. We support that on this side of the house. It's time for us to all work collectively to lowering taxes, removing regulation, building productive

infrastructure and supporting the productive private sector of our economy to grow jobs here in our state.

#### GRANDPARENTS FOR GRANDCHILDREN SA

**Ms STINSON (Badcoe) (14:23):** My question is to the Minister for Child Protection. Did the minister tell Grandparents for Grandchildren in a meeting, 'Why are you doing this to me?'

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:23):** I don't recall the exact wording of every private meeting that I have had. I am quite upset that Grandparents for Grandchildren would see that it was necessary to discuss a private conversation.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R. SANDERSON:** However, I don't recall the exact words; it wasn't recorded.

#### GRANDPARENTS FOR GRANDCHILDREN SA

**Ms STINSON (Badcoe) (14:23):** My question is to the Minister for Child Protection. Did the minister tell Grandparents for Grandchildren in a meeting that if they proceeded with a scheduled media interview she would be 'destroyed' or 'crucified'?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:24):** Absolutely not. That's ridiculous.

*Members interjecting:*

**The SPEAKER:** Order! The member for Kavel.

#### LOBBYISTS

**Mr CREGAN (Kavel) (14:24):** Will the Attorney-General outline to the house steps being taken to deliver open and transparent government, particularly with respect to lobbyists?

*Members interjecting:*

**The SPEAKER:** Member for Kavel, could you please repeat the question because I had the member for Chaffey and, I believe, the member for West Torrens also interjecting.

**Mr CREGAN:** Yes, sir, with pleasure. Will the Attorney-General outline to the house steps being taken to deliver open and transparent government, particularly with respect to lobbyists?

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:24):** I thank the member for Kavel for his question. I am immensely proud to be part of a government where the open, transparent and accountable conditions and threshold are the basis upon which we are to operate. It is a far cry the former Labor government in respect of the secretive SA umbrella of which they pervaded over.

I will say that in the passage of the ICAC public hearings bill and the journalist shield laws it has been a joy to receive support from the opposition, and finally they have come to their senses. Here is another matter which is important to the government, and that is to ensure that office bearers of registered political parties and entities may not engage in lobbying. In the coming weeks, as Attorney-General I will introduce an amendment to the Lobbyist Act. As members may well know—and I hope that they are familiar with this—in essence, lobbying means, of course, to communicate with a public official on behalf of a third party for the purpose of influencing the outcome of certain government deliberations.

Currently, we have a Lobbyist Act. It makes it an offence to engage in lobbying of public officials unless that person is registered. That followed on from the previous government's provision of guidelines, and that act currently provides a maximum penalty of a fine of \$30,000 or up to two years' imprisonment for a natural person or a fine of up to \$150,000 for a body corporate.

The Liberal policy promised before the election goes beyond the current laws and will prohibit lobbying by office bearers of registered political parties and entities for the entire period the office bearer holds the relevant office. That also will extend for the 12 months after the person ceases that

role. Beyond the prohibitions of who may undertake lobbying, the government bill will ban any officer of an associated entity, such as a union, from becoming a registered lobbyist in South Australia. Clearly, the clarity will be required—

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. V.A. CHAPMAN:** —under the legislation of which the government will be consulting in respect of—

*Mr Koutsantonis interjecting:*

**The SPEAKER:** Order, the member for West Torrens!

**The Hon. V.A. CHAPMAN:** —prescribed organisations under the bill. That includes those who are registered political parties or associated entities. We are cautious—

*Mr Picton interjecting:*

**The SPEAKER** Order! The member for Kurna is called to order.

**The Hon. V.A. CHAPMAN:** Thank you, Mr Speaker, for your protection. We are cautious that some people may move in and out of being an associated entity due to donations they may make to registered political parties and therefore be captured by the policy. These are the matters on which we will consult and ensure that we have an effective reform in this area without unduly capturing those who are inadvertent, but ensure that, put simply, we will demonstrate yet again the significance of having open and transparent government. We are committed to do it and we will.

*Members interjecting:*

**The SPEAKER:** Before I call the next speaker, I call to order and I warn the member for West Torrens. I call to order the member for Lee, the member for Kurna and the Minister for Transport.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:28):** My question is to the Minister for Child Protection. Did the minister place pressure on Grandparents for Grandchildren to not participate in a scheduled television interview?

**The SPEAKER:** That is a very wide-scoping question, so I expect a potentially wide-scoping answer.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:28):** I have had several meetings with Grandparents for Grandchildren, and at those meetings I have expressed to them the best interests of children under my care are my absolute primary goal. Grandparents for Grandchildren look after children to prevent them from coming into care, and I said that I would do everything I could to shore up the funding that had been failed to be left by the former Labor government. There was no funding stream. There was no money. Every November, every year, they had been asked for their budget and figures. That had not occurred last November or any time since. I secured three years of funding, and I'm very proud of doing that.

#### **FLINDERS RANGES WORLD HERITAGE LISTING**

**Mr TEAGUE (Heysen) (14:29):** My question is to the Minister for Environment and Water. Will the minister provide the house with an update on the state government's pursuit of World Heritage listing for the Flinders Ranges?

**The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:29):** I thank the member for Heysen for his question about a particularly interesting opportunity for South Australia that not only gives us the chance to achieve protection for an iconic landscape in our state but also gives us the opportunity to leverage economic, environmental and social outcomes from that opportunity. Members would know—and nobody has better knowledge of this than the member for Stuart—that the Flinders Ranges have particularly important natural, cultural, historic and scenic values within our state.

For some time, the state's environment department along with a cluster of other organisations, including the South Australian Museum, the Geological Survey of South Australia and technical experts from around the country and overseas, have been assessing whether the Flinders Ranges have the potential to go forward for World Heritage listing. I am pleased to inform the house that, at the last meeting of environment ministers in April, the environment ministers from other states and territories as well as at federal level endorsed a recommendation that the Flinders Ranges be included on Australia's tentative list for World Heritage listing.

Unsurprisingly, this is a result of a detailed consultation with community on detailed scientific analysis assessing the unique geological features of the Flinders Ranges and deeming them to be worthy to go forward for the World Heritage inscription. While there are a range of values that are worth conserving and protecting in the Flinders Ranges, it is in particular the geological value that is driving this World Heritage listing. The recent decision in April represents important progress, but it is just one of a number of steps towards ultimately achieving World Heritage status for this important landscape.

Community engagement and support will continue to be critical to attaining World Heritage status. A strong commitment has been conveyed to the community and key stakeholders to engage with them and listen to their aspirations as they apply to World Heritage in the Flinders Ranges. Each step within this process will be worked alongside these stakeholders and, in particular, the local Indigenous people, who have been consulted and engaged at every step of the way to ensure that maximum recognition for traditional owners is achieved and that the cultural elements of this landscape are included within the narrative and enhance scientific elements of this nomination.

While there is a long way to go, World Heritage listing will be an incredible opportunity to promote this area Australia-wide and internationally. There will be opportunities to promote scientific, social, cultural, economic and environmental outcomes, and it will also create a regional, national and global drawcard for tourism, research and protection in regional South Australia.

Members, if you have not had the opportunity to visit this landscape, I am sure that the member for Stuart will welcome you as he did me in August 2017 when I got to visit that landscape and spend time, particularly with the Sprigg family at Arkaroola, touring that phenomenal natural and geological landscape. I commend our application for Unesco World Heritage listing to the house and I look forward to continuing to provide updates as we progress towards that listing.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:33):** My question is to the Minister for Child Protection. Hours after the minister met with Grandparents for Grandchildren to discuss their funding, was the minister informed by them that they had cancelled the scheduled television interview?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:34):** I do not recall. I would have to check with my office.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:34):** My question is to the Minister for Child Protection.

*Members interjecting:*

**The SPEAKER:** Order!

**Ms STINSON:** How many days after she was informed that the scheduled television interview was cancelled did the minister approve the funding for Grandparents for Grandchildren?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Point of order.

**The SPEAKER:** The point of order—

*Members interjecting:*

**The SPEAKER:** Order! The point of order is for argument.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Point of order: once again, Speaker—

**The SPEAKER:** 97.

**The Hon. D.C. VAN HOLST PELLEKAAN:** —the question includes argument. It's out of order.

**The SPEAKER:** It does. Member for Badcoe, I will give you one go to rephrase the question.

**Ms STINSON:** Thank you, Mr Speaker. How many days after the minister's initial meeting—since her appointment—with Grandparents for Grandchildren did she inform them that their funding would be restored?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:35):** I wasn't even told that a meeting was definitely going ahead or not going ahead. It's up to Grandparents for Grandchildren. Their media engagements are up to them and I have no say in them.

### TRAFFIC MANAGEMENT CENTRE

**Ms HABIB (Elder) (14:35):** My question is to the Minister—

*Mr Malinauskas interjecting:*

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

**Ms HABIB:** —for Transport, Infrastructure and Local Government. Could the minister update the house on the important work of the Traffic Management Centre?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:35):** Thank you, member for Elder. I thank her very much for the question and for her interest in the great work of the Traffic Management Centre. I had the good fortune of being able to visit the Traffic Management Centre last week and to see the good work that they are doing, especially getting to sit down with the team and understand what processes they go through and how a new state government can help them in their very, very important work.

I did have a chance to sit down with Mark, who is one of the senior guys at the facility, and a guy called James, who is a developer, who essentially helped develop the AddInsight app, an app that I have been an avid user of for a long period of time. It has saved me many hours of getting around car crashes on Port Wakefield Road. I am looking forward to helping them improve the functionality of the app to help bring it on more services. I was really excited to hear about their plans around increasing their ability to access bluetooth sensing information from vehicles so that they can make even more accurate the data that they provide as part of that app.

There is a whole lot more exciting work and more announcements to come in relation to that app and its increased functionality and how it can really deliver for South Australians and also how it can deliver for other capital cities around Australia and around the world. Some of the work that is currently being negotiated and undertaken by them around the country is absolutely phenomenal.

What excited me was that here was an example inside government of where innovation could occur, where someone with an idea and a structure and understanding of the process (this being Mark) and a guy who could take technology and software development (James) got together to spark something that will become a product for government. There is more work to be done on this in increased functionality—

*Members interjecting:*

**The SPEAKER:** Order, members on my left!

**The Hon. S.K. KNOLL:** —and I look forward to that happening. More important than that was a discussion about the operations of the Traffic Management Centre and how they can be made easier and better, especially in relation to the changes that we announced last week in relation to road traffic amendment act regulations around how we are giving increased ability to the Traffic Management Centre to be able to ensure that roadworks happen at the most appropriate time and most appropriate place on our network and being able to convey that information to road users.



There was quite a bit of discussion about how the upcoming major infrastructure road projects in the pipeline will change the nature and operation of their work. Essentially, every time we build an overpass or tunnel or anything of that nature, the number of cameras and the amount of information that the Traffic Management Centre has access to increases at quite a large rate.

But probably the most exciting discussions that we had were how the Traffic Management Centre's work can really inform a new South Australian Public Transport Authority and the work that they do to regulate the current bus system on our roads and what more can be done to help to unlock our public transport system to deliver for South Australians.

It really is an exciting and innovative space and what we see here is a chance meeting and chance interaction that has led to some serious innovation within government. This is the kind of thing we need to see a whole lot more of. This is the kind of thing that we need to pervade all areas of government and that, as a government, we find ways to say yes to innovative and smart ideas so that we can help change the culture and nature of the state to one that is willing to look at new ideas, bring them into fruition to help to deliver for South Australians and then export that right around the world.

So I would like to thank Mark and his team down there for the great work that they are doing. I look forward to working with them over the next year to two years as we develop the South Australian Public Transport Authority and help to reduce the road traffic burden and the regulation burden for South Australian road users.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:39):** My question is to the Minister for Child Protection. Did the minister tell Grandparents for Grandchildren to stop talking to the opposition?

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:40):** I have worked very hard, openly and honestly with Peter Biber from Grandparents for Grandchildren to secure three years of funding where there was no funding left by the Labor government.

**The SPEAKER:** A supplementary.

*Mr Koutsantonis interjecting:*

**The SPEAKER** Order!

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:40):** Did the minister tell Grandparents for Grandchildren to stop talking to the opposition?

*Members interjecting:*

**The SPEAKER:** One moment, for tedious repetition. That question is exactly the same.

**An honourable member:** She didn't answer it.

**The SPEAKER:** The answer was given.

*Members interjecting:*

**The SPEAKER:** The answer was not given. Would you like to rephrase the question, member for Badcoe.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:40):** My question is to the Minister for Child Protection. When did the minister tell Grandparents for Grandchildren to stop talking to the opposition?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Point of order, sir.

**The SPEAKER:** Point of order: 97, argument. That question does assume—

*Members interjecting:*

**The SPEAKER:** —one moment—that the minister did make some form of statement. I gave the member for Badcoe an opportunity to rephrase the question. I will now move on to the member for Hammond.

### WOOL INDUSTRY

**Mr PEDERICK (Hammond) (14:41):** My question is to the Minister for Primary Industries and Regional Development. What actions is the state government taking to support—

*An honourable member interjecting:*

**Mr PEDERICK:** —continued growth in the state's wool industry? I just wanted a little bit of silence, that's all.

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:41):** The Marshall government is proud to support the state's men and women who so diligently produce our wool and meat.

*Mr Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens is warned for a second and final time. Minister.

**The Hon. T.J. WHETSTONE:** Thank you for your protection, sir. This is something that the opposition obviously know very little about. It's pleasing to see the wool industry enjoying the prosperous conditions with good wool prices at record levels for a generation at 1,983¢ a kilogram last week compared to the price of wool at around \$1.25 a kilogram when the opposition were in government. The South Australian sheep industry comprises around 16 per cent of the national flock with some 1.1 million sheep. In 2016-17, it produced around 59 million kilograms of wool. That is a huge economic driver—

*An honourable member interjecting:*

**The SPEAKER** Order!

**The Hon. T.J. WHETSTONE:** —here in South Australia. I am pleased that I attended the Australian Wool Innovation National Marino Challenge at the Wayville showgrounds recently where the state government was a proud sponsor of this important event. It's a strong sign here in South Australia that the Australian Wool Innovation chose to hold this year's event in Adelaide.

I was pleased to meet with the chairman, Wal Merriman. Wal has been a longstanding supporter of the wool industry, and he is an outstanding advocate for an industry that has been through some very, very tough times. It's an industry that South Australia is riding on the back of the sheep as we speak. The Marshall government wants to see wool and livestock industries grow here in South Australia. We are looking at putting strategic plans to grow our flock numbers, to grow our stock numbers, to make sure that we have a good platform and a good base to grow our economy on the back of meat and wool.

I also want to make sure that the government is investing in our wool research projects through SARDI to grow the industry, projects such as the Australian Wool Innovation reproductive technologies, and a project with Meat and Livestock Australia around weaning, increasing lamb and ewe survival. SARDI's Turretfield Research Centre undertakes research for the benefit of the state's primary livestock industries, including the world-class sheep reproductive facilities.

My department is working to build the industry growth, productivity and profitability, partnering with Australian Wool Innovation on sheep extension activities delivered through Rural Solutions SA, including the SheepConnect and pastoral sheep connected programs. My department also has a substantial investment in biosecurity to support the wool industries.

What I will say is that we have acted on our election commitments to fund the wild dog trappers. That is something that the opposition failed to do. While the sheep producers are lying in bed at night wondering how many dogs are on their place and how many sheep are dying, the opposition, the then government, just stood back and let it all happen—shame, absolute shame.

