

HOUSE OF ASSEMBLY

Tuesday, 4 December 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 the parliament is assembled and the custodians of the sacred lands of our state.

Bills

ROAD TRAFFIC (EVIDENTIARY PROVISIONS) AMENDMENT BILL

Introduction and First Reading

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (11:01): Obtained leave and introduced a bill for an act to amend the Road Traffic Act 1961. Read a first time.

Standing Orders Suspension

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (11:02): I move:

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

The SPEAKER: I have counted the house and there being absolute majority of the whole number of members of the house, I accept the motion. The motion is seconded.

Motion carried.

Second Reading

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (11:02): I move:

That this bill be now read a second time.

On Thursday 19 July 2018, the South Australian Supreme Court published three significant judgements about the use of handheld Lidars, or laser speed guns, to detect vehicle speeds. These cases all relied on the argument used in a 2016 Supreme Court decision that resulted in speeding charges against the defendant being dismissed. The issue in each case was the reliance by prosecution on a certificate to prove the accuracy of the speed guns used to detect the speed of the vehicles in question.

In each case, the prosecution relied on a certificate that stated the speed gun was tested and found to be accurate within a limit of error not exceeding plus 3 km/h or minus 3 km/h. Justice Peek in his 2018 findings found that the prosecution was not entitled to prove the accuracy of the speed guns through the tendering of the certificate. The Supreme Court did not say that the speed guns were inaccurate, only that the prosecution could not prove that the devices were accurate by relying on the certificate.

It would be costly for the prosecution to prove the technology behind the speed devices in every case as this method would require experts to give evidence at every trial. To avoid this, the law allows a reliance on certificates, signed by a senior police officer, that certify the accuracy of the speed gun that has been used.

Speed guns are required to be calibrated every 12 months in accordance with the Australian standards. When a speed gun is calibrated, a report is issued which states that the gun is accurate to within a specific margin of error. In addition, police are required to perform a number of daily tests, as prescribed by the manufacturer.

These tests are recorded as pass/fail. The law requires that these tests are performed on the day that the device is used. The results of these tests are then used when producing the certificate. Justice Peek held that in the three cases the prosecution could not rely on the certificate because the evidence of the daily testing by police did not show that the devices were accurate to within plus 2 km/h or minus 3 km/h; instead, they just recorded a pass/fail.

The finding in all three cases was that the defendant did not need to prove that the device was inaccurate but only that the daily testing done by police did not prove that the device was accurate to what was stated in the certificate; thereby, the certificate could not be used to prove that the device was accurate to that extent and the speed of the vehicles recorded by the devices could not be proven. So in terms of the amendments for the Road Traffic (Evidentiary Provisions) Amendment Bill 2018, the bill is designed to address adverse court outcomes relating to the Lidar traffic speed analysers used by SAPOL. There is only one amendment to be made—inserting section 175(3)(baa).

The proposed new section 175(3)(baa) provides that, with respect to the accuracy of speeds recorded by any traffic speed analyser that is not a camera, the Commissioner of Police or an officer above the rank of inspector will be able to sign a certificate specifying a date on which any traffic speed analyser was tested in accordance with either the appropriate Australian standards or, in the absence of an Australian standard, the manufacturer's specifications.

This new provision reflects similar provisions in Queensland and Victoria and provides that this test is valid for one year following the testing. These amendments will bring South Australia in line with interstate jurisdictions.

Road safety is the key issue here. SAPOL have withdrawn Lidar speed detection devices and will not resume them until the appropriate legislative changes have been made. Lidar is more effective in built-up areas or where structures are built close to the road. The withdrawal of Lidar removes a valuable tool to prevent motorists from speeding. Speeding is a significant cause of death and injury on our roads.

I implore all the house to support this amendment to ensure SAPOL are equipped with the resources they need to do their jobs and make our roads safe. Again, I stress that SAPOL does not consider the devices unreliable; rather, the evidentiary requirement has proven more complex than anticipated. While the Lidar devices will not be used to enforce speeding offences until the legal situation is resolved, other options are available to ensure SAPOL continues its road safety focus.

Motorists would be unwise to think this decision creates any gap in our attention to road safety or shortfall in enforcement. Any person who has been issued with an expiation notice from a police officer who they believe was using a Lidar device and has not paid that notice as yet can apply for a review and this will be considered on a case-by-case basis as per the normal process of review.

I commend this bill to the house.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal. The measure comes into operation on the day on which it is assented to by the Governor.

Part 2—Amendment of *Road Traffic Act 1961*

3—Amendment of section 175—Evidence

Clause 3 of the measure makes several amendments to section 175 of the Act. Clauses 3(1) and (2) of the measure limit the current evidentiary provision in section 175(3) of the Act to traffic speed analysers that are also photographic detection devices. These subclauses are consequential on the amendment to section 175(3) proposed by clause 3(3) of the measure.

Clause 3(3) of the measure inserts new paragraph (baa) into section 175(3) of the Act.

New paragraph (baa) is an evidentiary provision that relates to traffic speed analysers that are not photographic detection devices. It provides that if the prosecution produces a certificate by the Commissioner of Police

(or a police officer of or above the rank of inspector) certifying that such an analyser was tested on a specified day in accordance with an appropriate Australian Standard (or if there was no Australian Standard in force on the day of testing, the manufacturer's specifications) and was found to be accurate to the extent indicated, then the certificate is proof, in the absence of proof to the contrary, of the accuracy of the analyser to that extent not just on the day of testing but also during the period of 1 year following that day (and is proof of that accuracy whether or not the analyser is used during that year in relation to vehicles of different speeds from those involved when the test was carried out or is used in different circumstances from those that applied when the test was carried out).

Parliamentary Procedure

VISITORS

The SPEAKER: I welcome to parliament today year 6 and 7 students from Salisbury Primary School, who are guests of the member for Ramsay. Welcome to Parliament House.

Bills

ROAD TRAFFIC (EVIDENTIARY PROVISIONS) AMENDMENT BILL

Second Reading

Debate resumed.

Mr ODENWALDER (Elizabeth) (11:09): I rise to speak on the Road Traffic (Evidentiary Provisions) Amendment Bill 2018. I indicate that I am the lead speaker on this bill for the opposition and, indeed, I will be the only speaker as I am advised that no-one else on this side intends to speak on this bill in order to ensure its very speedy passage through this house.

The SPEAKER: Thank you.

Mr ODENWALDER: We were advised late last week of the need for this bill. I will not go over the reasons for the need for this bill as the minister has outlined them. I agree with them. I agree entirely with the minister's reasoning and with the reasoning of the police, and that is why I agree with the police assessment that this is an urgent measure that we need to take. As a result, I will be extremely brief in my comments.

Clearly, it has become impossible for SAPOL to prosecute these offences. These judgements have made it clear that, because of this technical loophole in the certification process of these devices, any future prosecutions under the current legislation are extremely unlikely. That is why I agree with the measures outlined in this bill, the measures sought by SAPOL, and I agree with the urgency of this measure.