What I will say is that this government is partnering with the industry on a whole wide range of programs to protect the health of our flock, to help increase our flock numbers—the sheep lice extension programs, the footrot control, the abattoir surveillance for diseases, the Ovine Johne's program—and they are supported by a \$4 million investment in the Sheep Industry Fund. The government is delighted to support the wool industry and I look forward to working with the state's wool growers, the stud breeders, the shearers, the wool classers, the shed hands and Livestock SA to grow this industry and to grow our economy.

*Mr Bignell interjecting:*

**The SPEAKER:** Before I call the member for Frome, I call to order the member for Mawson.

#### **HEAVY VEHICLE INSPECTION SCHEME**

**Mr BROCK (Frome) (14:45):** My question is to the Minister for Transport and Infrastructure. Can the minister advise the house as to the progress of stage 2 of the Heavy Vehicle Inspection Scheme which was introduced in late 2017?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:45):** I would like to thank the member for Frome for the question and do note that heavy vehicle inspections are an important issue for his area. In fact, I did receive, admittedly only a few days ago, a letter from him in relation to the Nelshaby ag bureau, who have some questions about how this will affect on-farm machinery.

I am in the process of getting a detailed answer for the member, but what I would say in relation to where we are in the scheme is that tenders have been called for right across South Australia for proponents to undertake that inspection work, and we will have more to say as that process finalises. But in terms of how this will affect agricultural and on-farm machinery and associated vehicles for farmers and agricultural operators in his area, I will come back to him with a more detailed answer.

#### **HEAVY VEHICLE INSPECTION SCHEME**

**Mr BROCK (Frome) (14:46):** Supplementary question: minister, can you also please tell the house when the tenders will close and also if you could please advise the house, once the tenders are closed, what information and how will you relay that back to the people concerned in the regions?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:47):** I will come back to the house with a detailed answer.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:47):** My question is to the Minister for Child Protection. Has the minister or her office told any other child protection stakeholders not to contact the media or the opposition?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:47):** I don't understand why this shadow minister doesn't have any important questions. I have solved the problem of your making. You should be cheering—

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. R. SANDERSON:** —for me that I found three years of funding where there was none.

*Members interjecting:*

**The SPEAKER:** Supplementary. Order!

**Mr Koutsantonis:** You realise if you have it's corruption.

**The SPEAKER** Order! The member for West Torrens is on two warnings.

**GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:47):** My question is to the Minister for Child Protection. Is the minister now happy for Grandparents for Grandchildren to talk with the media and with the opposition?

**The Hon. D.C. VAN HOLST PELLEKAAN:** Point of order: standing order 98 again. The question contains argument and an assumption that she was previously unhappy. It's completely out of order and the member should learn how to ask proper questions.

*Members interjecting:*

**The SPEAKER** Order! The question was whether the minister was happy for—

**The Hon. D.C. VAN HOLST PELLEKAAN:** Sir, if you don't mind, the question was 'is the minister now happy', which includes an assumption that she previously was not happy.

**The SPEAKER:** Could the member for Badcoe repeat the question and I will deliberate.

**Ms STINSON:** Is the minister happy for Grandparents for Grandchildren to talk with the media and the opposition?

**The SPEAKER:** I will allow the question. Minister.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:48):** Thank you, Mr Speaker. I am happy for stakeholders to have free will. I have no say in what they do.

**The SPEAKER:** Thank you. Member for King.

**NATIONAL VOLUNTEER WEEK**

**Ms LUETHEN (King) (14:48):** My question is—

*Members interjecting:*

**The SPEAKER** Order!

**Ms LUETHEN:** —for the Minister for Child Protection. Will the minister please update the house on the importance of National Volunteer Week and, in particular, the important contribution volunteers are making to the welfare of children in South Australia?

*Members interjecting:*

**The SPEAKER:** The minister will be heard in silence. Minister.

*Ms Stinson interjecting:*

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

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:49):** Thank you to the member for King, who I know has a great interest in this area. I would like to thank all the volunteers in all different areas.

National Volunteer Week was established in 1989 to bring our attention to the generous contributions that our volunteers make. This year, the week was held from 21 to 27 May, and the theme was 'Give a little. Change a lot'. In South Australia alone we recognise over 900,000 volunteers involved in more than 2,000 organisations. Volunteering SA&NT, which is the peak body for volunteers, report a saving to the state of around \$5 billion a year.

Volunteers are a vital part of all aspects of our community, and we need to foster an environment that encourages the next generation of volunteers to get involved, particularly the young and the new retirees. I would like to particularly acknowledge the valuable contribution that volunteers make in the child protection sector.

In my portfolio of child protection, I am reminded daily of the efforts made by volunteers who support children in care. Last week, across the state the Department for Child Protection hosted various events to thank the volunteers who give their time. This included morning teas, lunches,

cruises on the Port and Murray rivers and gifts that were just some of the ways the volunteers were acknowledged for the support and care they provide our vulnerable children at risk.

The current volunteer program within the department is only a few years old but has grown rapidly. There is no doubt that the heroes in my portfolio are the carers. When someone chooses to become a foster carer, kinship carer or a much-needed respite carer, they are committing to a 24-hour, seven-day-a-week, around-the-clock responsibility to meet the needs of the children we have in care. We currently have approximately 1,300 foster and kinship carers in South Australia. I am very thankful for the wonderful work they do to keep our children safe and loved.

Volunteers in the Department for Child Protection can help in a number of ways, and there is a website where people can have a look and join up if they are interested. They can transport children, driving a child to family visits, to respite care, to school or to appointments. There is individual or group support, helping with homework or activities like craft, music or outdoor activities. There is our life story work, helping with scrapbooking to promote a young person's memory pages. There are recreational activities, helping with fun days or picnics with a child, a group of young people or their families, and skills development, teaching and sharing particular skills such as literacy, music, cooking or shopping for clothes and food.

Volunteers have also spoken of their sense of reward and some of the rewards that come from a number of avenues, including personal satisfaction and growth; helping the community, especially vulnerable children; the social contact with a wide range of community members; expanding their own skills and experience; and imparting their knowledge. For some, volunteering leads to other career options, either within child protection or utilising the skills they have learnt in other services in the community.

I highly recommend volunteering as a great pathway to employment and encourage all young people to consider how they can gain experience while also giving back to their community. There have been many examples of workers who have started as volunteers and then moved on to work with NGOs in the child protection area.

We are always looking to recruit more volunteers to work with children and young people. To find out more, you can go to [www.childprotection.sa.gov.au/volunteering](http://www.childprotection.sa.gov.au/volunteering). The Marshall Liberal government has shown its commitment to all its dedicated volunteers across the state by committing to abolishing all fees payable by volunteers for screening by DCSI. Similarly, the government has committed to extending the WeDo app, which provides a database and rewards program for volunteers and links them with volunteering opportunities.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:53):** My question is to the Minister for Child Protection. Were there any conditions attached to the funding deal provided to Grandparents for Grandchildren this week?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:53):** The Department of Human Services will be working out any KPIs or requirements to go with that contract.

**Ms Stinson:** Supplementary.

**The SPEAKER:** Supplementary, member for Badcoe.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:53):** Thank you, Mr Speaker.

**An honourable member:** Don't read it.

**Ms STINSON:** Has the minister requested any conditions—

*Members interjecting:*

**The SPEAKER:** Order, members on my right! We never read questions in opposition!

**The Hon. D.C. VAN HOLST PELLEKAAN:** A point of clarification, sir: I just was curious to know how you knew it was a supplementary question, when the member didn't say that.

**The SPEAKER:** I did hear the member. Did you not say supplementary? I thought the member did say supplementary. Supplementary or new question, copious notes are allowed, but reading, you are correct, is not. The member for Badcoe.

**Ms STINSON:** Thank you. Has the minister requested any conditions in the funding deal secured this week in relation to media interviews?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:54):** The details of any KPIs or figures or budgets or requirements will be negotiated by the Department of Human Services, which is funding three years—\$369,000—to Grandparents for Grandchildren because the former Labor government had no money available.

*Members interjecting:*

**The SPEAKER** Order! One more supplementary, member for Badcoe.

**The Hon. D.C. VAN HOLST PELLEKAAN:** Sir, a point of clarification—

**The SPEAKER:** What is the point of order?

**The Hon. D.C. VAN HOLST PELLEKAAN:** How did you know it was a supplementary?

**The SPEAKER:** I'm sorry, member for Stuart, the member for Badcoe clearly said 'supplementary'.

*Members interjecting:*

**The SPEAKER** Order! I will choose if it is a bogus point of order. I appreciate that the member for Stuart perhaps did not hear it, but it was clearly asked to be a supplementary. Member for Badcoe, last supplementary.

*Members interjecting:*

**The SPEAKER** Order!

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:55):** Supplementary: has the Minister for Child Protection requested any conditions to be included in the funding deal—

*Members interjecting:*

**Ms STINSON:** I haven't finished the question yet.

*Members interjecting:*

**The SPEAKER** Order! The minister will be heard in silence.

*Members interjecting:*

**The SPEAKER:** Order! Members on my right, the minister will be heard in silence. Minister.

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:55):** I have already answered that question twice.

*Members interjecting:*

**The SPEAKER** Order! Is the question not finished?

*Members interjecting:*

**The SPEAKER:** Order, members on my right! It's no wonder that some people cannot hear others speaking. Members will remain silent while the question is finished. Member for Badcoe.

#### **GRANDPARENTS FOR GRANDCHILDREN SA**

**Ms STINSON (Badcoe) (14:56):** Thank you. Supplementary: has the Minister for Child Protection requested that in the deal with Grandparents for Grandchildren there are conditions restricting them from speaking with the opposition?

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:56):** There is no deal.

*Members interjecting:*

**The SPEAKER** Order! The member for Davenport.

*Members interjecting:*

**The SPEAKER** Order! The member for Davenport will be heard in silence.

#### **SOUTH AUSTRALIAN CHAMBER OF MINES AND ENERGY**

**Mr MURRAY (Davenport) (14:56):** My question is to the Minister for Energy and Mining. Will the minister update the house on the recent—

*Mr Malinauskas interjecting:*

**The SPEAKER:** The leader is warned.

*The Hon. S.S. Marshall interjecting:*

**The SPEAKER:** The Premier is warned.

**Mr MURRAY:** —SACOME Together Annual Gala and awards night?

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:56):** Thank you, again, to the member for Davenport, who has a very keen interest in this area on behalf of his constituents. Yes, it's a pleasure to update the house with regard to the SACOME annual gala event that was held last night. I would like to congratulate SACOME's president, Mr Greg Hall, and SACOME's CEO, Ms Rebecca Knoll, for yet again organising an event.

They had approximately 350 people at this event, which is extraordinary. This is nearly twice as many as they had last year, which, I am very pleased to say, not only speaks well of SACOME but also speaks very well of people's views of their resources industry at the moment—the mining, minerals and petroleum industry. That industry really is buoyed for many reasons at the moment.

One of the highlights of the evening was the very, very strong line-up of people who came to speak. We had Mr Tom O'Leary from Iluka Resources, Mr Matt Kay from Beach Energy, Mr Sanjeev Gupta from GFG Alliance, Ms Jacqui McGill from BHP and Mr Shan from CU-River, who, interestingly, because of understandable difficulty with language, had one of his key staff present on his behalf. But Mr Shan was certainly there.

There was a marvellous line-up of speakers, but let me just focus on Ms Jacqui McGill for a moment, who, as all members of this house would know, has led BHP at Olympic Dam in South Australia for about 3½ years now. She has done an extraordinary job, and this event last night, as well as being terrific in many ways on behalf of the industry, also gave an opportunity for people to recognise Ms Jacqui McGill, who, one or two days earlier, had actually announced her retirement.

It was lovely to have so many prominent people from the industry gathered there last night to recognise what a wonderful job Jacqui McGill has done on behalf of BHP, on behalf of all the workers in this state who are either directly or indirectly employed by BHP and, in fact, on behalf of our state as a whole. BHP is one of our most important companies in South Australia, both in regard to the products that it produces but also in regard to the people it employs and its broader contribution to our industry.

Everybody there was enjoying themselves. Mr Tom O'Leary spoke about Iluka Resources. We are very fortunate to have a Perth-based company that makes such a significant contribution here in South Australia. In fact, in a meeting with Mr O'Leary and two of his key staff earlier that day, and on the night, he was very complimentary of South Australia and he looks forward to it becoming an even better place to do business in years to come.

Mr Matt Kay from Beach Energy spoke about the petroleum industry, of course. Beach Energy is one of our most important companies here in South Australia. He spoke about Beach's

acquisition of Lattice, or of petroleum assets which Origin previously held and which were recently sold to Beach. Very interestingly, he described it as a \$1.4 billion company acquiring a \$1.6 billion company. In everybody's language, that's a pretty special achievement. I do congratulate them.

Another thing that Mr Kay mentioned was his understanding that he and his industry, in partnership with communities, in partnership with government, in partnership with other stakeholders, needs to do more to work with local communities where they want to get their projects up. Certainly, all people on this side of the house understand that and will support Beach and will support the petroleum industry to do that.

Mr Sanjeev Gupta, of course, requires no introduction. He talked about the extraordinary plans that he and his GFG Alliance have for the businesses in South Australia they already have and for the businesses they would like to acquire—in fact, a growing presence in South Australia—and how important it is to get the mix right between fossil fuel and renewable energy for his business and others. The speech on behalf of Mr Shan by Mr Liu was very enlightening as well. It was a tremendous evening and I congratulate SACOME on putting it on so successfully.

### SHOP TRADING HOURS

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:01):** Thank you, Mr Speaker, My question is—

*Mr Pederick interjecting:*

**The SPEAKER** Order! The member for Hammond is warned.

**Mr MALINAUSKAS:** —a question to the Premier. Will the Premier deliver on his promise to introduce legislation into the parliament to deregulate shop trading hours within his first 100 days?

*Members interjecting:*

**The SPEAKER:** The Premier will be heard in silence.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:02):** We are doing everything we can to advance it, but there is some complexity in the drafting of that.

*Members interjecting:*

**The SPEAKER** Order! Members on my left, the Premier will be heard in silence. It is a clear question.

**The Hon. S.S. MARSHALL:** I know that those opposite are really interested in this and I note that there's a variety of positions that those opposite have held. Most recently, the Leader of the Opposition, sir, as you would be very aware, has said that he wants deregulation of shop trading hours. He has indicated his—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** Oh, no, he has changed his mind. I remember very clearly a couple of weeks ago—

*Members interjecting:*

**The SPEAKER:** Order, members on my right!

**The Hon. S.S. MARSHALL:** —he wanted deregulation on Sunday morning. Now he has changed his position again. He might have got a call from the SDA—

**The SPEAKER:** The Premier will be seated.

**The Hon. S.S. MARSHALL:** —because that's who tells the opposition what their policies are.

**The SPEAKER:** The Premier is warned for a second and final time.

**Mr KOUTSANTONIS:** Point of order: the Premier is not responsible for opposition policies.

**The SPEAKER:** He certainly is not.



*Mr Pederick interjecting:*

**The SPEAKER:** The member for Hammond is warned for a second and final time. Premier, please return to the substance of the question.

**The Hon. S.S. MARSHALL:** Sir, the substance of the question—

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. S.S. MARSHALL:** —is all about the introduction of legislation regarding deregulation. I was noting those opposite were interested in it because previously the Leader of the Opposition, as you would know sir, had indicated that he was interested in deregulating shop trading hours. Then he has just informed the parliament he is not, which is very disappointing because—

**The SPEAKER:** Please don't respond to interjections, Premier.

**The Hon. S.S. MARSHALL:** I am just letting the house know that this change in position is very difficult. We are working hard to draft that legislation. Our position is very clear and we are seeking the support of those opposite. I am not sure whether it's going to be introduced within the first 92 days or the first 102 days or the first 97 days.

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. S.S. MARSHALL:** But what I know, sir, is that we on this side of the house—

*Members interjecting:*

**The SPEAKER** Order!

**The Hon. S.S. MARSHALL:** —are completely as one: we want deregulation of shop trading hours.

**The SPEAKER:** The leader is on two warnings.

**The Hon. S.S. MARSHALL:** We want deregulation of shop trading hours, and we want it as soon as possible.

*The Hon. C.L. Wingard interjecting:*

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

**The Hon. S.S. MARSHALL:** We want deregulation of shop trading hours and we want it as soon as possible. The very clear reason why we want it is because we know that it is going to be of benefit to the South Australian economy. As you would know, sir, because I know that you are a learned person—dux of your school, I believe, sir—

**The SPEAKER:** It was a bad year level, but, yes.

**The Hon. S.S. MARSHALL:** I note that you were also the head boy in your final year at school.

**The SPEAKER:** I was. As I said, it was a bad year.

**The Hon. S.S. MARSHALL:** That's why I know that you, as a diligent, intelligent leader in your schooling years would have carried over into your work career and would have read the Productivity Commission report into the deregulation of shop trading hours. They said, when they referenced the Queensland economy, that there would be a \$200 million benefit. That's why we are drafting that legislation—a \$200 million benefit to the Queensland economy. They also went on in that report to say that there would be a similar benefit to the South Australian economy. That's why we are drafting the legislation, that's why we are working hard on it—because we want to get it into this parliament as quickly as possible.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** As I said, sir, I don't know whether it's going to be on the 87<sup>th</sup> day or the 92<sup>nd</sup> day—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —or the 103<sup>rd</sup> day. Who knows exactly what day it's going to come in?

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** But the reality is that those opposite are sweating the small stuff. We are working on the big stuff, the stuff that is going to create jobs—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —for generations to come, and we are very proud—very, very proud—to be doing exactly and precisely that.

*Matter of Privilege*

#### **MATTER OF PRIVILEGE**

**The SPEAKER (15:05):** Before I call for grievances, I wish to make the following statement. Since I am on my feet, there will be no interjections, or members will be departing the chamber under the standing order.

I make the following statement with regard to the matter of privilege raised by the member for West Torrens in this house yesterday and note that he also did provide me with information this morning relating to it. However, before addressing the matter, I wish to outline the significance of privilege as it relates to this house and its members. Privilege is not a device by which members or any other person can seek to pursue matters that can be addressed by debate or settled by a vote of the house on a substantive motion.

As previously mentioned, McGee in *Parliamentary Practice in New Zealand* in my view makes the test for whether or not a matter is a matter of privilege by defining it as a matter that can 'genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties'. An essential aspect of privilege is to ensure that each member can speak without fear or favour but, at the same time, be able to rely on the accuracy of the statement made in the house by any member. It is not a protection from the consequences of misconduct, poor judgement or inaccurate information.

I refer to the matter raised by the member for West Torrens where he alleges that the Minister for Transport, Infrastructure and Local Government has deliberately and intentionally misled the house as the minister's answers to questions in the house, on 9 and 29 May 2018, are inconsistent with each other. What the member for West Torrens is relying on are the alleged inconsistencies in the answers provided to the house by the Minister for Transport, Infrastructure and Local Government to the following two questions.

In response to the following question from the Leader of the Opposition on 9 May 2018, 'Does the minister stand by his commitment to deliver the Regency to Pym project by 2020?' the Minister for Transport, Infrastructure and Local Government responded by saying, 'Yes, when we made the announcement last week.' He was then interrupted by members interjecting, and then the Speaker called for order. He continued, 'We stated that we would immediately go out to consultation with those affected business owners.' Further on in the same answer the minister said, and I quote:

The department is working on refining a design process in relation to a number of elements of the Pym Street to Regency project to make sure that we do have a final design that we can put in place to start construction late next year.

Later in his answer, the minister stated:

We expect to deliver this project on time, but this is the easy project to do it on.

On 29 May 2018, the member for West Torrens asked the following question:

Given the federal Department of Infrastructure, Regional Development and Cities confirmed in Senate estimates that just \$10 million would be allocated for the Pym to Regency project in 2019-20 and \$20 million in 2021, does the minister stand by his promise that the project will be completed by 2020?

The minister answered by saying:

To clarify, like I had to clarify last time I had a question of this nature asked, the commitment that I gave and the question that was asked of me was, 'When will this project commence?' and commence construction, because what I would say is that the project has actually commenced, and that consultation in relation to the compulsory acquisition for those adjoining landowners around the Regency to Pym projects has already begun.

He further states in the same answer:

However, the question I was asked was, 'When is this project going to kick off, in terms of construction phase?' At this stage, late 2019 is when the construction is slated to begin. Construction work will also continue into 2020. In terms of the final completion of this project, that is something that potentially could be longer than 2020, which is consistent with what I have been saying all along; and, in fact, it is an answer I gave two weeks ago if the member for West Torrens would like.

He goes on:

Construction is to start in 2019 and construction is to continue into 2020. When this project will be finally completed is still an open question...

The member for West Torrens asserts that the minister's answer to the question asked on 9 May, 'Does the minister stand by his commitment to deliver the Regency to Pym project by 2020?' is a one word answer of 'Yes'. He then referred to that part of the minister's answer, and I quote:

We expect to deliver this project on time, but this is the easy project to do it on.

What the member for West Torrens is claiming is that the minister's response of 'yes' to the question of 9 May demonstrates that the minister has committed to a delivery date for the Regency to Pym project by 2020. He also asserts that the minister, by stating the project will be delivered on time, is reaffirming what he is asserting to be the minister's commitment to deliver the project by 2020. The member for West Torrens alleges that this is inconsistent with the minister's response to a question on 29 May, where the minister stated:

Construction work will also continue into 2020. In terms of the final completion of this project, this is something that potentially could be longer than 2020, which is consistent with what I have been saying all along, and, in fact, it is an answer I gave two weeks ago if the member for West Torrens would like.

It is clear when reading the entire answer of the minister to the question asked on 9 May that, taken in context, the minister's answer is not necessarily an isolated 'yes' to the question asked. The minister's response is certainly more expansive than a simple yes. In my opinion, the minister was providing a comprehensive response to the broader issue rather than directly answering the specific question. The answer was making reference to information that was contained in an earlier public announcement, and I refer members to the Department of Planning, Transport and Infrastructure's URL link—[https://www.infrastructure.sa.gov.au/nsc/regency\\_road\\_to\\_pym\\_street](https://www.infrastructure.sa.gov.au/nsc/regency_road_to_pym_street)—where members can find some of the information consistent with the minister's answer.

Further, there is nothing to suggest that the minister's acknowledgement that the project will be delivered on time is further confirmation that the minister will deliver the project by 2020. The minister's mention of the project being delivered on time, and where he says, 'We expect to deliver this project on time, but this is the easy project to do it on' is a general comment that does not specifically refer to any particular delivery date. The nature of the allegation from the member for West Torrens is that the Minister for Transport, Infrastructure and Local Government has deliberately and knowingly misled the house.

There are three elements in establishing the contempt of misleading the parliament. They are that the statement complained of must have been misleading; it must be established that the member knew at the time that it was misleading; and that it was the member's deliberate intention to mislead the house. In respect to the answers provided to the house by the minister, when taken in context they are more consistent with each other.

The member for West Torrens has provided me with further information this morning to assist me with my deliberations. In particular, he has provided me with a radio transcript of 1 May 2018 of the ABC *Breakfast* program of an interview between David Bevan and the Minister for Transport. The relevant part of the interview that the member for West Torrens has directed me to is—and I now quote Bevan:

...this deal is for South Road between Pym Street and Regency Road...and it will start when?

To which the answer is '2019'. Bevan goes on:

And it will be finished by when?'

And the answer is given: '2020.'

*An honourable member interjecting:*

**The SPEAKER:** The member for West Torrens will depart the chamber for half an hour.

**Mr Koutsantonis:** That was the leader.

*Members interjecting:*

**The SPEAKER:** Did you interject, member for West Torrens? No? I withdraw that. Somebody interjected and I ask them to leave the chamber for half an hour for breach of 137A.

*The honourable member for Croydon having withdrawn from the chamber:*

**The SPEAKER:** In providing me with this additional information, the member for West Torrens is claiming that the minister's public comments are inconsistent with the answers provided to the house. As a number of occupants of the chair have stated in previous opinions, an inconsistency between the words used by a member in the house with those previously used in the house or elsewhere, or words spoken that are inconsistent with the text of any document, is not of itself misleading and therefore not a matter of privilege.

In providing his answers to the house, the minister has responded by providing a whole range of information on the construction and commencement phases of the project with commentary on completion dates. Alternatively, the answers provided by the minister to questions asked in the radio interview are to direct, specific questions concerning the completion of the project.

While the answers provided by the minister in the radio interview are inconsistent with the answers provided in the house, they are inconsistent to the extent of the context in which the information is being provided. To the extent of the inconsistencies, there is nothing to suggest that the minister intended to deliberately mislead the house. In the Chair's opinion, this is not a matter of privilege for the reasons I stated earlier.

In the Chair's view, the matter could not genuinely be regarded as tending to impede or obstruct the house in the discharge of its duties. Accordingly, I do not propose to give the precedence that would enable any member to pursue this matter immediately as a matter of privilege. This decision does not prevent any member from seeking leave to provide a personal explanation, and it does not prevent the member for West Torrens or any other member from proceeding with a motion on a specific matter by giving notice in the normal way.

*Personal Explanation*

#### **SOUTH ROAD**

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:15):** I seek leave to make a personal explanation.

Leave granted.

**The Hon. S.K. KNOLL:** I would like to clear up this matter in the same way I cleared up this matter in the house yesterday when I stated that what was said on radio was an incorrect completion date at the time at which I said it, which was on 1 May. Consistent with what I said in the house yesterday, I would like to provide this information.

The best answer I can provide at this stage is that construction will begin in 2019 and construction will finish somewhere in 2022, but can I caveat that by saying that this project is still subject to negotiations with the federal government. Therefore, the information I provide to the house is correct at the time at which I provide it, but is subject to change because of the fact that there are still ongoing negotiations with the federal government about the reprofiling of their commitment of \$177 million towards this project.

*Grievance Debate*

**STATE LIBERAL GOVERNMENT**

**Mr MULLIGHAN (Lee) (15:16):** What another disappointing week from what is fast shaping up to be a disappointing government. The fact that we have just had to finish on that note after the last question time of the week speaks volumes about the approach of this government. We have minister after minister after minister taking a casual approach to advising and providing this house information in response to questions from the opposition.

First of all, we had the Minister for Child Protection trying to bat away—or, should I say, drive away—an allegation that she had misled the parliament about her attendance at golfing practice during work hours rather than meeting with her stakeholders. She told us it was for charity. Of course, that was not correct, and she had to scurry in here later on that day to correct the record that, indeed, she was just playing golf during work hours.

The Minister for Police, of course, has been one of the worst offenders. Not only does he seek to avoid answering any question by alluding to the fact that he and the police commissioner have had discussions—that they regularly have discussions, that he regularly backs those discussions and that, if he does not back those discussions, he backs his police commissioner—but he went out and told the media that STAR Group officers would be attending teenage parties in the southern suburbs. He had to go straight back out to the media the very next morning and correct them on what he had told them only 12 hours earlier.

Not only have we just had a ruling from you, Mr Speaker, on a matter of privilege but we had another ruling from you on another matter of privilege about the Minister for Police and what he had committed to the house and, of course, until that date had not done, and that was table notes of a meeting in the southern suburbs.

We also had the promise by the Premier and the Minister for Transport about this wonderful deal that they had secured for South Australia, \$1.8 billion for new infrastructure projects, when only 36 hours later it emerged in the federal budget that there was less than one-tenth of that: \$162 million. We know there is not \$1.8 billion because what do federal ministers think of money committed beyond the forward estimates? Senator Simon Birmingham says, 'It is not real money. It is beyond the forwards; it does not really exist.'

We know we have a Premier who likes to issue all manner of things from his mouth that the federal member for Sturt, Christopher Pyne, has previously uttered, including that apparently he is a fixer. Well, there is one thing that is not going to be fixed in the near future and that is the north-south corridor because the deal that he did, which is apparently as good as it gets, is that more than 90 per cent of that funding will be beyond the forward estimates. If you listen to how Christopher Pyne has explained money beyond the forward estimates, it is not real money. There is no commitment to it. It is not real. That is how he described the Gonski and the NDIS funding.

Now we have a government that is not proceeding at all on the agenda they promised to South Australians. Speaking of the Minister for Transport, he was in here yesterday providing an answer to a government question that I had already provided a year earlier in response to a then question from the government about road train access to Yorke Peninsula. What did he do today? He came back in and did the same thing. He took a government question about AddInsight, the Traffic Management Centre and new laws governing roadworks, all of which came into being over two years ago, in the case of AddInsight, and, more recently under the former Labor government, with the governance of roadworks.

Today, we had the increasing fumbings of the health minister, struggling to justify why he could be present at the new Royal Adelaide Hospital talking about a whiz-bang new facility down

there but neglecting to mention that they have had a spike in their infection rates from orthopaedic surgery. When he was asked to explain this on talkback radio, he made it very clear to the ABC presenters exactly how it works in his portfolio: when we had major issues with SA Pathology, well, the announcement was made by SA Health, and the Public Health Officer recently made announcements in relation to influenza vaccine supplies—when the bad news comes up, it is for the public servants to do, but when the good news is there, that is when Stephen Wade, the health minister, will be there with bells on.

This is a shocking start for a government that cannot deliver its own agenda. We have also had the Premier admit in question time that he will not even meet his own 100-day target to introduce shop trading legislation. What a dreadful start from what is fast shaping up to be a dreadful government.

### REGIONAL ROADS

**Mr ELLIS (Narungga) (15:21):** I rise today to speak about regional roads and, specifically, the past practices of the former Labor government regarding the reduction of speed limits, rather than spending money on maintaining them. As recently as 12 September last year, the Weatherill Labor government dropped the speed limit on another eight of the state's regional roads, citing road safety concerns. Pre-election, the Liberals vowed to reverse the decision on those eight roads if they won office.

I specifically rise today to point out the flawed arguments around such decisions and to emphasise the Liberals' intention to review all speed limits on all major country roads, understanding that crashes are caused by a wide range of factors other than speed, including inattention, fatigue, drug and alcohol use, whether you have animals in your way that you have to swerve to avoid and a range of other factors.

At this time, I am specifically advocating for 110 km/h speed limits to be reinstated promptly on at least the regional roads that have been upgraded significantly in the recent past since decisions were made in 2011 to lower speed limits. Quite clearly, there are a few roads good enough to travel at 110 km/h because we now have 36½-metre road trains travelling on those roads. Since that decision was made, there has been quite a bit of work done on a couple of roads in the electorate.

I speak specifically of the Copper Coast Highway and the Yorke Highway and also the Bute to Kulpara road as roads that are now of an obvious standard that would allow them to be returned to 110 km/h speed limits. Works on the Yorke Highway were completed just a couple of months ago and, after the current works that are near completion along the Paskeville to Kulpara section of the Copper Coast Highway, there is no reason why the Copper Coast Highway itself cannot be reinstated to 110 km/h as well.

I was pleased to welcome the announcement on 18 May that the works on the Yorke and Copper Coast highways that will enable 36½-metre road trains to use them have been completed, which will increase efficiencies and productivity all around. This now means that the Yorke and Copper Coast highways are restriction-free, heavy vehicle networks. It surely now follows that the speed limit on these roads can be reinstated to 110 km/h for cars because if they are good enough for these big trucks to use they are good enough for all vehicles.