I also echo the minister's view that there is no reason at all for us to believe that these devices are in any way inaccurate. There is nothing in any of these judgements that I could see that even suggested that these machines were accurate. This is a purely technical loophole in the bill which needs to be addressed and should be addressed very quickly. We need to pass this bill very quickly so that the police can get on with doing their job of keeping our roads safe.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:11): I rise to speak on the amending bill to the Road Traffic Act 1961 to deal with the Lidar traffic speed analysers. I do not think I have actually ever seen one of these, but I understand that we have 190 of them in South Australia and that they are used to aid and support the detection and ultimate prosecution of speeding users of the road. That is not to say that I am not without some fault in this area. I am probably South Australia's worst driver, so I will not be talking about driving records.

I was rather disappointed to hear the lead speaker for the opposition indicate that he was the only speaker. I was looking forward to hearing the member for West Torrens, who is the sort of king of road traffic offences, the lead foot from the west. Nevertheless, it seems as though we are going to be without his wisdom in relation to this.

I am a little disappointed to hear that there is not going to be—or so far—any contribution from the opposition. As much as I welcome the indication from the lead speaker for the opposition that they are supporting the bill, I would have thought that, whilst we are certainly looking forward to the passage of this bill through both houses of parliament, let's not forget that the former government over two years, having been alert to this problem, did nothing about it.

I am a little concerned that the opposition, under the guise of having to deal with something quickly, is not coming to the parliament to perhaps explain why the former government had done nothing since 2016, especially as the Leader of the Opposition is now in this parliament and able to make a contribution on this. As the former police minister in the former government, he should make a statement about why we did not need any legislative reform to deal with the defects that were identified and highlighted back in 2016. The other thing I would note for the record is how sad I am—

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —that the Hon. Bob Such is not here in this parliament to hear this debate finally. Those of us who have been here for some time—I know the Clerk of the House has been diligently working here for a long time—can remember the passionate speeches, many of them—

Ms Bedford: From that very spot.

The Hon. V.A. CHAPMAN: And the member for Florey, of course, would remember from about six metres left of her in the chamber was the Hon. Bob Such plaintively pleading for justice in respect of a speeding offence which he had received and for which he was seeking some redress. All he wanted at the time was the opportunity to have the speeding device analyser produced for the purposes of expert examination and testing. He was never granted that. He was certainly passionate in his pleas to us in the parliament to do something about it. I am very sad that he is not here to finally see this day come after a litany of litigation about these matters, including his own case, which I think is meritorious to review.

As the lead speaker, our Minister for Police pointed out that this is not a piece of legislation that is coming to us to remedy any defect in the speed detection analysers that we are talking about, these Lidar guns. It is all about the certification and a process, which was introduced by the previous government, essentially to try to minimise the cost and inconvenience to police as prosecution witnesses in these types of cases. That is meritorious, obviously, to present a model which will try to minimise costs but, when it is deficient from the point of view of providing compliance with the principles of the law, then obviously we as a parliament have to revisit it.

In this case, the Commissioner of Police announced last Thursday that, on the advice they had received, he was withdrawing 190 of these devices from use in the detection and prosecution process for those who were allegedly committing speeding offences and that, as a result of the deficiency in certifications, he would be recommending and requesting that the parliament initiate some statutory reform. Consistent with that, I commend the Minister for Police for promptly advising the parliament, and thereby the public of South Australia, of what we were facing and what needed to be remedied.

As quickly as possible, he alerted the public to the fact that this government would institute a statutory remedy to ensure two things, most importantly. Firstly, although some pending prosecutions would be lost, there will be active re-use of the guns with that certification, with a new certification procedure to ensure that it could continue; secondly, and most importantly, to make sure the public is aware that this government takes road safety very seriously. We need to ensure that we act as soon as practicable, particularly as we have the holiday season approaching, which seems to attract a higher level of injury and death on our roads, and we have.

In that regard, we welcome the opposition's prompt consideration of this matter in advance of what would normally be the process of delay to enable consultation and the like. The bill before us has the blessing and approval of the Commissioner of Police. I want to mention that because last week, when the commissioner announced the need for statutory remedy, he sought additional clauses to deal with the remedying of this matter, which at first blush seemed to be a reasonable request.

He requested a further amendment to section 175 to permit the prosecutor to tender a certificate that the traffic speed analyser was used by the respective police officer in accordance with the appropriate Australian standard and, if there is no appropriate standard, in accordance with the

manufacturer's specification as proof of the facts certified in the absence of proof to the contrary. This was deemed later to be unnecessary under review of the Crown Solicitor's advice.

SAPOL had also requested an additional amendment based on section 141—that is the rebuttal of evidence concerning traffic speed analysers—of the Road Transport Act 2013 (New South Wales) to designate that evidence in court that contradicts or challenges the accuracy or proper operation of a traffic speed analyser (that is not a photographic detection advice) may only be admitted from a person who has relevant specialised knowledge. Again, this was identified as being unnecessary in respect of the process of reforms.

I think it is fair to say that whilst one tries to close every loophole, with legislation, sometimes by repeating what is already the case or what is a different process can cause confusion, and the last thing we want to do is create a situation where there is a process in respect of admissibility, burden of proof and/or the obligation as to what the terms and conditions of a challenge would be if they are inconsistent with another process.

That is the last thing we want to do: create another problem that would challenge the court's capacity to operate. Again, I commend the Minister for Police for acting on the matter and place on the record my appreciation of the very prompt work undertaken by the Crown Solicitor's Office in the Attorney-General's Department to try to ensure that the terms of reform are going to be the most appropriate.

I would like to say something about what happened in July this year because Justice Peek of the South Australian Supreme Court handed down three judgements: *Police v Hanton* [2018] SASC 96, *Police v Miller* [2018] SASC 97, and *Police v Henderson* [2018] SASC 98. All three judgements, as identified by the Minister for Police, dealt with the question of operational police using traffic speed analysers, the Lidar device, in relation to speeding offence detections.

At the trial, prosecution and the officer of the police—that is, of the rank of inspector or above—tendered a certificate pursuant to section 175(3)(ba), under Evidence, of the Road Traffic Act. Members will know how that reads; it sets out a certain documented procedure for the proceedings of an offence against the act in the use of these devices. Justice Peek, in these judgements, held that the prosecution was not entitled to prove the accuracy of the TSA through tendering the certificate. Obviously this brought into question the capacity to successfully prosecute in those cases and in a number of others.

Without revisiting those, because I think they are well known to members, there are two things I want to place on the record. One is the police procedure as best I understand it, what they have been doing, because I want it to be clear, and I think the parliament is entitled to appreciate, that there have been existing practices in terms of how these things have operated. My understanding is that SAPOL, in accordance with the Australian standards and the manufacturer's handbook for the two approved traffic speed analysers, requires operators to test their particular traffic speed analyser unit before and after commencing operations every day.