Every time I am heading home from Port Wakefield and get to the Yorke Peninsula junction off Highway 1 and see the speed limit drop by 10 kilometres, it seems ludicrous. As I am on a road that is in good condition with adequate shoulders, particularly since major works occurred there after the decision was made back in 2011 to drop the speed limits, it seems all the more ridiculous.

Yes, the Liberals have committed to reviewing speed limits on rural roads and it is high time, as seven years have passed since the 2011 decision was made. The more than 350 kilometres of road targeted back then in 2011 included the 60-kilometre stretch from Port Wakefield to Wallaroo, the Kadina to Port Broughton road, the 78-kilometre stretch from Ardrossan to Yorketown and the 54-kilometre stretch from Ardrossan to Moonta. There were four of 45 sections of state rural roads, 723 kilometres in total, reduced from 110 km/h to the default rural limit of 100 km/h along with seven local government road sections.

Why were they reduced? To save lives. Between 2006 and 2010, there were reportedly 290 casualties from crashes on these roads, 22 people died and 121 sustained serious injuries. Six of those fatalities occurred on Yorke Peninsula. My research shows that, just since 2015, there have been 11 fatalities on Yorke Peninsula, up by five on the 2006 to 2010 numbers since the speed limit reductions. Whilst I do not have the number of serious crashes, my argument is that any available stats are difficult to analyse because stats do not show the speed at which vehicles were travelling at the time of the crash or what other mitigating factors caused injuries or fatalities.

As announced prior to the election, the Liberal Party is committed to using mining royalties to fix SA's neglected regional infrastructure under our Royalties for Regions policy, quarantining 30 per cent of mining royalty revenue for a dedicated regional roads and infrastructure fund. This is an exciting policy for us. As stated by the Civil Contractors Federation SA chief executive, Phil Sutherland, at the time of our announcement around the Royalties for Regions program, 'Our road network in SA is nearly 50 years out of date and it needs a lot of investment and attention.' He added that if we can get the regional road network up to speed, that will surely stimulate regional economies.

#### EY, MR SIDNEY

**The Hon. A. PICCOLO (Light) (15:26):** Today, I rise to talk about one of my constituents who today celebrates his 102<sup>nd</sup> birthday. Sid Ey was born on 31 May 1916 to Elise Dawkins and Luis Ey. He was one of four siblings with brother, Will, and sisters Kath and Muriel. Sidney's first home was at 4 Moore Street in Gawler, and he has lived his entire life in Gawler. Sid was educated at Gawler Primary School and then worked with his father at the chaff mill, which was located at the site where Coles Supermarket now sits in the heart of Gawler.

It is remarkable to see how much Gawler has changed since that time. Sid remembers a time when wagons carried by horses used to travel to Gawler from surrounding areas carrying wheat and barley to be loaded onto trucks to be sent to Port Adelaide. Sidney also remembers his grandfather's 1924 Ford Buick. Sid studied wool classing and had the opportunity, once qualified, to travel extensively across South Australia.

It is remarkable to think that Sid lived during the era of Don Bradman and Phar Lap, although he is not a gambler himself, and at a time when the town of Gawler catered for horses by providing water troughs in front of the Ward's shop as late as the 1950s. It is an era that is so long ago, yet Sid remembers it quite fondly. His recollection of his early life is truly interesting and a door into the past. He has a very vivid recollection.

At the commencement of the Second World War, Sid enlisted in the Army along with many others from the town. Sid joined the Field Ambulance service after meeting two Army officers in Gawler who informed him that they were developing this unit. Sid, who did not know much about the Army at the time, decided this was a good fit for him. I do not think he ever had any regrets. Sidney received his early training at Wayville, was initially deployed to the Gaza Strip and later deployed to Tobruk, which went under siege.

He remembers one night in particular when he was looking after a patient with a broken leg in a hospital. Because this patient had a broken leg, he was unable to be evacuated to the air raid shelter when the siren sounded. Sid decided to stay with the patient to try to stop him in case he tried to get to the shelter. He remembers sitting with this patient during the bombing. He remembers it being an incredibly nerve-racking period but thankfully neither were hurt. I could not imagine, and I think it would be very difficult for many of us to imagine, hiding in a building that was under attack.

The bravery that Sid displayed on this occasion is simply inspiring. Tobruk was under siege for six months until they were relieved from duty. Sidney remembers that water use was rationed and that they were only allowed one quart of water a day for drinking and shaving. It must have been incredibly difficult to live on that amount of water and have to be incredibly careful as to how it was used. Sid also served in Palestine for 12 months, in addition to Syria and Lebanon afterwards.

Sid remembers when he was in Alamein where they established a dressing station close to the coast. One night there was a bombing raid and in this instance one bomb landed in the salt marshes. The next thing he knew, a swarm of mosquitoes came through the camp. He remembers

that this period was very hectic and that there were many people who were bitten, which kept him very busy that night.

Sid remained with the Army for many years serving in New Guinea where he caught dengue fever before rejoining the unit. Sidney remembers the emotional moment when he surprised his parents on his return home. Sidney finished his military service with the rank of sergeant in the field ambulance service. He witnessed the horrors of war from the frontline and he witnessed the loss of many good people, including many nursing and medical staff.

I think it is incredibly important to acknowledge the work of medical staff in our military as they, too, experienced the trauma and brutality of war. They played an important role in making sure that soldiers who were injured had the care that they needed and ensuring that those who did not make it home were treated with dignity and respect. I would like to acknowledge Sidney's military service today. I would also like to acknowledge the military service of those from my electorate who served in armed conflict throughout past and modern conflicts.

Sid enjoyed playing tennis and used to play in his early years when he returned from the war. He was a member of the Tod Street Tennis Club for many years. Sidney believes he was a reasonable player. Now, 102 years later, Sidney is still with us, and I would like to acknowledge the work of the Gawler Oral History Project, particularly Mr Barry Nylon, who this year sat down with Sidney and spoke to him about his life and his connection to the local community. On behalf of this parliament and the community of Gawler, I would like to take this opportunity to wish Sidney a happy 102<sup>nd</sup> birthday and hope he has a fantastic day with family and friends.

#### **POPE, MRS DOREEN**

**Mr CREGAN (Kavel) (15:31):** I rise to acknowledge in this place the contribution made to my community by Mrs Doreen Pope whose 100<sup>th</sup> birthday fell on 12 May 2018. It was an honour to join Mrs Pope, friends, family and many community leaders at her birthday celebrations in Lobethal. I wish to reflect on what I know of Mrs Pope's early life with the objective of illustrating for the house some, but far from all, of her very well-lived life to this day.

I understand Mrs Pope is the daughter of Mr Cecil and Mrs Constance Maidment. Mrs Pope spent her childhood growing up on Hindmarsh Island and then Bow Hill on the River Murray. She recalls very well the Depression through which her parents lost the family farm and at which time many in the district suffered through heartbreaking poverty. Doreen left school at 13 and was sent to work. After the loss of the Bow Hill property, the family moved to Mount Barker and to a new farm. I understand one of Mrs Pope's earliest memories was watching the state funeral procession of noted aviator Sir Ross MacPherson Smith in June 1922.

I know that my predecessors have valued Mrs Pope's friendship and thoughtfulness, and have also valued, though perhaps it has gone to this time unremarked in this place, her willingness to work on any task in our community that required her assistance. Rather than making a list of the community matters and concerns to which Mrs Pope contributed, the much shorter task would be noting those concerns to which she has not in some way contributed. As well, many in my community have reflected on Mrs Pope's fierce and independent views and lucid mind.

In 1943, Mrs Pope married Mr Mervon Pope, a dairy farmer from Mount Barker. Mervon served in New Guinea in the engineering corps. Together they had four children, and both daughters ultimately went to university and became respected teachers, a very noble profession, the profession of my parents. I observe that for Mrs Pope ANZAC Day has a unique family significance. Mrs Pope's uncle, Lesley Pope, was in the 3<sup>rd</sup> Light Horse. As Mrs Pope explains, he was in the first wave onto the beach and into the ravines at Gallipoli. He survived but was badly injured. Mrs Pope remembers Uncle Lesley living with her during his convalescence in the Adelaide Hills and on rare occasions speaking of Shrapnel Gully.

Mrs Pope was able to retrace Lesley's journey to Gallipoli in 2015, when she sailed on the MSC *Orchestra* at the age of 97 to Sri Lanka, Egypt and ultimately Gallipoli. I hope that at the age of 97 I am equally able to make such a journey.

I understand that Mrs Pope lives independently in Oakbank with assistance from Resthaven and Hills and communities services, and I wish to acknowledge the care and support they have



offered to her. I record in this place my gratitude and the gratitude of my community for Mrs Pope's many years of community service, service for which she has expected no return other than the joy of giving to others, and I congratulate her on her 100<sup>th</sup> birthday.

### SAFE SCHOOLS ANTI-BULLYING INITIATIVE

**Ms HILDYARD (Reynell) (15:35):** There are few things that stoke a parent's fear like the thought of their child being harassed or vilified. The idea that your child could be being excluded, ridiculed or harassed at school or online is simply heartbreaking for parents and any other caregivers. For parents of same-sex attracted and gender-diverse young people, this heartbreak is all too common. LGBTIQ young people experience unacceptably high levels of verbal, psychological and physical abuse, particularly whilst at school. Tragically, we know that this can lead to increased rates of anxiety, depression, self-harm and even suicide.

This is why the former Labor government contracted SHINE SA to deliver the Safe Schools Anti-bullying Initiative back in 2014. SHINE SA currently has a three-year, \$600,000 contract to deliver this program until 2020. This voluntary, on-request resource has been successfully used by schools to provide a more inclusive environment for LGBTIQ students, staff and family. Given the high incidence of bullying directed at LGBTIQ young people, which can have tragic consequences, it is a no-brainer for the state government to provide specialised resources to tackle it.

I would like to share with the house some of the fears that parents of South Australian LGBTIQ children have regarding the potential axing of this important program. This is from the parent of a 13-year-old transgender student who lives in regional South Australia:

Taking away Safe Schools will ensure that my life as a parent will be strained. I will have to be in the school advocating for his basic rights, micromanaging the everyday interactions of the school community and educating staff on the needs of LGBTIQ community members.

I will no longer have the option to have my child be anonymous in the school as I will have to be there doing all of the above. Living in rural Australia, there are no resources or safe spaces that allow us just to be.

For our safety we have the right to confidentiality and anonymity. Taking Safe Schools away you also take away any right that I have to any of this.

And this from another parent:

It's crucial that LGBTIQ children feel safe and supported at school, and without Safe Schools I fear for the already devastating mental health statistics surrounding these children.

Despite this, the education minister has announced that there is no need for a specialised service and has committed to tearing up SHINE SA's current three-year contract. Why? I do not think that for a moment he fervently believes in abandoning the work undertaken through the program, but sadly he and others opposite may be beholden to the extreme elements within the Liberal Party that see this life-saving program as some sort of Marxist conspiracy.

The abandonment of this program is pandering to the extreme right wing elements of the Liberal Party, who are terrified of losing more supporters to Cory Bernardi and Pauline Hanson. There is no other plausible reason to cut a successful program aimed at improving the lives of LGBTIQ young people and keeping them safe. There is, of course, nothing Marxist about a father not wanting his daughter to be bullied because she does not conform to stereotypical ideas about girls. There is, of course, nothing Marxist about a mother of a same-sex attracted son wanting her child to be treated equally to other children, free from harassment and violence.

This group of fringe conservative politicians those opposite are intent on appeasing are the same ones who hyperventilate any time the rights of LGBTIQ Australians are discussed and defended. The week before last, they were fabricating claims that Victorian councils were banning *Thomas the Tank Engine* on gender grounds. Next week, they will launch another moral crusade, no doubt, against some other imaginary PC monster.

I have to say that it really is a sad indictment on Australian conservative politics that elements within it feel threatened by programs designed to prevent youth suicide and to promote tolerance. These sorts of homophobic moral crusades have no place whatsoever in our children's development and education. Homophobic and transphobic bullying affects all students because often it is those who are not LGBTIQ who are also on the receiving end of it. Parents of LGBTIQ young people have

real and genuine fears about harassment and violence, and this government is not listening to them. I implore the South Australian Liberal government to stand up to the conservative ideologues and not cut this vital program.

Time expired.

### NEIGHBOURHOOD WATCH

**Ms LUETHEN (King) (15:40):** Thank you for the opportunity to speak about some of the very important work that our local Neighbourhood Watch groups are doing, specifically the work that the Golden Grove, Wynn Vale and Greenwith Neighbourhood Watch does in my local community in King. I would like to start by thanking all the hardworking and dedicated volunteers from the Golden Grove, Wynn Vale and Greenwith Neighbourhood Watch who support our local community. I have been impressed over the past four years with how professional the group's meetings are, how focused the group is on community awareness and safety and how they collaborate on issues.

The meetings are open to all members of the public to attend to discuss crime prevention and local issues. The Golden Grove, Wynn Vale and Greenwith Neighbourhood Watch group meets regularly at the Dame Roma Mitchell Centre, located at the Golden Grove High School campus. A big thankyou must go to our area coordinator, Councillor Sandy Keane, for her passion for and loyalty to serving our local area with a sense of pride and community spirit. She and her husband have been longstanding members of the group.

On 15 November last year, an article was published online via the *North Eastern Weekly Messenger*, which highlighted that police were asking Golden Grove residents to ramp up their home security following a spate of break-ins. If anyone would like reference to that link, please let me know. According to the article, Golden Grove was the number one spot for break-ins in the Holden Hill police district, with 54 break-ins for 2017 up until the time the article had been published. Thanks to the work of Councillor Sandy Keane and the Neighbourhood Watch group for bringing this to the community's attention, along with a number of activities people can do to make their homes safer.

If it were not for dedicated police and community groups like the Golden Grove, Wynn Vale and Greenwith Neighbourhood Watch group, I could safely say that these statistics would be much worse and that the community would be much poorer for not having a support network to assist. All of us in the community play an important role in supporting each other and being vigilant. It is not simply good enough to say, 'It won't happen to me,' as next time it might. We all need to do what we can to protect ourselves and others in the community.

Some suggestions I have for the community include ensuring that we have adequate home security, ensuring that we do not leave valuables unattended or in places of high visibility and checking that our doors and windows are locked. Often, as I was doorknocking in King during the election, front doors were ajar and unlocked. I really urge people to ensure the safety of their homes. Never assume that someone else has locked the doors and windows. Let's all take responsibility to check for ourselves. I think it is important to report anything suspicious or concerning to the police and to bring recurring issues to our local Neighbourhood Watch group.

For those of you who are not aware, my King electorate office at the Grove Shopping Centre is a place where you can safely collect some Neighbourhood Watch stickers. These have the police reporting number on them and can be collected from our office at Suite 1, Level 1, The Grove Shopping Centre. Also, as I have stated in my maiden speech, our King electorate office is available for any community member who needs to find information safely or make phone calls for help if they feel threatened.

Again, a big thankyou to everyone involved in the Golden Grove and Wynn Vale neighbourhood watch group and other neighbourhood watch groups throughout King who do an excellent job in supporting our local King and surrounding communities.

*Bills***CRIMINAL LAW CONSOLIDATION (DISHONEST COMMUNICATION WITH CHILDREN)  
AMENDMENT BILL***Second Reading*

Adjourned debate on second reading (resumed on motion).

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:45):** I was indicating that under the Criminal Law Consolidation Act a number of offences have developed to deal with the protection of children and that, in particular, in addition to the amendments presented today, which expand the deception offences, there are a number of other provisions for protection. In particular, I refer to section 63B of the Criminal Law Consolidation Act, which sets out the offences that relate to procuring a child to commit an indecent act.

In the time that I have been in the parliament we have looked at and expanded the provision of the child exploitation material and related offences. Obviously, the use of children in the production of pornographic material is something that we have had to deal with significantly, and section 63B, 'Procuring child to commit an indecent act,' to some degree is similar to the principal offences we are considering when children are victims as a result of the predatory approach of others and the use and abuse of them

In section 63, we have such offences as inciting indecent act by a child; inciting indecent act by a child, basic offence; cause or induce a child to expose their body, an aggravated offence; making a record of a child in a private act; and recording an image of a child in a private act. These are all matters we have had to deal with in the 21<sup>st</sup> century because of the use and abuse of children to prepare material which is to be used, quite frankly, in the most disgusting manner, and which is then disseminated through this medium we are now having to address. The procurement of a child for sexual activity already has a principal offence and an aggravated offence.

For members who are new to the chamber, I briefly explain that we have basic offences, which have a certain penalty, and then an aggravated offence. The aggravated offence, when we talk about children in these circumstances, is when the offender is in a position of authority: a teacher, a parent, people in the church and someone in a position of authority. There is a long list of people who, if they commit these offences towards a child, have an extra penalty. That is not uncommon in our criminal law, and it applies here.

For the benefit of members, in relation to procuring a child or communicating to make a child amenable to a sexual activity, these offences have attracted a number of apprehensions and successful prosecutions. For the benefit of the house, in 2017 there were 13 convictions for procuring a child for sexual activity, as an aggravated offence; 11 for procuring a child for sexual activity, as an aggravated offence; 23 for communicating to make a child amenable to sexual activity, as a basic offence; and 21 for communicate to make a child amenable to sexual activity, as a basic offence.

That indicates to me, and I hope to members, that we are dealing with multiple occasions where children are exploited or exposed, or assaulted, or groomed for the purposes of being assaulted, and these are the convictions. These are not just the investigations or the prosecutions—these are the convictions. I place on the record my appreciation for those who work in this area, including SAPOL. We must try to ensure that we intervene in a way that is earlier rather than before someone gets access to children and commits these offences. This is not just one or two a year—these are significant numbers. We need to try to make sure that we have laws that will allow for that intervention at an earlier time.

I also thank those who are involved at the national level, including the current commonwealth eSafety Commissioner, Julie Inman Grant. They are doing an enormous amount of work in reporting cyberbullying, in reporting illegal content online and image-based abuse, which, of course, is otherwise known as sexting and the like, and in an educational role.

Many have heard of the work of the Carly Ryan Foundation, in particular of the work of her mother, Sonya, with the foundation. This is an accredited and certified agency for the purposes of alerting and educating those in our community. I have even taken my own granddaughter to one of

these meetings, which was put on by a representative of the eSafety Commissioner's office. I have heard the powerful contributions of other members who have attended those meetings. When members of the foundation are present, I am sure there is nothing more powerful than Sonya's message directly that, 'This is what can happen to your child. This is what has happened to mine. I will continue to work to try to ensure that it does not happen again in the future.'

It is commendable for those who work in this space to make that contribution, and that sacrifice having experienced that pain, and to be willing to continue to be out there protecting children of the future who would be predated upon if not for being alert. There is a bigger area in eSafety, not just to have the new criminal laws to protect, which we are passing here today, but obviously in regard to cyberbullying and image-based abuse.

These are major areas where we must arm our children with the knowledge, firstly, that they are entitled not to be a victim in this space and, secondly, that if they are, and they find that there are images online that they have not given consent to be published and wish to be removed, they are familiar with who to contact for the purposes of having them removed.

We must arm our children with this protection because, regrettably, there are predatory people out there. As I said, there were 100-odd last year who were convicted of principal offences here in our own state, which ought to highlight the reason why it is important that we advance this bill as soon as possible. I thank members for their contribution.

Bill read a second time.

*Third Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:54):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

## **PUBLIC INTEREST DISCLOSURE BILL**

*Second Reading*

Debate resumed.

**Mr PEDERICK (Hammond) (15:54):** I rise to speak to the Public Interest Disclosure Bill 2018, which replaces the Whistleblowers Protection Act 1993. This bill fulfils another Marshall Liberal government election commitment to strengthen protections for whistleblowers. We are doing this because the purpose of the bill is to encourage the disclosure of information in the public interest about significant risks to public health, safety or the environment, or about maladministration and misconduct in public administration.

This is a scheme that is more in line with contemporary attitudes about the need for disclosure of wrongdoing in public administration and one which recognises the important statutory functions of ICAC and the Office for Public Integrity. This bill is identical to the 2016 bill put up by the former Labor government but with one key difference: we have made provision for disclosures to be made to the media.

This bill is an integral part of our transparency and accountability agenda across government, and this includes other bills which will allow for public hearings into suspected maladministration and corruption and protecting journalists from having to reveal confidential sources in the interest of holding governments to account. This bill will repeal the Whistleblowers Protection Act and instead replace it with an act based on a review of the same that was undertaken by the Independent Commissioner Against Corruption.

This legislation provides to people to whom a disclosure can be made that disclosures will be properly assessed and investigated and protects public officers from reprisals by recognising the offence of victimisation and creating remedies for this. For a disclosure to be protected, the person must believe on reasonable grounds that the information is true or believe on reasonable grounds that the information may be true and is of sufficient significance to justify its disclosure. A person who makes an appropriate disclosure is not subject to any liability as a consequence of that disclosure.

The bill also imposes a duty on the person who receives an appropriate disclosure to take action in respect of the disclosure and to take reasonable steps to keep the informant advised of any action or outcomes resulting from an investigation. Importantly, this bill allows disclosure to be made to a member of parliament, except a minister or a journalist, where a person has made a disclosure in accordance with the bill's requirements and either does not receive notification within 30 days that an assessment has been made or does not receive notification after 120 days of the outcome of the assessment. The commissioner will be responsible for updating ICAC resources and its website in addition to his existing role to educate the Public Service about their reporting obligations in respect of misconduct and maladministration.

I think this type of transparent legislation is absolutely important, when what we have seen with the previous Labor government is public servants too frightened to speak out, frightened for their jobs, frightened to lose the income that supports their families if they speak out. People are told from a high level that if they say anything against the department, anything against some of the protocols or practices, which may be maladministration or wrongdoing, that it is their job. So they stay silent because they are threatened to the nth degree that they cannot open up and reveal any of this information. In the interests of transparency and accountability, the Marshall Liberal government are presenting this bill to the house today.

**Mr CREGAN (Kavel) (15:59):** I rise to support the introduction of the Public Interest Disclosure Bill. It forms part of our substantial legislative agenda to support open and public debate in South Australia. Our state has been referred to as 'the suppression state'. Secrecy may, in certain appropriate circumstances, be necessary, but it is never desirable. Democracy is best protected by openness. The machinery of the bill provides immunities from liability for any person who makes an appropriate disclosure of certain regulated information, including environmental and health information and public administration information.

The bill also sets out the requirements for making an appropriate disclosure for each category of information and, of course, goes on to describe how that disclosure may be made in order to enjoy the substantial protections and immunities contemplated by the bill. The legislation we now bring to the house also protects those making an appropriate disclosure against victimisation and takes the step of making a false or misleading disclosure an offence.

I understand that the bill has been prepared in view of recommendations prepared by the Independent Commissioner Against Corruption following a review of the effectiveness of the Whistleblowers Protection Act 1993. This bill will repeal that act and, as the Attorney will shortly explain to the house, replace it with a scheme more in line with contemporary attitudes about disclosure and wrongdoing in public administration. As the Attorney will outline, it also recognises the existence of the Independent Commissioner Against Corruption and the Office for Public Integrity.

I have listened carefully to the remarks provided to the house by the member for Hammond, and I appreciate very much his contribution to the debate. I have closely noted the commissioner's annual report from 2015. The annual report records that, in a survey of 7,000 public servants, one in four was concerned or reluctant to report corruption, misconduct or maladministration. The most common concern noted was that of repercussions in respect of their employment. These matters are of serious concern to the government. They need to be addressed. This legislation is an appropriate vehicle to deal with those matters and also, as I remarked earlier, to introduce a scheme that better complements contemporary community expectations.

It will see out a culture of silence and ensure that there is an appropriate scheme in place to examine information that has come to light, most particularly through the courage of public servants who have formed the view that it is necessary to enjoy the protections of this act and to share regulated information, where appropriate, with others. I understand, too, that legislation substantially in the form that we now bring to the house was the subject of a substantial deadlock conference in 2017, and so it is right and appropriate that this new government introduce the legislation now with the numbers. I commend it to the house.

**Dr HARVEY (Newland) (16:03):** I am very pleased to rise today to support the Public Interest Disclosure Bill 2018. I am very pleased to support this bill, as it is a key plank of the Marshall Liberal government's reform agenda, which is for greater transparency and accountability in

government. In a democracy such as ours, transparency and accountability are essential for good government—government that is focused on the interests of the people we were elected to serve and, importantly, maintains public trust and confidence in our institutions.

While on the campaign trail, trust in politics and politicians was a constant source of concern for many constituents, often around the lack of transparency and accountability under the previous administration, in particular as a result of scandals that had engulfed the previous government, including Oakden, Gillman, the purchase of the diesel-guzzling generators and failure after failure in the area of child protection, all under a cloud of darkness due to the previous administration's aversion to transparency and accountability.

I am pleased to note and welcome the support of those opposite on this bill. I always welcome support from the other side. It is a shame, though, that those opposite would begin to support transparency and accountability in government once no longer in government themselves. The Marshall Liberal government are committed to transparency and accountability. We went to the election with a number of policies to address this issue, and today we are specifically dealing with the issue of protection for whistleblowers. The Whistleblowers Protection Act has been in operation now for some 20 years; however, since its inception there has been little recourse to its protection.

In March 2013, the then attorney-general requested that the Independent Commissioner Against Corruption review the legislation and, after extensive consultation, the commissioner prepared a report for the parliament in 2014. The commissioner made 30 recommendations supporting a rewrite of the law. In the commissioner's annual report of 2015, a survey of 7,000 public servants revealed that one in four was reluctant to report corruption, misconduct or maladministration, with the most common concerns being personal repercussions and a general fear about the security of their job.

Meanwhile, the State Ombudsman conducted a review of the freedom of information laws, with a report on the same tabled in parliament in June 2014. This report highlighted the need for protection of FOI officers against ministerial interference. Notably, both reports recommending substantial reform appeared after the 2014 state election. In the absence of any reform, the then Liberal opposition prepared a bill to provide for offences for victimisation and the right to public protection.

The then government, in an attempt to save face and after nearly two years of refusing to provide any reform to whistleblower laws, introduced a bill, which essentially cherry-picked parts of the ICAC report without providing any true substantive whistleblower protection reform. The Marshall Liberal government has fiercely maintained the need for whistleblowers to be protected, especially when disclosing matters of public importance to journalists, including maladministration and corruption, as it is important for good government and for the people of South Australia.

What this bill does is repeal the Whistleblowers Protection Act and instead replace it with an act based on the review by the Independent Commissioner Against Corruption. The legislation provides to whom a disclosure can be made, that disclosures will be properly assessed and investigated and protects public officers from reprisals by recognising the offence of victimisation and creating remedies for this. For a disclosure to be protected, the person must believe on reasonable grounds that the information is true, or believe on reasonable grounds that the information may be true and is of sufficient significance to justify its disclosure.

A person who makes an appropriate disclosure is not subject to any liability as a consequence of that disclosure. The bill also imposes a duty on the person who receives an appropriate disclosure to take action in respect of the disclosure and to take reasonable steps to keep the informant advised of any action or outcomes resulting from an investigation. Importantly, the bill allows disclosure to be made to a member of the parliament (excluding ministers) or a journalist, where a person had made a disclosure in accordance with the bill's requirements and either does not receive notification within 30 days that an assessment has been made or does not receive notification after 120 days of the outcome of the assessment.

This bill will give public servants the confidence to disclose information that is in the public interest about significant risks to public health, safety or the environment, or about maladministration and misconduct in public administration. A key difference between what we are proposing today and

what had previously been proposed by the former government is that disclosures under the bill before us today will be able to be made to journalists. On this side of the house, we are committed to delivering on our transparency and accountability agenda across government, and I am pleased to commend this bill to the house.

**Mr MULLIGHAN (Lee) (16:09):** Today, I rise to advise that the opposition will not oppose the changes being implemented through the Public Interest Disclosure Bill 2018. This bill repeals the Whistleblowers Protection Act 1993 and establishes a new protection scheme for whistleblowers. The scheme regulates the disclosure of environmental and health information, and public administration information, in distinct ways. The former information is required to relate to a substantial risk to the environment or public health, whereas the latter is only required to raise a potential issue of corruption, misconduct or maladministration.

**The ACTING SPEAKER (Mr Pederick):** Excuse me, member for Lee, are you the lead speaker in the debate?

**Mr MULLIGHAN:** Yes, lead and only. The Attorney-General's Department has provided advice that this bill is identical to legislation the former Labor government introduced through the former attorney-general (member for Enfield) with the exception of the addition of clause 6, which allows a disclosure to be made to a journalist or to a member of parliament but only after appropriate disclosure has been made.

For the purposes of this bill, a member of the public or a person is protected by this legislation only in relation to disclosures relating to public health and environmental information but not at all in relation to public administration information. I think there is some benefit in considering whether a member of the public, who may be aware of public administration information that raises a potential issue of corruption, misconduct or maladministration, should be able to make a disclosure and be covered by this scheme.

The proposed scheme also does not provide protection to people or public officers who disclose information to the media in the first instance. Potential informants will only be protected if they have already disclosed the information to a relevant authority. Media can be a driver of change and, as such, it is important that any public officer or member of the public is protected, regardless of whether they approach the media in the first instance. Again, I reiterate that the opposition will not oppose the changes being implemented through the Public Interest Disclosure Bill 2018 but reserve our right to continue to consult and consider the application and outcomes from this bill.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:12):** I am delighted to hear the member for Lee indicate the opposition's support for the bill. In fairness to the history of this matter, I should indicate that the proposed clause 6 is different in that it is disclosure to a journalist. In the previous debate on the 2016 bill, under the previous government, the government of the day—the former attorney-general—had proposed an amendment to the original model, namely, to allow for the subsequent disclosure to a member of parliament after disclosing and reporting it to the relevant authority. So there was, I suppose, an olive branch, perhaps with no leaves on it but some attempt by the former attorney to appease those who were concerned about the limitation on the government's bill of the day.

It is fair to say that, from the government's point of view today, we are committed of course to continuing to protect public servants to ensure that they are legitimately able to disclose matters. Some of the aspects of this bill have been covered under the former bill. What is even more pleasing to me is that there has been careful consideration given to where a concerned public servant is to go for the purposes of lodging the complaint. There has been quite a bit of work done to carefully identify as much as possible the clarity of where someone goes, who has information, and to try to minimise the confusion with that.

It is fair to say that if people genuinely believe a crime has been committed, then as a public servant, obviously, the police are the first people to go to. But there are a whole lot of other categories of people who are responsible for public integrity—the Auditor-General, the Ombudsman, the Office for Public Integrity, the Health and Community Services Complaints Commissioner—and, as much as possible, the bill sets out a helpful list, we hope, to ensure that that best reflects the guide for where they go.

I say that because this type of legislation comes into tension with what we would otherwise consider an important relationship between employer and employee and the significance of ensuring that employees, whether they are of government or anyone else, are not just protected but also that they are not in a position where they think they can carte blanche go out and make a complaint against their employer in any unbridled way.