Current testing processes used by SAPOL involve the operator conducting a series of field tests. These field tests are described by Justice Peek in the decisions I have referred to as the five-step test plus calibration check. They comprise: (a) a visual test, which is checking for damage to ensure the calibration is current and seals are not damaged or missing; (b) a self-test of the internal circulatory unit by pulling the trigger or turning the button on the check for an error code; (c) the display test, checks the in-scope and rear panel display segments to ensure they are working; (d) scope alignment test to ensure the scope is aligned with the transmitted light beam; and (e) fixed-distance zero velocity test confirms the unit's ability to accurately measure time and calculate distance and speed.

The fifth test, the fixed-distance zero velocity test, involves measuring the velocity of a stationary object from a fixed and known distance away. For example, the speed gun is trained on a stationary target 20 metres away and returns a reading of zero kilometres and 20 metres distance. If the speed gun returns a reading within plus two or minus two kilometres of the true velocity zero, and a reading within plus 20 or minus 20 centimetres of the true distance of 20 metres, the speed gun passes the test.

In accordance with the Australia Standards, a speed gun must be laboratory calibrated every 12 months. This involves testing the device using the simulator method prescribed in appendix A of AS4691.1 to ensure that the speed measurements are accurate within a range of plus 2 or minus 3 km/h and range measurements are accurate within a range of plus 0.3 or minus 0.4 metres. A certifying officer under section 175(3)(ba) receives information confirming that the speed gun has passed the five-step test on the day of the detection, and a certificate confirming the speed gun has been laboratory tested within a period of 12 months prior to the detection.

There is a certain process of the evidentiary form to be completed. That process preceded, I suppose, what has been the then reliance on the certificates, on the face of it, to determine that the burden of proof shifts then to the defendant to establish to the contrary rather than the evidentiary burden of proof on the police.

Apart from being disappointed that the former government did not fix up this mess and Justice Peek having to deal with a number of these matters, I think it is important to appreciate that this is not something that the former government would have been blind to, because there have been previous cases. Let's just be clear: Justice Peek concluded in his determinations that if a defendant can point to sufficient evidence in the case that the averred specified tests did not occur at all or, if they did occur, they were not capable of establishing or did not establish the specified level of accuracy, the main presumption may, ipso facto, fall to the ground.

Both before and after the Young case, there were a series of cases in which the appellant failed to adduce sufficient evidence to discharge the onus. One, in *Such v Police*—that is, the Hon. Bob Such—it was argued as a matter of logic and science that a test involving a fixed object could not give rise to a valid result of plus 2 or minus 2 km/h because the test described did not involve measuring the accuracy of the speed gun against a moving target.

Those tests were incapable of resulting in a measure of accuracy of speed assessment which could be assessed as plus 2 or minus 2 km/h. The Full Court concluded in the absence of evidence having been adduced at trial that no conclusion can be reached by this court about the suitability of the fixed-distance check to assess the accuracy of speed measurement.

In the case of *Young*, the appellant tendered evidence regarding how the fixed-distance test should be conducted. The evidence established that the measured distance used by the other officer to conduct the fixed-distance test were measures to be slightly more than prescribed. The attempt to impugn the test failed. The appellant called no expert evidence as to the meaning and significance of the factual matters upon which he sought to rely. There was sufficient evidence to constitute proof to the contrary.

In the case of *Wyatt*, the magistrate concluded that, as a matter of common sense, the tests do not show the accuracy of the device and clearly not within the purported limit of error. Justice Kelly in that case held that simply raising questions about the testing process in cross-examination did not prove on the balance of probability that the tests were incapable of showing the accuracy of the device.

In *Butcher No. 1*, which has been referred to, the defendant submitted that the presumption was displaced because the certifying officer only had before them a notebook containing the words 'test' and 'two times'. It was submitted without evidence of the actual test performed and the results of those tests. The certifying officer could not be satisfied of the matter certified. In a passage that was implied but not adopted by Justice Peek in the *Hanton* and *Miller* cases, Justice Stanley stated:

A submission that the police officer could not as a matter of fact have been satisfied with the matter certified in the document misunderstands the very intent and purpose of the statutory provision. The purpose of the certificate is to establish a statutory presumption without regard to the facts. In effect, it reverses the onus of proof. It shifts the onus to the person to discharge the evidentiary burden of disproving the facts certified in the document. That is not achieved by pointing to the absence of sufficient evidence of the facts certified before the relevant police officer.

Butcher No. 2 was also a decision of Justice Stanley in 2016. Much has been said about that case, particularly by the former minister for police, Mr Malinauskas. I am disappointed that we have not heard from the opposition as to why all these matters were left unattended to, but let us be clear: we are sorting the mess out. It is another Labor mess. I am very proud of our Minister for Police in getting onto this immediately, and we will ensure that this is remedied as quickly as possible.

Mr TEAGUE (Heysen) (11:31): I rise to commend the bill to the house. In doing so, I want to observe at the outset that, as South Australians, we comply with the law. In complying with the laws of our state, members of the South Australian community have every right to do so with the requisite confidence in the system, particularly in relation to summary offences and the police matters that are the subject of the bill.

This is not an occasion for a debate about the relative merits of enforcement measures in place to ensure road safety in this state insofar as the cameras that are the subject of the bill relate directly to the detection of speed. It is also not an occasion to look at other compliance measures that police on the roads are engaged in enforcing, including the use of seatbelts, the recognition of the effects of alcohol and drugs and other matters contrary to the interests of safety on the roads.

Insofar as we are concerned with the efficacy and appropriateness of the use of speed cameras for road safety, we have committed to and are prosecuting an audit of speed cameras. It was an election commitment that we are pursuing to ensure that speed cameras are used in the interests of road safety so that we can have maximum confidence in the system. I understand that work is well underway.

We come to debate this bill in circumstances of some urgency in a very narrow frame, particularly in an evidentiary context. I am pleased to hear that the opposition supports the hasty passage of the bill in both houses, as I would observe is appropriate and welcome. The bill should proceed without delay. It is appropriate to note at this time that the bill before the house and the amendment that is the subject of the bill come against the background of three recent decisions of Justice Peek.

More fully, they really come against the background of those three decisions of Justice Peek and the 2016 decision of Justice Stanley in the case of *Police v Butcher*. To be even more particular, the three decisions that were published by Justice Peek on 19 July are really two matters that came before him in May this year, and the third matter, *Police v Henderson*, was one that came before him a year ago and was only the subject of reasons more recently because the problem had persisted.

I will walk through those steps because it ought to be clearly understood that, in the matter of *Police v Butcher*, the decision of Justice Stanley, handed down on 17 August 2016, was a magistrate's appeal. It was a matter in which the magistrate had made the observations that are, relevantly, now the matter that is being remedied in the bill. This really all stems from the vindicated observations of the magistrate before the matter came before Justice Stanley in *Police v Butcher*, which related to speeding charges that were alleged to have occurred in 2012.