This legislation, on the advice of Mr Lander and his very significant report, comes to the parliament to replace the model that has been effective since I think 1992. It needed to be upgraded, and it is being upgraded, and it is now going to follow through and have a chance of resolution. Members in another place who have previously supported the now government's position on the previous legislation I am sure will also welcome this bill, and we look forward to the favourable consideration in another place. This is a day for the protection and support of our public sector and I am very proud that we are progressing it.

Bill read a second time.

*Third Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:18):** I move:

That this bill be now read a third time.

Bill read a third time and passed.

**FAIR TRADING (GIFT CARDS) AMENDMENT BILL**

*Second Reading*

Adjourned debate on second reading.

(Continued from 16 May 2018.)

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (16:19):** I rise today to speak on the Fair Trading (Gift Cards) Amendment Bill 2018, clearly in support of this bill as this is something I have been very passionate about for a long time. I think this is fantastic for South Australian consumers. It is another of our Marshall election commitments coming into the last election.

I think everyone would have had the experience sometime when they have gone to their bedside table, their sock drawer, their bits-and-pieces drawer—maybe in the kitchen where all those things seem to hide and never be seen again—and unearthed a gift card from somewhere. Maybe it was a birthday present, a Christmas present, a Father's Day present or a Mother's Day present, something they have been given that was of cash value. They have they put it away because they did not need to purchase something from that store at the time they received the card but, more than a year later, when the expiry date is done, they find it and think, 'Wow, I missed out on my \$50 at the local store,' or, 'I missed out on getting myself a new tool for the shed,' or maybe a new piece of clothing or some new shoes. That cash is gone.

Again, everyone has potentially experienced that once, maybe more, in their lives. That is what this bill is about. We want to make sure that people who get a gift card have ample time to use it, given that a gift card is like cash. In terms of what this bill will do, the Fair Trading (Gift Cards) Amendment Bill 2018 amends the Fair Trading Act 1987 to require that any gift card sold in South Australia must have a minimum expiry date of not one year but three years. This is absolutely outstanding, as we said, for all consumers, meaning they can get the value of the cash that has been put in.

Bear in mind that when you do purchase a gift card you purchase it on a certain date for the value of, say, \$50. In three years' time, \$50 is still \$50. The price of the goods or services you might want to get might have gone up, but the value of the card is still \$50. These cards have cash on them, obviously, and we think you should have ample time to be able to use them. As I said, a lot of people have experienced that gut-wrenching pain, I suppose, when they find a gift card and realise that it is past its expiry date.



The government has committed to making gift cards more consumer friendly. Again, that is what this really is about: the cards will have that extra time on them when they are purchased. Consumers do not often have the time. You might get something, as we have said, as a birthday present and, if you do not purchase something before your next birthday, the value is gone; the card is gone, and that really is not fair.

The market for gift cards is growing by the minute. It is said that the gift card market in Australia is \$2.5 billion a year. That is a lot of money that goes into gift cards. They are just a nice, easy way that people can purchase a gift, and the intent is that the person you give the gift card to will be able to purchase exactly what they need or want. It is estimated that, of that \$2.5 billion a year, \$200 million is lost in unredeemed gift cards, and that is what really flags the need for this piece of legislation.

We want to make sure that the percentage of South Australians caught up in that \$200 million of lost or unredeemed cards get better value for their buck and a better opportunity to use their gift cards. The bill seeks to address the financial loss that so many people experience. The government accepts that a lot of retailers will, in good faith, accept gift cards a little while after their expiry date, but some do not, and there is no legislation that means they have to. That is what we intend to do here: we want to make sure that this is actually legislated and that people can go with surety.

New South Wales have really taken the lead on this. They did this a little while ago. In fact I wrote to the Attorney-General at the time and suggested that we should look at it here, for South Australia. He did not progress that, and that was his choice. He was more than entitled to do that. But on our side of the chamber, we have progressed this legislation because we think it is good for consumers here in our state.

We want to have that better reform for consumers, and we do not want to add red tape for businesses—we are very conscious of that—but we think this is a great progression forward. I mentioned the previous attorney. When I wrote to him, I did suggest that we could take this to the national arena and, potentially, the consumer affairs forum; I thought that maybe he could raise it as an issue there. The good news is that that is starting to progress.

It is on the agenda for national reform. Whilst we have taken a big step forward in joining with New South Wales to have this new legislation, it would be great to get it as a national reform so that it is right across all the states. Of course, being in some states and not others does not make it ideal, but we think South Australians should benefit from good legislation like this. As I said earlier, this is a commitment that the Marshall Liberal team took to the election.

In the process, I asked the former attorney to have a look at this. That did not happen. I spoke to the federal minister involved at the time, Kelly O'Dwyer, who was very receptive to it. We can see that the progression of that has put it on the national agenda, which is, again, a real win. I look forward to pushing ahead with that.

I mentioned that New South Wales had probably been the pioneers in this space. On 31 March 2018, they announced similar reforms and brought in the three-year mandated length for gift cards. By all accounts, it is working very well over there. It really is providing a wonderful balance between the rights and obligations of consumers and businesses. So everyone is having a win, which is what we are always looking to do in this place. We want to get positive outcomes that can benefit everyone.

I mentioned a few moments ago that, due to the fact that jurisdictions must adhere to free trade, the proposed SA amendments are limited in the same manner as the New South Wales reforms with respect to online and over-the-phone purchases where the gift card is delivered to an address outside of SA and where the consumer's contact details include a residential address outside of South Australia. Again, it is great news that the federal government is looking at this as a national thing. That would alleviate some of those problems.

There have been some questions raised, and rightly so. There are a lot of cards in the market now. The emphasis I want to make with the intent of this piece of legislation is that cards that are cash are seen as exactly that. If I put it into an envelope for a lovely birthday present for you, Mr Acting Speaker—if I put \$50 into a card with the intent that you go and buy yourself a nice new

shirt or a tie or whatever it might be—and in three years' time you opened the card again and the money was still there, it would still be \$50 in value.

When you give a card like this, with a value of \$50, there is no reason that in one year and one day that value of \$50 just disappears and is lost to you. That is the intent of what we are trying to do here, and I think people will appreciate that. Something that has been raised with me—and we are happy to work on this between the houses and look at this in regulation—is concepts around the other types of cards. If someone is doing a promotional voucher or has an entertainment card, how does that work in this context? That is a very fair and reasonable question, and we are happy to work between the two houses with those regulations to make sure that we can nut that out.

Fundamentally, the real purpose of this is to make sure that, if you put a cash amount into a card, the expiry date is extended to three years and you have every opportunity to be able to spend that value and not just lose it after 12 months, as is the current case.

This is a wonderful policy. It was overwhelmingly supported when I was out campaigning during the last election campaign in the lead-up to 17 March this year. When speaking about this policy with people on the doorstep—it was probably more prominent in the lead-up to Christmas, or just after Christmas, when people had realised that their card from the year before had expired—it was really well received. People thought this was a commonsense approach. With the growing value of the estimated \$2.5 billion in gift cards every year in Australia, it really does make common sense.

We are moving into a more digital world and a more digital age. You can go into a supermarket now and often see these gift cards there on display. They are a great way to go and a great way to get a present for someone, whether it is a thankyou or a birthday gift or whatever it might be. You can give it to them and they can go and get the thing they need. When you are in the supermarket, you have the choice. I have seen them in there before. There are Sportsgirl or Myer or Coles cards—whatever it might be, whatever the person might want, you can just take it to the checkout and they will credit it for you, and there is the card that you can give as a gift.

People are doing it. People are doing it in droves. It is a very common thing to do. If you are giving a present and you are sending it to someone in the country, this is where it is probably getting more value. I am of an age, and I am sure the member for Lee is probably about that age, too. I am sure his nanna would always drop in \$10 or \$5, or if he was in luck he might have got \$20 or even a \$2 note. We are of that age, we could have got a \$2 note or a \$1 note in the card, and we would have always been appreciative of a gift like that from a family member or a grandparent. It was always exciting when you were a kid.

In this more modern age, and as the member for Lee's children get older, he will not be handing out the dollars like that, he will most likely be giving them a gift card because that is what people tend to do. They are often mailed out and people have great access to these cards. They are more and more prevalent. It is not surprising in this technological age that that is what is happening. That is why this piece of legislation really does catch up with where we are at. In this innovative world, more and more people are getting online and purchasing gift cards. You can now have the gift card emailed to someone as well. These sorts of things are more and more common and it means that this legislation is very common sense.

As I said, when I was out campaigning people were very accepting, very understanding and very supportive of us moving this forward. I am very proud to have worked with the Attorney on this. As I said, I have been pushing for this for a long time. This is going to form part of a suite of reforms that we are making in this area. It links to another piece of legislation that I have been very keen to prosecute and put forward—amend is probably the correct term—and that is ticket-scalping reforms. They will dovetail into this under the Fair Trading Act.

I have talked about technologies changing. When it comes to ticket scalping—and I do not mean to lean on the poor member for Lee because he is younger than me, but he would probably be old enough to know, as would you, Acting Deputy Speaker—in our day, it was when someone was standing outside a venue, a concert or a sporting event with a couple of tickets in their pocket and they would call you over, or so I am told. I must say that I have never had the experience, but that is the perception people have. They would sell you the ticket for the game or whatever out of their pocket and you would hand over some cash, get the tickets and in you would go.

With the advancements in technology—and that is what this legislation is doing, keeping up with it on the gift card side of things, but also on the ticket scalping side of things—the way this happens nowadays is that computers swoop up the tickets. So many tickets for concerts and events are now bought online. The person on the street, myself included—and I know my kids do this—can get online and purchase a ticket by either dialling in or logging on. You are limited to purchase so many tickets, which is to stop people buying more tickets than they need and then selling them at a profit.

What happens with these sorts of things is that technologically-minded people can get ahead of the game. I heard the deputy leader talk about the ticket bots earlier when she was speaking about this ticket-scalping concept in the fair trading bill. These ticket bots swoop in and snap up all the tickets and it is really hard for you or me or my friends, or even the member for Lee, to be able to get the tickets he needs or wants for a concert or a sporting event.

**Mr Mullighan:** I can't remember the last time I went out.

**The Hon. C.L. WINGARD:** You will be going to the Wiggles or something like that very soon, and you will have to get online to get those tickets.

**The Hon. S.K. Knoll:** Frozen on Ice.

**The Hon. C.L. WINGARD:** Frozen on Ice is a good one. The transport minister mentioned Frozen on Ice. Those with young children will really enjoy that. The point I make is still a very valid one. It even happens at concerts like Frozen on Ice. It is not just Adele concerts or top-end rock concerts or footy finals—it happens with Frozen as well.

What this means is that these ticket bots who swoop in and take all the tickets—meaning that the member for Lee and his young children cannot go to these concerts—will not be able to take them all and he will have a better chance of getting tickets. What they do is they swoop on the tickets, take them online and then sell them at a profit. We do not want that to happen. We will prevent that from happening.

We know that technology is moving, so we need to move our legislation with it. The Fair Trading (Gift Cards) Amendment Bill does just that. It means that when you get a gift card—I mention the experience because we have all had it: it expires after 12 months, it is gone, the cash is gone and you are left with pretty much a useless piece of plastic—now you will have three years, giving you a much better chance to utilise that gift card that you have received from a loving family member or someone close to you. You may even have purchased it yourself, who knows. You will now have that ability and that is fantastic and I think people will very much appreciate that. This is a wonderful piece of legislation and good for all South Australians.

I sincerely recommend it to the house and also recommend to my family and the family of the member for Lee that any chance you get, a gift card would be greatly appreciated for Father's Day or something like that and we can have three years to get ourselves a new pair of socks, which will be wonderful.

**Mr MULLIGHAN (Lee) (16:34):** What an unexpected pleasure it is to be able to make a contribution on this bill as the de facto lead speaker for the opposition.

**The ACTING SPEAKER (Mr Pederick):** Member for Lee, can you confirm that you are the lead speaker?

**Mr MULLIGHAN:** Yes.

*Members interjecting:*

**The ACTING SPEAKER (Mr Pederick):** Members on my right will hear the member in silence.

**The Hon. S.K. Knoll:** Is this like supply? Does this mean we can go home now?

**The ACTING SPEAKER (Mr Pederick):** No.

**Mr MULLIGHAN:** The member for Schubert interjects, 'Is this like supply?' Wait and see, I say to the Minister for Transport. Of course, similar circumstances push me into this position of

making a contribution of a length potentially not anticipated. Of course, the Fair Trading (Gift Cards) Amendment Bill was not indicated on the weekly program received from the Leader of Government Business, nor was it on the House Assembly's issues for the week commencing on the 29<sup>th</sup>.

The Deputy Premier draws my attention to the daily program provided for the house for 2 o'clock this afternoon. What an enormous amount of notice the Deputy Leader gives us! Perhaps this indicates how quickly the wheels fall off the government in the absence of the Leader of Government Business who, as I am reminded by the Minister for Police, joins me and him as a parent. He will be enjoying, potentially, all those wonderful occasions that the Minister for Police was talking to us about earlier.

I rise today to say that the opposition supports the Fair Trading (Gift Cards) Amendment Bill 2018, and of course we would because consumer protection has for decades been a hallmark of Labor in South Australia. Of course, the watershed consumer protection acts in Australia were introduced in this place, in South Australia, by the Dunstan government—both the precursor to what we now know as the Fair Trading Act as well as the state-based Trade Practices Act.

Many of those regulatory functions over the past few decades, but particularly in the last two decades, have begun to be usurped by the federal parliament and by federal legislative instruments. Nonetheless, that does not mean there is no purview for this place and for laws that this parliament passes to provide for some level of regulation of interactions between customers and businesses in South Australia.

When the Liberal Party announced their intention to require that gift cards have a minimum three-year expiry date during the election campaign, the then attorney-general (member for Enfield) said that a national scheme was being considered. That is unsurprising given the comments I have just made about how many of these consumer laws are increasingly being made in the federal parliament, and provide that tier of government.

I am advised an offence is made under the bill introduced here where the transaction to purchase the card is in South Australia and where the business is operating in South Australia. This means that the bill does not cover gift cards purchased online from international companies without a presence in South Australia. As we have seen from media reports, even today, international retailers do provide, or choose not to provide, as the case might be, their services to Australia, which is interesting in the context of this bill. I am also advised that the bill does not cover gift cards with specified goods and services but is limited to gift cards with a monetary value that can be exchanged generally for goods and services from that particular retailer.

The Attorney-General might like to respond to those two points before the committee stage, or we could perhaps discuss that last point bit more during the committee stage. However, I do make the point that this has been, as the Minister for Police was saying earlier, a prevalent form of gift giving across many societies, particularly for a number of decades now. This will be a challenge to make sure that its application is made on the basis whereby consumers are treated equally with similar types of retailers, given the increasingly online nature of retail shopping, and ensure that recourses under the bill are appropriate, given those circumstances.

Of course, the bill fails in one very significant area for those people who perhaps would regard themselves as more of a Grinch-type gift giver, and that would be bestowing on the gift card purchaser a right of return if the gift card is not cashed in within a certain period of time. That might be something that could be considered by other more mean-spirited members of parliament other than me. With those few but salient words, I indicate the opposition's support for this bill.

**Mr ELLIS (Narungga) (16:41):** I rise today to speak on a bill that I am particularly passionate about. This is an issue that has been grinding my gears for some time, so it gives me great pleasure to rise today to support the Fair Trading (Gift Cards) Amendment Bill 2018 before the house today. Whilst it may be considered a minor matter by some—certainly not by me—this bill is just one of the many things that will contribute to running a more efficient and stable government, offering increased protection for consumers and forming part of a series of amendments planned to the Fair Trading Act.