As the Attorney-General has observed, this is a matter with some history, not just in recent weeks and months but over a period of several years. It may be apposite to observe that the minister for police between 19 January 2016 and 18 September 2017, now the Leader of the Opposition, was minister for police at the time that Justice Stanley made his decision in *Police v Butcher* and so was in a position, I expect, to be fully apprised of these matters over at least that time period and in all of the time since.

Before fast-forwarding from *Police v Butcher*, I want to make observations about the way in which these matters are routinely dealt with. I observed at the outset that this is a matter of summary procedure in which the confidence of the community of South Australia is very important. As many of us know, and some of us have experienced, the vast bulk of offences that are the subject of charges under the Road Traffic Act are dealt with by way of expiation notice, that process being one in which a bargain of sorts is struck between the police and the recipient of the notice, with a view to minimising procedural cost and ensuring that a matter is expedited.

In the vast bulk of these cases, a person who is issued with a notice effectively admits guilt and pays the fine, and the matter is disposed of in that way. In the event that a person does not admit guilt, the matter goes to trial, and in all these cases that are the subject of recent appeals it will be heard at first instance by a magistrate. The magistrate will need to determine whether or not the charges are proved by evidence.

It is at that point that there is a further opportunity, at the evidentiary level, for there to be, for want of a better term, an evidentiary shortcut, a procedural convenience. That is made available to

police, as the act currently stands, in accordance with section 175(3)(ba) whereby police are afforded the opportunity to tender in evidence to the court a certificate that, in the absence of evidence to the contrary, will establish that the machine that was measuring the speed was doing so accurately.

It is in the circumstances of that procedural shortcut that the focus has turned when it comes to proving charges that are often initially the subject of an expiation notice and then find themselves needing to be dealt with in the courts. The person responding to the charges is then, by virtue of the certificate, placed in a position where they have an onus, unusually, to establish that the certificate ought not be relied on.

As the minister has pointed out, we are dealing not with circumstances in which the camera used to detect the offence is inaccurate or that any of the elements of the offence have not occurred, but a process by which police are able to conflate and shortcut the procedural burden of having to prove all those things. As Justice Peek has recently observed, the police have for some years gone about the process of preparing a certificate according to a five-step test, and it is that which has been impugned, and it is with a view to remedying the appropriate effect of tests that are used for the purposes of the certificate that the bill now sets out to amend.

I want to make the further observation that Justice Peek has been moved to deliver what are exhaustive reasons, particularly in relation to the two recent matters of Hanton and Miller, against the background of having handed down judgement in Henderson. It is important to note that Henderson is a case that came before the Supreme Court on appeal around a year after Butcher. Unlike in Butcher, where the magistrate had found the problem and Justice Stanley upheld the correctness of the magistrate's decision in finding that the certificate could not be relied on, in Henderson it was the other way round.

In Henderson, the magistrate had found that the charges were proved. When the matter came before Justice Peek on appeal, Justice Peek pointed out that the magistrate had erred and prosecution withdrew the charges, so there was no hearing at the time and no reasons handed down at the time. There were some observations made by Justice Peek on handing down those reasons a year ago to counsel who appeared on that occasion, effectively pointing out: 'Hang on. A year ago at that time, we had Justice Stanley's decision in Butcher. I,' that is, Justice Peek, 'have had to correct the decision of a magistrate based on the same authority. Prosecution has noted that and the matter has been dealt with, but you're on notice. How are you going to respond?'

Some reference to that context is set out in the reasons of Justice Peek at paragraphs 5 through 13 of his reasons in Henderson; I will not read those out. Suffice to say, Justice Peek is really making the observation that in fast-forwarding to Hanton and Miller—the matters that came on before him earlier this year—he has moved to deliver reasons in Henderson, it would appear, because in his observation the message does not seem to have got through and so here we are. I hasten to note that each of the decisions involved somewhat different circumstances but, importantly, all of them involved speeding at some considerable margin above the relevant speed limit.

I think in Hanton, a matter involving speeding on a motorbike at Greenwith, the defendant was alleged to have been travelling at 126 km/h in a 60 km/h zone. In Henderson, a matter involving alleged offences by a driver on a probationary licence at Murray Bridge, speed of 76 km/h in a 50 km/h zone was involved, and in Miller allegations involved speeding at Waikerie at 94 km/h in an 80 km/h zone, all of which involved relatively substantial speed in excess of the speed limit.

The issue of the certificate being used, and the need to do so, arose because the charges required proof specifically of the extent to which speeding exceeded the speed limit. It is important to note that these offences require proof with the degree of specification that the cameras are perfectly capable of providing. Absent the certification process being accepted as evidence of that specific speed in excess of the limit, the charges, or some of them, particularly charges in relation to section 45A of the Road Traffic Act, cannot be made out.

Faced with what we understand a matter of days ago to be advice from the Commissioner of Police that these devices, approximately 190 of them, would be withdrawn from use, absent a legislative change, we get on with it and make that change without delay. Obviously, we want to ensure that flow-on consequences are not in play any longer than absolutely necessary, all with a view to ensuring that, in legislating in this area—and as I fully expect will be the matter of debate

when the results of the audit come to light—we do so with a view to ensuring maximum confidence in the system and, in all things, maximum effort applied to ensure that our roads in this state are as safe as they possibly can be.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:51): I rise to support the bill, and I commend the Minister for Police for bringing it to this house in such a speedy fashion. This is something that we need to get on with and fix. This is not something to dillydally about. It is pretty straightforward, it is pretty simple and we just need to get cracking on it. I urge the opposition to support this very straightforward bill.

Mr Hughes: We are.

The SPEAKER: Member for Giles, do not interject.

The Hon. D.C. VAN HOLST PELLEKAAN: No, thank you, Speaker. They have just confirmed that they will, for which I thank them.

The Hon. L.W.K. Bignell: We did it an hour ago.

The SPEAKER: Member for Mawson!

The Hon. D.C. VAN HOLST PELLEKAAN: The mistake I would hate them to make is not to appreciate the fact that I have acknowledged that they are doing that. It is an important thing to just get on with and do. We cannot have 190 of these Lidar laser speed detection units out of the system in coming months over the busy Christmas, new year, summer holiday and school holiday period. That would be a dreadful mistake.

I know that the vast majority of South Australians drive as responsibly as they possibly can. I know that none of us is perfect. There is not a person I am aware of who could ever say that they have not accidentally drifted over the speed limit, but the vast majority of people do the very best they can to drive safely and responsibly.

But it is well worth saying that one of the reasons that the vast majority of people drive safely is that they know the reality is that, if they do not, they might get caught and they might get an expiation notice or go to court and they might lose their licence or get demerit points. There are all of those possibilities, but, even worse, they might hurt someone.

There are a lot of reasons why people do the very best they can to be responsible on the roads, but why would we be foolish enough to think that police presence, and enforcement of the laws, is not one of those very good reasons? Of course, it is one of those very good reasons, so the minister brings this to the house to try to get things fixed. Police have done what they could to find a remedy outside of parliament. I went to the briefing last week—I think it was Wednesday lunchtime—and they explained to us the things they have done to try to get this matter fixed. From their perspective, this is really a bit of a last resort. They would have liked to be able to just arrange it themselves, which would have made sense, without taking up the parliament's time.

Of course, one of the things that must be stressed is that there is no suggestion that these Lidars are or have been operating inaccurately. There is no suggestion that the motorists who have been pulled over and expiated or have gone to court were not actually guilty of the offence of speeding. The suggestion is that it has not been possible, on a few occasions, for police to prove to the satisfaction of the court that the Lidar's accuracy had been certified properly. That is really all we are trying to do; all we are trying to do is fix up that issue.

When this came up a couple of years ago, in 2016, when the now Leader of the Opposition was then the police minister, and more recently when it came up last week, I thought of the former member for Fisher, Dr Bob Such, who, as most members will recall, put in an enormous amount of personal time and an enormous amount of his professional time as a local member of parliament, and I am led to believe an enormous amount of his own money as well, into trying to get to the bottom of issues such as this.

Back in 2016, I suppose in some ways he was vindicated at least to the point where the court said that it was not possible to be satisfied about the certification process. It is totally separate, as I say again, from the issue of whether they are actually genuinely operating accurately; that is, the

certification process to show that they are operating accurately. So, Bob Such—may he rest in peace—would probably have some satisfaction in what we are doing here today.

People need to have confidence in the system. He did not have confidence in the system. A lot of other people do not have confidence in the system from time to time. I think that should be very, very rare in South Australia. We are incredibly fortunate to have a police force that is, year after year after year, recognised as the most trusted in the nation and, no doubt, one of the most trusted in the world. I remember back when I was shadow minister for police I think there was a public assessment done through polling, and other feedback means, that found that South Australia Police were trusted at a rate to something like either an 84 per cent or 86 per cent standard by those surveyed—incredibly high—and full credit to the South Australia Police for that.

We want to ensure that that does not change. We want to enhance that trust. We want to remove the question that has come up in court about the certification so that that in no way harms the reputation of the police. It will not actually change what police do. It will not change their processes, their procedures, and it will not change the accuracy of the Lidars, by the way, but it will remove the opportunity for diminished confidence.

There is no point in avoiding another home truth, which is that very often it is not actually about diminished confidence: very often motorists also just have a crack to see if they can find a technicality, just to see if they can find a way to get out, just to see if there is something operationally or mechanically that was not done properly. It is not actually about confidence in the police; it is actually about just seeing if they can get off the fine or avoid losing their demerit points or, potentially, avoid losing their driver's licence.

There is a range of things at play here. It does not matter how I look at this, I cannot find any reason not to support the police on this issue. I think the way they have behaved is completely appropriate. Again, I commend the Minister for Police for bringing this so swiftly to this parliament, and I appreciate the opposition's support. Let me also go on to say that the fatalities and serious accidents on our roads are overwhelmingly due to fatigue, inattention, drugs and alcohol, not wearing seatbelts, and speeding. Keep in mind that speeding and the speed limit are very different things. They are closely connected, but they are not the same.

The setting of a speed limit—whether it is 25 km/h in a school zone or 110 km/h on the Stuart Highway—is done for a range of reasons; however, speeding and the other four factors I have mentioned are the most common causes of fatality and serious injury on our roads. We have to ensure that the police have the tools they need to go about their business responsibly and to do everything they possibly can to deter people from speeding on our roads.

We need these 190 Lidars in use as much as possible and practicable, and we need to keep them in use. We need to pass this bill through both houses of parliament so that our roads can be as safe as possible as we come into the Christmas/new year holiday period.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (12:00): I am very pleased to speak on this important bill. I think the Minister for Police has done very well and worked acidulously ever since it was brought to his attention that this legislative reform was necessary. I am glad that the opposition has indicated support for the bill. I understand that members in the other place have sent smoke signals that they, too, may be in a position to support this bill so that it can pass through parliament this week.

It is rare that we suspend standing orders to rush a piece of legislation through this house in a day, from the first reading to the third. You would hope there is purpose for it when it occurs. On this occasion, the opposition's support for the suspension of standing orders to enable that to happen, and the endeavours of the government to do the same, indicate the urgency of this matter. We do have time to discuss the merits and purpose of the bill. This bill has significant relevance for my electorate and my portfolio, and for those reasons I want to add my remarks.

I look forward to the passage of the bill through this house today and its transition to the Legislative Council. I know that members of the House of Assembly sometimes say unkind things about the Legislative Council, and I think that is very unfair. I think our Legislative Council members are very hard workers and very fast readers, and I look forward to them reading these debates and identifying—particularly given the excellent briefings they have received from SAPOL and the office

of the Minister for Police, and the excellent application they have put to it—that this bill is worthy of their attention on Thursday, so that it may pass through the parliament.

The aim of the bill is very simple. Can we get our laser speed detectors back on the road so that they are able to perform a road safety function, without the need for the evidence they have gathered to be certified—either by experts who may need to be flown in from interstate or in another manner—that will make it completely and effectively impossible to gain a conviction to impose a speeding fine?

That is the situation we are in as a result of the decision of Justice Peek, and that of Justice Stanley, who came to a similar view in 2016. There have been four cases, and we are 0-4 in this arrangement. Over 100 cases have been withdrawn and the laser guns have been removed from our roads. Every day that passes, from the time the laser guns were withdrawn (last Thursday) to the time they will be restored to our roads—which will hopefully be by the end of this week, or as soon as the Governor assents to the bill—is a day when these guns are not performing important road safety functions.

These road safety functions are critical for our schoolchildren. As Minister for Education, I have had many privileges and pleasures this year. I have been able to share in the joys of the achievements of schoolchildren. I have been able to talk with teachers, parents and schoolchildren about struggles they have faced or things they think that we should be doing better. It is a joyful job in many ways. However, every week it seems I also get very sad emails identifying a student or teacher who has passed away, sometimes through illness but too often through trauma on our roads.

A world of different circumstances can apply here, but we know that so many road deaths are caused by poor driver behaviour. Having an effective response to that, through police enforcing speed limits in a dynamic way, identifying trouble spots and setting their equipment up there will improve driver behaviour. Drivers in the area will know that police have set up there with their guns, and that is critically important.

I spoke to a number of police officer friends of mine when this matter arose. I have had those conversations over the last few days to ask about their experience of using different technologies that might inform me in contributing to this debate. The point that many of them made about the Lidar guns, the laser guns in particular, is that you are able to set up your car or your motorbike in a place where, potentially, a beside-the-road radar would not necessarily be appropriate. Indeed, a fixed camera is a long-term proposition, but usually a fixed camera would be used on busier roads.