The legislation is specific: to protect consumers by requiring gift cards in South Australia to have a minimum three-year expiry date. It is staggering that, according to consumer advocate group

Choice, of the approximately \$2.5 billion spent on gift cards every year Australians are losing about \$200 million. That is about one-third that have been found to have lost their value and expired because of a lack of legal certainty in this area of consumer law.

Finding that you have run out of time to use the card is a particular consideration for consumers in regional and remote areas, as they do not have regular or ready access to stores that often offer gift cards that have grown in variety and range in recent years. It can be difficult to get to major metropolitan centres frequently when living in regional or remote South Australia, and it often results in gift cards lapsing. This law will provide a minimum expiry date for their use and, importantly, will provide consistency from retailers, reducing confusion for customers faced with a variety of time frames and expiry dates when using such cards, which are essentially the same value as cash but with terms and conditions attached.

Some cards offer five years, others as little as three months. Many do not carry a date at all, but when you go to use them they are often designated out of date because they are just a vague too old, thus effectively rendering a well-meaning relative's or friend's hard-earned money just thrown away into the bin. I wonder how many of us in this house have fibbed a little when Aunt Mary asks us the following Christmas what we bought with her gift card from the previous year knowing we had forgotten all about it by April and had assumed we had run out of time to use it. Consumers deserve to get what they have paid for without unnecessary restrictions, especially since the businesses that issued the card get to retain the cash. This legislation will protect consumers by ensuring that gift cards purchased in South Australia are required to have a minimum expiry date of three years.

I believe the across-the-board consistency will be welcomed by both consumers and retailers. It provides certainty around the rights and obligations of all parties and is already working well in New South Wales. It is important to note, too, that the proposed three-year expiry will apply to all gift cards sold in South Australia to a person residing in South Australia at the time of the purchase. I clarify that the bill will not apply to gift cards purchased online or over the phone where the gift card is to be delivered to the consumer at an address outside South Australia or where the contact details of the consumer provided in connection with the sale of the gift card include a residential address outside South Australia.

Targeted consultation will be undertaken to prescribe categories of gift cards that will be exempt from the new provisions, for example, temporary marketing promotions or vouchers supplied for charitable purposes. It is also important to highlight that this bill is intended not to apply to reward and loyalty programs or vouchers donated for charitable purposes but that exemptions for these would form part of the regulations to be drafted in consultation with business during the bill's passage. Consumer and Business Services will be responsible for the enforcement and compliance of the new laws around gift cards as proposed.

I support the Fair Trading (Gift Cards) Amendment Bill 2018 as I believe there is a need for reform in this area that will make gift cards more consumer-friendly and eliminate confusion around the varying rules of the myriad gift cards in the market. Most importantly, I believe the bill will reduce the financial loss experienced by consumers and offer security in the knowledge that, if the validity of their card is questioned at the shop, they will know there is a mandated minimum three-year time frame that will ensure that they can confidently stand up for their consumer rights at the point of purchase should it be necessary.

It will also be welcomed by consumers who do not want to be rushed into purchases they otherwise might not make just to be able to tell dear old Aunt Mary what they have purchased with her gift card. I also note that funding for a public education campaign in respect of these changes will be required and will be sought in a subsequent bill to address ticket scalping. I applaud the efforts of the Attorney-General and her staff on forming this bill. It will be welcomed by consumers and is not expected to have any effects on business apart from offering increased consistency of trading practices for their gift cards, which, in making them more user-friendly, is likely to increase the popularity of their use, which will bring benefits for retailers.

By legislating a three-year expiry date, we are protecting consumers from unjustifiable and unfair expiry dates and balancing this appropriately with the needs of business. This policy promotes good consumer protection reform without adding any red tape or impost on business. In fact, I note

that companies like Apple and Bunnings have already taken up the practice. With that in mind, I commend this piece of legislation to the house and recommend it highly.

**Mr RAU (Enfield) (16:48):** I just thought I would say a few brief words on this. Any move to improve services and protections for consumers is obviously welcome, and I think that the member for Lee has explained the position being taken on this side of the house. I know that our friends at the department work very hard indeed to make sure that consumers are well looked after.

I would like to put this on the record, though. Since the advent of the national Consumer Law some years ago, when the commonwealth substantially took over the business of consumer protection across the country, we are basically left in a position where the state has a residual capacity to do anything in this space. The legislation that we are putting through now, whilst it is laudable for all the reasons everybody has spoken about, leaves us with a bit of a Swiss cheese legislative solution; that is, there are holes all the way through it. That is not our fault, that is not the fault of the current government and that is not the fault of anybody in this chamber. It is to do with the way the national arrangements for consumer affairs are presently being dealt with.

It would be ideal if there was a national solution to this so that there were not all these Swiss cheese holes running through this reform and we did not have a situation where, if the card comes from another state or if the purchase is from somewhere else or if it is online, etc., this particular reform is not going to help you. The paradox of that, of course, is that, by advocating and disseminating information to the public about this reform, which I am supporting just like everybody else is, we may be inadvertently lulling a lot of consumers out there into the mistaken impression that we are covering everything, and we are not and cannot.

I know for a fact that this issue was on the agenda for national consumer affairs ministers some time back. I have something very disturbing to report to the house. You may have seen stuff on television about the way glaciers move. It is reported that some of them move a matter of some centimetres per year and over the millennia they are capable of moving large boulders from point A to point B. This is considered quite good, but you have to work in geological time before you actually witness these marvels.

There is a lot in common between a glacier and the National Consumer Affairs Council, and I will give you one example. I became consumer affairs minister for the first time some time ago and the first thing I took to the National Consumer Affairs Council was payday lenders because people in my electorate are getting skinned alive by payday lenders. They said, 'We are going to give it absolute priority.' The years have rolled on and payday lenders have continued to ply their miserable trade in my electorate. What you do is wait for the commonwealth to extract the digit and make legislative amendments. I can tell you that that can take a great deal of time and, in fact, in my experience, it takes forever.

I want to wish the Attorney all the best in her endeavours to speed up the glacial movement of the national consumer forum because they are full of very fine intentions. They have lengthy meetings at which countless things are noted and sometimes even discussed and the agendas of those meetings roll over to the next meeting. I could spend time on the whole phenomenon of ministerial councils, but I will not burden everybody.

This one is a particularly uneventful council. I am not necessarily speaking about the current minister, whoever that might be. It used to be Kelly O'Dwyer, but I am not sure who it is now. I have seen various colours of federal ministers occupying this position and I can assure you that they are all exactly the same. The only thing they have in common is that nothing happens. Getting back to the—

**The Hon. V.A. Chapman:** So we're getting on with it and you are going to support our bill.

**Mr RAU:** I said that before, but I am making the point, and I will make it again for the Attorney, that this is fine, as far as it goes, but the point is that it does not go very far and that is not the Attorney's fault and it is not this parliament's fault. If we want to have something that is across the board and protects all consumers who have every kind of gift card, then we need these characters over there, the wise men and women from the east, to actually do something for a change. While they are at it, they could do something about payday lenders after all these years.

I would invite any of the members here, particularly the newer members, that if you have nothing better to do, although possibly you have, to get yourself a copy of the agenda for the consumer affairs ministers' meetings. Read the minutes or the reports that come out.

**The Hon. S.K. Knoll:** The communiqué.

**Mr RAU:** The communiqué is always terrific because, as all of you would know, it has already been written before the meeting occurs, and usually the last two hours of the meeting have this spectacle of ministers from all around the country demonstrating the skills that they learnt or did not learn during their early years at primary school with respect to punctuation and grammar. It is fantastic!

Of course, when you get a ministerial council with eight ministers or so plus all their senior executives, and they have all turned themselves into a drafting committee for a communiqué, sometimes whole hours can be consumed with people typing up changes that are being flicked up on screens. 'No, let's move the comma there. What about a semicolon?' It is fabulous, really. It is terrific! That particular council is very good at that sort of thing—punctuation, spelling and sometimes even nuance—but unfortunately it is not very good at doing anything, so my request is, aside from working their magic with this bill, for the government to work a bit of magic with the other characters on that council and get them to actually do something.

What about payday lenders while you are at it? All these people out there are still being skinned alive by these people. The idea that you can actually borrow \$100, for example, and have to pay it back in a couple of weeks with a \$50 loan fee is absolutely outrageous. The only people who are doing this are people who are really up against it. It is actually legalised loansharking using as a target people who have absolutely nothing; otherwise, why would you be so crazy as to borrow \$100 thinking you are going to have to pay back \$150 in two weeks? How desperate do you have to be to be in that position?

These sharks are out there. They are crooks. The sooner something is done about clamping down on what they are doing the better, but I wish the Attorney well because I tried for about eight years, and I only managed to get it onto the agenda. It did not even get to the communiqué. It might have actually once got into the communiqué at the bottom, 'and we will look further into payday lending'. What a relief that was for all my constituents! Anyway, on that happy note, I obviously agree with everything the member for Lee said. I could not have said it better myself.

**The Hon. S.K. Knoll:** 'I don't remember what he said, but I agree with what he said.'

**The ACTING SPEAKER (Mr Pederick):** Order!

**Mr COWDREY (Colton) (16:57):** I do not know where to start. I wish to thank the member for Enfield for his contribution to the debate; it was certainly entertaining. May I say I certainly have confidence that the Deputy Premier and Attorney-General is a strong-willed character and one who will hopefully make some headway in the matters that the member for Enfield has discussed.

I am certainly supportive of the Fair Trading (Gift Cards) Amendment Bill 2018, and there are many reasons for that. The first is that this is an election commitment that the government has made and part of our reform agenda, but more important than that it is a common-sense and practical solution to something that I am absolutely certain many South Australians have come across in their time.

As I am sure has been explained before now, the market for gift cards is extremely large. Federal Treasury estimated the number of gift cards sold in Australia last year to have been in the realm of 34 million, so we are not talking about a small number of gift cards. We are talking about an enormous number that circulate our country, but we of course are particularly interested in those that are sold in South Australia and those that are bought by South Australian residents. The odd part about gift cards is that the variety of expiration dates that currently exist in the market is vast.

Some gift cards can last three months, some can last nine months, some typically last around the 12-month mark, and others go beyond that, so the variety in what you receive for your dollar value can be extremely diverse. For this reason, the government wishes to introduce this bill to legislate the expiry date of gift cards with a dollar value to be extended and mandated to three years.

It provides greater flexibility to consumers, protecting them from unjustifiable and unfair expiry dates, but it also balances the needs of business as well around certainty and other reasons.

This piece of legislation comes under the Fair Trading Act. It is there and designed to increase consumer rights and protections, and that is exactly what this bill is designed to do. If we look at the reform that we have in mind in regard to gift cards, one of the important things is that this reform is designed to address the concerns of everyday South Australians. A number of the reforms that the Marshall Liberal government have introduced in this house, and will introduce in this house, are designed around the everyday South Australian. We are talking about reductions in the emergency services levy. We are talking about practical things that everyday South Australians understand and are affected by.

I have a fantastic electorate in Colton, one that neighbours the member for Lee's electorate and that of other members in this house, and there are several fantastic businesses that operate in the electorate. As a local, I frequent and visit those businesses regularly, as do many other constituents who live in Colton. Those businesses are like many others that produce gift cards as a way to give presents to family members or loved ones in exchange for a dollar value, or to give to other people for appropriate reasons, but having certainty around the dollar value that you purchase and then pass on to somebody else is certainly something I think is important and that South Australians believe to be important.

The Minister for Police and Emergency Services touched earlier on how popular this policy was when we were out doorknocking and campaigning during the most recent election. We talked about a number of policies that the hopeful Marshall Liberal government at that stage were looking to introduce and, as I said, the practical and common-sense reforms were those that I think stayed in the minds of South Australians more than any other.

This particular reform, amending the expiry date of gift cards to three years, was one that was very well received by people because it made sense, it was easy to understand and it was something that they wanted to see. This legislation has already been introduced in New South Wales, so there is precedence that this had already made an impact. Its introduction in other Australian jurisdictions has been positive, but it has also been introduced overseas. The US banned the expiry of gift cards back in 2009, and since that introduction they have seen a significant drop in the value of unused gift cards in the United States, so there is precedence that this does make significant impacts on the amount and the value of dollars lost by the consumer each and every year.

The minister also mentioned earlier in his remarks that nearly \$2.5 billion in value nationally is lost through the expiration of unused gift cards, which is a gigantic number for hardworking South Australians, hardworking Australians, using their money to buy vouchers that they deem to represent a dollar value. But then, within a designated period of time, whether that be three months, nine months or 12 months, when somebody forgets to use that card that value, that hard-earned money, disappears just like that.

The member for Narungga talked about having to explain to his grandma how he spent his gift voucher that was perhaps unused and had disappeared, and I think there were a few jokes made. But this is an issue that exists, not just in regard to family members giving each other gift cards. I am not someone who has this happen to me very often, but I am sure that many in the chamber have often had a gift card given to them, or a gift in general, that they perhaps did not like as much as the person giving it to them might have thought they would.

With the ability to regift gift cards, which I have done myself, having that extra two or 2½ years to find the appropriate person to give that card to, someone who would value that dollar amount at that particular store, is only a positive thing for the South Australian economy as well. The gifting of unwanted cards is a positive step from this legislation, but really the key points are the added flexibility, as I have mentioned, it is common sense, it is practical, it is easily understandable and it goes to address the huge value of working South Australians' money that is lost simply through the expiry of a gift card that may be lost, or possibly because the person may not have had the need or necessity to buy something in that period that is appropriate to that gift card. It is a positive step forward.



As members have said, we certainly hope that this is an approach that other states will follow. Hopefully, we will have a nationalised approach to ensure that all gift cards are captured. This is a positive step and covers a large number of gift cards purchased and used here in South Australia each and every year. It is also important to note that business and industry has started to move in this way. A number of major retailers and smaller businesses have moved to eliminate expiry dates, full stop. A number have done so recently—some since the introduction of the legislation in New South Wales—and others are looking to get rid of expiry dates on gift cards altogether, which is a positive step for the people of South Australia and Australia to have that dollar value available if they feel the need to use the gift card.

At this point, I commend the bill to the house. It is a sensible solution to an issue that has faced everyday South Australians for a long time.

**Dr HARVEY (Newland) (17:07):** It is with great pleasure that I rise today to speak on this bill, the Fair Trading (Gift Cards) Amendment Bill 2018. I am very supportive of this piece of legislation. It was a very popular commitment we took to the last election. As we have said time and again, we will be delivering on each and every one of our commitments, so this is just another commitment we are in the process of delivering to the people of South Australia.

Like so many of our policies, this is a very practical plan. South Australians are practical people, and they like practical solutions to the concerns and problems they face, so this is a great plan to help deliver greater consumer protection and greater consumer satisfaction. Certainly in the lead-up to the election, when I was out doorknocking or giving out shopping bags at local supermarkets, at street corner meetings, and all the different activities I got up to, this was a very popular policy.

This is especially true for Newland, given that Newland is home to the Tea Tree Plaza shopping centre, which obviously is a very large shopping centre with a wide variety of different businesses with different kinds of products and so many different vouchers and gift cards that can be purchased—very popular for all sorts of things. This is one of the reasons it resonated so well with so many people.

I am certainly very much in favour of using gift cards as a gift to many people. Often it can be hard knowing what to get someone. You do not always know what they already have or what they might like, but at least you can broadly get something that you think might be of some interest. I find my dad is a very hard person to buy presents for, but he loves a good voucher, particularly for purchasing a DVD or some kind of movie. His taste in movies is somewhat odd, so he usually gets to enjoy that on his own. He very much enjoys purchasing DVDs, particularly from the \$2 bins out the front of Big W or wherever else you can get those kinds of movies.