It is not always the busiest roads that have the greatest potential risk to an individual driving situation. Whether it is through a poor decision of a driver that causes harm to others or a poor decision of the driver that causes tragedy to the driver themselves, it is our duty as parliamentarians to assist the police in correcting those poor behaviours of drivers. One of the key ways we do that is through the possibility that they will be apprehended or fined and given an incentive for the correction of their behaviour. In the Morialta electorate, that is critically important as there are so many winding roads that do not necessarily carry enormous volumes of traffic, yet sometimes we see extraordinary behaviours on those roads.

On the Sunday before last, I was driving to the Forest Range cherry festival past Norton Summit, on the Lobethal Road towards Forest Range. It is about a 10 or 15-minute drive, and my family was in the car. That occasion comes to mind because it was a really troubling experience. I had someone overtake me on a double line as I was going at the speed limit. A motorcyclist was tailgating us effectively, and I thought, 'What is this person doing about their own behaviours?' Of course, I pulled off to the side as soon as I had the opportunity and the person went off at great speed. That is an example of an area where I will be seeking to have local police take the opportunity to go to those locations when Lidars are back on the road.

On previous occasions, I have had reason—and indeed constituents have had reason—to report to police regular occurrences of such driving or motorbike riding around Mount Torrens on the Lobethal Road, Gorge Road, Montacute Road, and indeed around Ashton, Summertown, Uraidla and Basket Range. There are hotspots and trouble spots, and sometimes they are all too close to residential areas. On some of these roads there is not the opportunity for people to safely be pedestrians, and they have to drive somewhere or ride a bicycle.

These are difficult spaces. A police motorcyclist can potentially find a spot to set up a Lidar gun where they might not be able to park a car to set up one of the old-fashioned radars. Of course, what has been reported to me is that when somebody sets up one of these guns and catches a few people, there is a correction in behaviour for a while. We want that to be an available tool for police at the earliest possible opportunity and to get that back on the road.

I raised before the issues relating to driver behaviour that particularly impact on schoolchildren. The impact of a road fatality or, indeed, serious incident on any family or individual is significant for obvious reasons, but the impact is potentially so much greater when it involves a schoolchild. It impacts on an entire school community and, in rural areas, on an entire town.

The trauma teams from the education department—the SWISS teams, as they are known; social work in particular, but also expertise in dealing with trauma—are so often deployed to communities to deal with the consequences of road trauma and poor driver behaviour. As minister, it has surprised and potentially shocked me. The stories are quite harrowing, because of course it is one thing to see the email of the dreadful circumstances that has come through, but in speaking to the principal of a school, there are these cascades of effects and of impacts.

You have the first graduation ceremony where somebody is no longer part of the cohort that they might have been in. You have the funeral, of course, when the whole school is potentially impacted. You have the long-term challenges for family and friendship groups within the school. Too often, it is primary school-aged children, or even high school-aged children, with so much life in front of them. Their cohort of students miss them, and their teachers are impacted as well.

I spoke to one principal recently to talk through with them how they were faring. They had provided extraordinary support to their school community after such a tragedy, and I just wanted to make sure that the principal was taking the opportunity to avail himself of some of the support mechanisms that were in place. The principal was a very strong person and identified that he was aware of those supports. He identified, indeed, that it was the eighth time in his career as a principal when he had had to deal with one of these situations—over a reasonable number of years, to be sure.

It is worth bearing in mind that there is a reason that we take these steps. There is a series of reasons. The Lidar guns, I think, have that particular use in Hills communities and regional communities, where it has such impact. In a technical sense, we are not talking about necessarily always being just where it is difficult to set up the car, but they also have a greater level of efficiency working in the metropolitan area, as the laser bounces off the car, comes back and you are able to get a quick reading.

Again, police officers I have spoken to, to inform myself about how these guns are used, have identified that it is just in the car you can set up and you are able to then address the matter as soon as it comes along. On that point, it is worth looking at the cases that the courts have dealt with and found that, because of this issue with the certificate and the five-step test not being fully implemented, more than 100 of the prosecutions in effect are no good to go ahead.

There was a case in 2016 where a motorist was driving at 102 km/h in a 50 km/h zone. There was no consequence for this person. Obviously, he had some time in the courts. It was, I should say, an alleged offence committed in 2012. How extraordinary it is even to have to use that word. The alleged offence was committed in 2012, and I think it was Justice Stanley who identified in 2016 that the certification process was not correct. At the time, the minister said:

It's unfortunate on this particular instance in this particular case there was an error in due process not being followed. We don't have any reason to believe that's occurred anywhere else and isn't likely to occur again in the future. We remain confident that the speed testing regime that exists in South Australia is robust and accurate. South Australian motorists should know that if they do speed, they will get caught and ultimately pay a fine.

The police minister at the time is, of course, now the Leader of the Opposition. I imagine that he was operating on the advice of the police. That is fair enough to a point, but of course there were two further years of this taking place. More than 100 prosecutions are now being withdrawn and there is a mess to fix up. I commend the opposition for agreeing, as I understand it, to pass the bill this week so that we can have this mess fixed as quickly as possible.

That brings us forward a couple of years to the 2018 situation, which occurred in July. We are looking at three further cases this year. One is in Greenwith in the member for King's electorate, where a motorcyclist was riding at 126 km/h in a 60 km/h zone. We are not talking about some long, outback trail with no trees and nothing but saltbush for hundreds of kilometres around, no other cars around and a 110 km/h zone—not that speeding in that area is an excuse either, but on a comparative scale we are not talking about one of those types of situations.

I can only imagine it: 126 km/h in a 60 km/h zone. Has anyone seen such a thing happen? I am reliably informed by anyone who has worked in a trauma department that it does not end well. These sorts of things cannot be allowed to pass unpunished. They are putting their own life at risk, they are putting their families' futures in jeopardy and potentially inflicting trauma upon so many people around them. They might crash and do harm or significant injury to themselves or they might do that to others. We are talking about 126 km/h in a 60 km/h zone in a metropolitan area. These sorts of things need to be dealt with as soon as possible.

As the member for Stuart identified, our police in South Australia are significantly respected. I recall, when I was the shadow police minister, there being statistics coming out that would talk about community trust in police. My recollection is that the South Australian community had the highest level of trust in their police of any state. We have not had some of the issues that some other states have had over the last 20 or 30 years, where there has been public faith brought into question, and we are very grateful for that trust we have in our police.

Our police work hard to save lives, and indeed the use of these speed detectors is a significant part of that work. Once this legislation has passed and the certification process is again in a sensible form that will be accepted by the courts, our police will again be able to return to doing this important work. I believe that when they do, the chances of them having to attend on a daily basis to the trauma of terrible accidents having happened will be reduced. People in my electorate of Morialta will certainly be glad of that. People whose children attend schools, who work in schools or who are part of school communities in my portfolio area will be glad of that.

Having speed detection on the road does not solve the problem entirely. There are still people who behave in such a way, but it is a significant step forward, it is a significant advantage, and not having these detectors on the road is a disadvantage. I commend the bill to the house and I commend its speedy passage through both houses of the parliament.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (12:18): I rise to support this legislation, and I understand how important and imminent the issues we are facing are and why it is important for this parliament to work cohesively to fix the problem. At the outset, I want to say thank you to the Labor opposition for their work in supporting this bill and understanding that it is a necessary issue that we must fix. This issue has been around for two years. We understand that it was first raised in 2016 in relation to a court case that raised questions over this issue. In July 2018, we then saw this issue rear its head again.

What we are seeking to do through this bill is to put a fairly common-sense provision together that helps to give some guidance to the courts to say that, in relation to the certification for these Lidar guns, as long as we can show that the appropriate Australian standard for testing is in force on the day of testing, or in the absence of an Australian standard that the manufacturer's specifications are followed, then that should be good enough evidence for the court to be able to determine that the gun was fully compliant and operational at the time.

There is a broader issue at play here. We on this side of the house have looked quite deeply at this issue, both in opposition and now in government. There is a broader road safety issue that we need to look at. There has been a longstanding commitment to helping reduce road fatalities in South Australia. There is a Towards Zero Together report produced every year that talks about the many and very different ways we can work together to help reduce the incidence of death or serious injury on our roads and try to reduce the incidence of crashes on our roads.

We need to take a multipronged approach to this. There are some structural improvements that we can make to help reduce the incidence of crashes on our roads, to help make it not impossible but a hell of a lot harder for people to be able to crash into other things. A lot of those improvements

are structural. As a government, and as then an opposition, we committed to putting 30 per cent of mining royalties aside to help fix country roads. Depending on the types of treatments we have put in place, all of them have a road safety benefit.

We can shoulder seal a kilometre of road and that road, statistically, will see a 40 per cent reduction in death or serious injury crashes: 40 per cent is a pretty good return on investment. Where we see audio tactile line marking, we can also see a reduction as we help people stay on the road and, essentially, be jolted into paying attention on those long trips, if they tend to wander.

We can separate wide medians, which is good because it helps to make sure that cars do not crash into each other head-on, which tends to lead people more towards death than serious injury on the crash scale. That has been used in a number of places on a number of significant highways to really good effect. There are central rope wires used in part as well, again as a barrier to make sure that it is physically impossible, in all but the most perverse and extreme of circumstances, to be able to crash head-on with somebody on the other side of the road.

On country roads, these things are important because people make mistakes. If someone is driving in a straight line all is well and good if they stay in their lane, stay at the speed limit, respond to the conditions around them and drive normally. But if somebody, for one reason or another, drops something, swerves and goes off the side of the road, the act of doing that should not cause their death. Having a sealed shoulder that allows them the opportunity to stay on the road and correct course is important. That is why making sure that we grade shoulders as well is also important so that there is not that drop-off which, when people fall off the side of the road, can cause the car to crash as opposed to being able to correct direction and get back on the road.

The same goes for a lot of the issues about separated medians and rope wires and the opportunity to make it physically impossible for people to have an accident with an oncoming vehicle. We do a lot of other things around trees on the side of the road, which I know is a bit of a contentious issue. In that regard, I would like to thank minister Speirs, who has put out a discussion paper and some proposed changes in relation to vegetation on the sides of roads and the clearing of verge vegetation. That is important, not only because you want to reduce the things people can crash into but you also want to improve the line of sight, especially around corners. Again, the opportunity for people to be able to see is extremely important in helping them avoid accidents.

There are a number of other things that we can do not just in the country but in the city around improving road safety outcomes, and there are some really interesting statistics around the country about treatments that have been used to reduce crashes. Quite clearly, a hotspot for accidents is at intersections, where people are heading in different directions and where you have people potentially not paying attention to stop signs, give-way signs or traffic lights. The opportunity to have 90-degree angle accidents or head-on accidents increases greatly around those intersections, so the opportunity to improve safety around those intersections is important.

We can do a whole lot of things to help do that to try to calm the traffic through intersections. The best way is to be able to eliminate those issues and get rid of the intersection altogether. Grade separations are a fantastic way to do that; they are just very expensive. But I think the opportunity to do it is extremely important. It also has some side benefits in helping to improve the productivity on our roads and, again, that is where we can get dual outcomes because a lot of things we do to improve road safety can also improve congestion issues on our roads.

Outside the physical treatment of roads, there are a number of other serious causes of accidents. A statistic that has been put to me a number of times is that about 90 per cent of accidents happen as a result of driver error. It is a common-sense statistic, one would assume, because the driver behind the wheel with the wheel in their hands is the person who is going to be able to have the influence over whether or not they crash or get home safely. The decisions a driver makes, voluntary or involuntary, are what has an impact on what they do and the outcomes they have on the road.

There are a lot of other things. For instance, drugs and alcohol are important issues on our roads where we see people choosing to drink and drive or take drugs and drive and that increases the risk substantially, exponentially, and making sure that we deal with that road safety risk is extremely important. I think all is well and good if somebody wants to punish their own body, but the

point at which they then endanger the lives of other people on the roads is where the risk really escalates. It is a space where we need to see governments step in at every opportunity.

We see distraction as a real issue on our roads. The exploding use of personal devices and mobile phones has caused a huge issue. The number of instances that I am aware of where somebody has been distracted by the use of a mobile phone and has caused death or serious injury is extremely upsetting because these things are avoidable. Again, there is a lot of campaigning going on to make sure people understand the risks they take and that the decisions they make have a direct bearing on whether or not they get home alive.

There are also issues with vehicles. I must admit that we have seen vehicles improve over time, providing airbags as standard, providing better braking systems and the sorts of new semiautonomous technologies like lane assist and all sorts of object perception and detection parts of a vehicle that help to reduce risk. For instance, the last couple of cars I have had have had a rear-vision camera in the car and, as somebody with a couple of small children, the ability to feel comfortable that I am not just about to run over my child is extremely comforting and something I think of every time I look in that rear-vision camera.

We hear these stories, infrequently but still too frequently, in the media where a parent accidentally causes harm to their own child. You can only imagine the trauma that exists, not only for the child but for the parents, having to live with what it is they have done to the little one in their care. Again, we have seen things come along in leaps and bounds. I often think, in relation to reducing the road toll, that that is something that often gets forgotten.

We talk a lot about the decisions and the regulatory environment the government has taken in reducing speed limits, applying demerit points for various offences on our roads, establishing road treatments to be able to reduce crash risk. But often we do not speak about the improvements that cars have made in making our drive safer and I think as that technology continues to improve, we are going to see less death and less serious injury on our roads, and that is extremely important.

On that front, I am looking here at the Australian Automobile Association's report that is put out every six months or so regarding road fatalities. Interestingly, road fatalities have declined 14.9 per cent between the March 2018 quarter and the June 2018 quarter. It is a fantastic result, but the 12 months to June 2018 saw no real decrease in road fatalities when compared with 2017. We saw 1,222 deaths on our roads in 2017-18 and 1,223 in 2016-17. This says that we have to do more to reduce the incidence of death on our roads.