I have been a frequent receiver of gift cards, particularly in my childhood. Much of my family lives interstate and so it was much easier just to send a birthday card with a gift card in it. I used to thoroughly enjoy them; some of my favourites were for books. As I got older, I liked some of those other shops, more department stores. I did not like magazines so much, but certainly department stores where there was a bit more selection. There was a music phase, back in the day when we used to buy music physically rather than online, which seems like such a long time ago now. As I have got older, I think people also have a hard time working what to buy for me and so I remain a frequent receiver of gift cards.

One of the really big benefits I see from increasing the expiry time for gift cards is that whilst others, perhaps such as the member for Colton, need time to work out who to regift the voucher to, I usually like the voucher but usually end up misplacing it. Knowing that you have three years to find that gift card in the sock drawer or in the jumper drawer, or wherever else I have managed to leave it, is a good thing. It would certainly make my mum happy, because she often gets frustrated when I struggle to find some of these gift cards, as it would my wife because recently it took me a little while to find quite a substantial voucher, and I got into a bit of trouble for that. Having three years to find that would be very helpful. I am certainly very excited about the fact that those on the other side are supporting this and very excited that this will hopefully become law very soon.

It is a substantial problem for the country. We know that Australians lose about \$200 million annually on expired gift cards, which is an extraordinary amount of money. That is almost double

what we are committing to restore services to Modbury Hospital. It is an extraordinary amount of money. There is also a lot of variation in the terms and conditions of gift cards, with enormous variance in how long you have to redeem them. Some larger companies, such as Bunnings and Apple, do not have expiry dates, while others have quite short time frames. By legislating for a three-year expiry date, we are protecting consumers from unjustifiable and unfair expiry dates while balancing this appropriately with the needs of businesses by giving them certainty about exactly what it is that we are asking them to provide.

This bill forms part of a series of amendments to the Fair Trading Act, all designed to increase consumer rights and protections. It is also part of the broader government agenda of modernising regulations and reducing red tape. That is really key for us: reducing red tape. I know that just the other day when I was out meeting a number of local businesses within my electorate, we spent a good couple of hours talking about a whole range of different regulations unnecessarily imposed on them within this state. I am very proud to be part of a government that is committed to reducing red tape and really glad that this will form an important part of that.

What we are actually doing, as I have alluded to a number of times now, is protecting consumers by ensuring that gift cards have a minimum three-year expiry date. It is intended that this would not apply to reward or loyalty programs or to vouchers donated for charitable purposes. However, these exemptions would form part of the regulations to be drafted in consultation with businesses, subject to the bill's passing.

The bill is modelled on New South Wales legislation, which commenced earlier this year and which legislated for a three-year expiry date, as we are intending to do here. Consumer and Business Services will be responsible for enforcement and compliance. Note, though, that funding for a public education campaign in respect of these changes is being sought in a subsequent bill to address the very important issue of ticket scalping. The effect on business through these changes is expected to be negligible.

Given a federal constitutional guarantee, this bill does not apply to online or over-the-phone purchases where the gift card is delivered to an address outside South Australian borders or the consumer is not ordinarily a resident of South Australia. Minimum expiry dates for gift cards is listed on the agenda for the national Consumer Affairs Australia and New Zealand meeting. In addition, the federal government is considering adopting uniform laws to bring the country in line with the New South Wales legislation.

As a parent of young children, I certainly know that they are now starting to receive many gift cards. It would be very disappointing for them—not only my misplacing the card—if in only three or six months' time, or whatever the expiry happened to be, they realised that their gift card was no longer valid, essentially because of me. It would certainly take a lot of pressure off me by allowing more time to help find that gift card so that they can go out and purchase whatever it is they want. That said, and given that my kids do have a very short attention span, it is unlikely that I would have the time to lose one of their gift cards, as we would probably be heading out somewhere very quickly to purchase something with it.

As so many others have said today, I am very pleased to support this bill. It is a very practical measure, like so many we have committed to in government. I commend this bill to the house.

**Mr BASHAM (Finniss) (17:17):** I, too, rise to support this bill. This is an issue that I have certainly had discussions about at home, with gift cards that have been misplaced and found at a later date, and it always seems to be my fault. I guess the really tough thing, as the member for Newland just raised, is when children's gift cards are misplaced.

The difficulty for parents is that it is the parents' responsibility to understand that gift cards have an expiry date. It is not uncommon for the parent to have to honour the gift card out of their own pocket if the expiry date has been exceeded. Giving that sort of time frame is really important for parents and children, so that hopefully the responsibility can move to the child as they become old enough to understand what an expiry date is.

Personally, I am not a great shopper. I actually love when people give me a gift rather than a gift card, because it means that I do not need to go and choose a gift. So if people are thinking about a gift in 16 days' time when I turn 50—which is a bit scary for me, reaching that milestone—I

would actually rather a pair of socks than a gift card. If that is out there then, please, any pair of socks, I do not mind. It is a real challenge, though, for some to work out what to get people, so I certainly understand the need for gift cards.

We often go out looking for gifts for our friends and family, and it is certainly a very difficult process to try to work out what people need and want. The gift card has been a great invention to enable the public to give something to one of their friends or family to allow them to purchase something within a range. The fact that we give it for a particular store is still giving some thought to the person about what we are giving so that it is not just a blanket \$20 note in a birthday card. It is putting a little bit of thought and effort into it, trying to think of what they might like and helping to direct them to where they might like to go to make a purchase. I think it is really important.

But, again, to get to the end of an expiry period and the next day it be worthless is a very difficult thing for people to manage and understand, because it is frustrating to have that card go from a value of \$50 to nothing overnight. I think it is a great thing that the commitment was made by the Marshall government to put this in place and I am glad we are doing this. I think it is something we need to work forward.

I must admit, though, that one of my great pleasures in life was receiving my birthday and Christmas money from my grandfather. After my grandmother died, he never bought Christmas presents but he wanted to give something to the family members. He went to enormous effort to do this. He would go to the bank and order brand-new banknotes for all the family. He would give them a list. His children would get a \$100 note, his grandchildren would get a \$50 note and his great-grandchildren would get a \$20 note. He would break it up into the categories, give the form across to the teller and ask for brand-new notes. It was a really nice thought and that was his effort. He did not have the option of gift cards. Gift cards would probably have been an easier option for him but banknotes were the precursor.

As we move away from cash, as cash is becoming much less common, we need to move towards something else we can manage. To me, gift cards are certainly a great alternative, but we need to make sure that the value is there for a long enough time for people to use that value. Shopping is a very interesting thing for people to do. It is certainly not my forte by any means. I have other family members who love shopping, particularly on my wife's side of the family. It is not just my wife but other family members around her who also love shopping—her sister and her mother, for instance. They go out shopping on a regular basis.

**The Hon. S.K. Knoll:** We should have a shorter expiry on the credit cards.

**Mr BASHAM:** It might be very helpful in some circumstances but I would not like to say it is a necessity. They very much enjoy it and shopping is a wonderful pastime for many people. To me, gift cards give the opportunity for shoppers to enjoy that experience as a gift from someone else. They also allow you to use the value of the gift card alongside whatever you want to top it up with. I think there are many opportunities for us to go down that path to see what we can do. As a dairy farmer, if someone gave me a gift card to buy a new tractor, for example, I would have been out there the next day.

*Mr Cowdrey interjecting:*

**Mr BASHAM:** It would be a lovely gift card to get the gift of a new tractor, but you cannot expect that sort of thing to come. The size of the gift card should not really matter. Whether there is an expiry date of the next day or three months—

*Mr Cowdrey interjecting:*

**Mr BASHAM:** Yes, the cards themselves are definitely the same size but the amounts can vary, so it is very much about how we can make it fairer for people as they do their shopping. The variety of gift cards out there is now enormous. We are seeing gift cards not just for general stores but also gift cards that go from store to store, and we are seeing gift cards that can be used for a variety of businesses. There are many options out there now. The shopping process is enjoyable to a lot of people.

I guess the thing I would like to see, as people think about my birthday present, and as mentioned before, is that maybe socks are not the only option out there—

**Mr Teague:** A tractor.

**Mr BASHAM:** As the member for Heysen says, a tractor would be lovely. Even though I am not farming anymore, I would be more than happy with a new tractor for my birthday. That would be great. I would really enjoy getting a brand-new tractor for my birthday, but I do not expect it, member for Heysen.

The variety of things out there that we can buy, and the variety of the ways we can buy them, is enormous, and we have to keep up with the changes that are occurring in the practice of these transactions. This is what this bill is doing, making sure we are keeping up with the changes occurring in the way shopping takes place. We have seen the tap-and-go method for shopping, so cash is slowly disappearing. Cash is certainly not going to be a common way of handing on a gift to a family member or friend.

**An honourable member:** More's the pity.

**Mr BASHAM:** It is more's the pity. Cash is a lovely way to transact. It is nice to have the readies in your wallet, but the convenience of tap and go makes it much easier for businesses, so we have to manage that going forward. As cash is slowly disappearing, we are seeing a complete change in the way people choose to do their shopping as well. It is not just going into the store, and that is where we might see these online shops still accepting gift cards out there, finding a method to do that as well. We have to make sure that we continually think about the changes in our shopping habits going forward to make sure that our life habits are still maintained.

I go back to the great enjoyment some people get in shopping. To go out and buy a gift for someone is a wonderful thing, but the difficulty of choosing something someone actually wants is really tough for many people. I know that my family is enormously frustrated with me because when they ask what I would like for a present my standard answer is 'nothing'. I think I have everything I want in life really: I have a lovely family around me, I have all the worldly goods I really desire around me and I do not want anything special from anyone in particular—apart from a tractor from the member for Heysen.

I certainly do not think it is something someone has to go out and rack their brains over, trying to work out what to give me. If they really want to give me a gift I am more than happy with a gift card, but having that extra time on the gift card to redeem its value means that when I get to my next year's birthday of turning 51 I will think, 'Oh, someone probably gave me a gift card last year. Maybe I should go and check the drawer where I put it to see whether it's there.' That is really what reminds me each year that I might have a gift card—that someone gives me another one.

When you get out that gift card and discover that they bought it a month before your birthday and find it has now expired is a little frustrating, so to extend it out to that three-year period is a great thing for us to do. I think there is a real opportunity for this bill to actually solve that issue and allow people to have the time needed to redeem their vouchers, their gift cards that they have, and enjoy the gift that the family member or friend has given them.

Thank you very much, Mr Acting Speaker, for the time allowed to talk on this bill. Thanks for allowing me to talk about us taking the opportunity to make this change. I commend this bill to the house and thank the house for its time.

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (17:30):** I rise also to make a contribution on the Fair Trading (Gift Cards) Amendment Bill 2018 and say that my support for this piece of legislation is longstanding. I will explain why in relatively short detail in a moment, but I just outline that we are doing this because there is approximately \$200 million annually in expired gift cards, and this is money that ends up in the hands of businesses all across the country instead of in the hands of worthy consumers across our country and our state.

There is always going to be a natural tension, I think, between consumers and businesses, and on this side of the house, whether it comes to shop trading hours, whether it comes to lower

taxation or whether it comes now to protecting consumers in relation to the expiry of gift cards, we will stand up for the side of the public, and we will stand up on the side of the broader community.

I used to travel to work a reasonably long distance, and I would listen to the radio. When I was a bit younger I did listen to FM radio. I was listening to Nova FM one morning, and around 20 past six they used to have a quiz. I would listen to the people who would call in; most people, I am sure, never call in. I think at the time Jules Schiller was on the show. The topic that they were going to do a quiz on was: we will give you a suburb, and you have to tell us what federal seat that suburb is in. I very quickly deduced that there was going to be a very limited number of people who were listening to Nova at 6.20 in the morning who would know exactly where suburbs are in terms of which federal electorate.

I pulled over to the side of the road and called in to take my chances. I was wondering, because I was a little bit late, and you had to get five questions right. Caller number one was a man named Clinton, and I desperately, desperately wanted Clinton not to get the answer, not knowing how far back in the queue I was. Clinton dutifully did get the first question wrong; I was the second caller. I had to go through five questions, and I got every single one of those five questions right. Jules Schiller remarked at the time that I must be some sort of political tragic nerd. The answer is yes.

Anyway, my prize, which I went to Nova to pick up, was a \$150 gift voucher to a men's salon. I was really excited by my prize. I tucked it away in my bag, really excited about the fact that I had participated in interactive radio, and forgot about it, like most people do, for a long period of time. It would have been 18 months later when I fished out this thing. I rang the people up and said, 'I won this prize on Nova a while ago, and I'm just ringing to collect.' The answer on the other end of the phone was, 'No, you only had six months to redeem this, and you haven't, so therefore no dice.'

Me being a little bit shy and retiring on the phone, I did not want to sound like I was a cheap mug, so I booked a session anyway. It is the only time I have been to that salon. But after that time I thought that I had put a lot of effort in and used some very specific, specialist knowledge, which is of use to very few people, to good use on morning FM radio, and I was incensed by the fact that time had stopped me from claiming my just rewards.

That is one example of many as to why this piece of legislation is extremely important. This salon would be captured by this legislation, and that is why it is extremely important—so that part-time, nerdy psephologists can ensure that they get the free haircut they so richly deserve for participating in radio quiz shows.

There is another side to this equation, that is, that this is going to have an impact upon businesses and small businesses, including small businesses in the electorate of Schubert, where we have small B&B operators and small tourism operators providing experiences who provide gift cards. This is going to mean that those businesses are going to have to keep on their books this outstanding liability, not for 12 months, as in the case of one business I was speaking to, but for three years.

This is going to create a very real liability that is going to sit on the balance sheet of small business right across our state for a longer period of time. They have to account for these things anyway, but they are going to have to leave them on their books for a longer period of time. This is why there is that balance and tension between protecting consumers and protecting small and large businesses. The fundamental principle that the Liberal party room came to in deciding on this policy before the election was that if somebody pays to get a potential future service they should have that service delivered—if the company gave out that gift card in good faith, the person should be able to redeem that gift card—and that three years is not such a long period of time to be able to deliver, especially for some of the more specialist experiences such as we have in the Barossa.

It is important that we protect consumers in this way, and it is important that we also ensure that people get the services that they so fairly paid for. It has always intrigued me to know where the money from the gift cards of those who do not redeem them ends up. We can all reasonably assume that it ends up in the bottom line of businesses, large and small, across the country. Again, that is why a measure like this helps to ensure that the balance is ever more perfect between business on one side and consumers on the other and that South Australians can have greater confidence that

they are going to be able to redeem over a longer time frame the services that others have paid for on their behalf. As our lives get busier, it is sometimes more difficult to redeem vouchers within a short period of time. This is a very sensible measure and one that I support.

This is one of the very practical measures we took to the election, where we said that we would not back vested interest but that we would back the broader community at large. This legislation is very much in the same spirit as our desire to deregulate shop trading hours. We are not here on the side of vested interests and we are not here on the side of sectional interests; we are here on the side of the broader community. We are also here to provide, in this example as well as in shop trading hours, a level playing field.

This government does not seek to pick winners and losers. This government seeks to provide a permissive, low-cost level playing field for all businesses, and in this case we are largely talking about retail and service-driven businesses. We want to provide a level playing field for businesses to go out and compete because we know—and history has shown this time and time again—that when we put appropriate mechanisms in place to make sure that there is enough market participation to have genuine competition the system works. Again, this is an opportunity for us to provide a level playing field, a guarantee for consumers and certainty and consistency for business so that they can compete equally.

With those words, I support the bill and note the good work of the Attorney-General and also the Minister for Police, who has been a real driving force for this policy within our party room. I commend it to the house, and I look forward to it being in place so that all South Australians can get their just rewards.

Debate adjourned on motion of Mr Teague.

At 17:40 the house adjourned until Tuesday 5 June 2018 at 11:00.