Only last month I was over in Sydney representing South Australia at the Transport Infrastructure Council, a COAG forum that deals with transport infrastructure, and a national road safety report was delivered by Dr John Crozier and Associate Professor Jeremy Woolley, whom many people in South Australia would know as somebody who works with CASR on road research. They are calling for a step change in the way that we deal with road safety—to try to move away from an incremental approach to a more step-change approach. I certainly understand and agree with what they are trying to achieve, and I think we should all work as well as we can to try to achieve it. Essentially, they are trying to make sure that we do not simply plateau in the outcomes that we achieve.

There is a lot of good work in that report that this government is taking up, especially as one of the main outcomes is to increase the level of road funding that we put into fixing and maintaining roads, especially regional roads and especially taking the treatments that we know create a stepped reduction in death and serious injury on our roads. We are listening to that advice, and we are continuing to find ways to put more money back into regional roads in South Australia. Over the term of this government, I think that South Australians will come to fully realise the level of our commitment and will realise that we are serious about making change.

I have talked about a lot of things without talking about speeding on our roads, which is still too often a cause in death and serious injury. Changing that behaviour has many facets to it. Where we have speed limits in place, those speed limits in place follow rules and standards that are designed to be appropriate for the types of roads people are driving on, but what is interesting here is that, even though we can set a speed limit, those speed limits are not always followed.

The degree to which speed limits are followed varies from road to road, depending on the conditions, depending on a whole series of factors. Those factors relate a lot to human behaviour. In fact, where we see the best compliance with speed limits is where we find that the speed limit is set at the point at which there is a natural limit to the road, and it is why taking traffic-calming measures to help reduce the speed at which people drive and change their behaviour is quite sophisticated and nuanced. We know that where we apply certain traffic treatments it does cause drivers to slow down in the absence of whatever the posted speed limit is.

Driver behaviour is very important to understand when it comes to speed cameras. It is fair to say that from opposition, as the shadow minister at the time, I reflected a deep level of cynicism that exists within the community around speed cameras. It is why we took to the election a policy of reviewing speed camera locations right across the state. In doing so, we wanted to get to the bottom of the science and the discipline or otherwise of why speed cameras are put where they are. I am someone whose community has over the odds, in terms of the number of days the speed cameras exist across the Barossa, and that level of cynicism exists within my community.

Really in terms of the outcome we want from the review, yes, it needs to help tell us where our best efforts are put to make sure that we are placing speed cameras in the right locations, but we did not come with a predetermined outcome. We believe that this report is going to do one of two things: either it is going to confirm the cynicism that exists within the community, or it is going to help show the science that exists behind speed camera locations. Either way, that is a win-win.

If this report gives us the opportunity either to help explain to the community about why speed cameras are put where they are, or not, or gives us a blueprint for how we are going to change the locations of speed cameras, either way we are going to help bring the community along to help reduce some of that cynicism because that is extremely important to the ongoing support for speed cameras in our community. I look forward to that, having now handed that over in government to the Minister for Road Safety. I look forward to the outcomes, but really that is what was driving the opposition at the time, and it continues to drive this government, and I think that that is extremely important.

The reason I am labouring the point on driver behaviour is that this is what is at stake here. Is somebody going to make a rational decision and say, 'Well, I know that there are roughly 190 Lidar cameras, but there are X number of fixed speed cameras as well as radar, as well as the other ways that we can detect speed. Am I going to make a rational decision about the lower risk for getting caught at this moment because these guns are off the road?' No, people are going to think, 'I think I can get away with it now.' To the extent that there is going to be a negative impact upon driver behaviour, we in this place need to do what we can to stop it. That is why this amendment is extremely important.

For the last few minutes, I want to relay a story told to me probably a couple of months ago. I had a meeting with a local undertaker in the Barossa. He has been around the traps for a while and is pretty good at his job. Unfortunately, we have seen a number of high-profile members of our community pass away in recent times, so I have had cause to see him a little bit more of late. He wanted a meeting in my office, and a couple of months ago we managed to sit down and do that.

He talked specifically about the Sturt Highway and the section between Old Kapunda Road and Murray Street. He said, 'Stephan, I need you to look at the speed limits or some other treatment that we can use to try to improve the safety of this intersection.' We talked through a number of things, and this was one of those weird occasions when I, as the MP, wrote to myself as the minister, and we are now investigating that speed limit.

Members interjecting:

The Hon. S.K. KNOLL: Some of us like to follow proper process. Either way, that investigation is underway. People in various parts of the community want higher speed limits and people in various parts of the community want lower speed limits, but for this man it is quite personal. He said, 'Stephan, there have been two or three very serious injuries at this intersection and there have been a few deaths.' He has been around for 20 years. He said, 'But after a road accident is finished with and the cops have gone, I am the one they call to collect the body and the bits of the body from the side of the road.'

So, for him, it is quite personal and quite traumatic—because it is his job to clean up after everyone else has gone. I did not realise that. In my mind, I thought that that was something that emergency services did, but it is not, and so for him the plea is extremely personal. You certainly do not hear him whingeing about speed cameras in certain locations. For me, that is a very stark reason why we need to get this piece of legislation through as soon as possible and why I am looking forward to seeing this have speedy passage through both houses in this place.

Mr PICTON (Kaurna) (12:38): I was not planning to speak to this piece of legislation because this matter is urgent and because this matter is something where the opposition was taking a bipartisan approach, where we had agreed with the government for a speedy passage of this legislation immediately this morning and where we were told by the government that this was urgent, that it needed to be dealt with today and that it needed to be dealt with very quickly. Hence, I was not going to speak; hence, I was not going to hold up this urgent, vital piece of legislation for any second longer than needed.

However, what we have seen since then, since the member for Elizabeth spoke briefly to offer the opposition's unequivocal support for this legislation, is government member after government member getting up, wasting the time of this house, speaking for their full 20 minutes in a blatant attempt at filibustering the business of this parliament. Clearly, the government has run out of business. Clearly, the government does not have an agenda. After 16 years in opposition, when you would think that in their first year in government they would have some business to do, they have nothing—they have nothing.

They are clearly spending time in this parliament wasting time because they are worried that we will go home early and it will look like they have run out of business. We have heard speaker after speaker wasting the parliament's time, when what we had last week, when this issue was first revealed, was the police minister on the phone and the police coming to brief the opposition, and they said, 'This is an urgent matter. We need the opposition's support.' We were briefed appropriately and we offered our support.

We said, 'Let's get this done. Let's get this through the parliament because it is an important issue. We need to make sure that our police have the powers and resources they need to protect people on the roads.' That is why we also agreed to allow this to be brought on immediately today, so that it could swiftly pass through the house. We also agreed to speak very briefly. The member for Elizabeth, being our only speaker, spoke briefly so that we could get this done quickly, get it through to the other place and it could be law by the end of today.

But what we have seen is that the government does not have an agenda, so they are talking this out, spending 20 minutes supposedly on this bill, each member supposedly talking about this bill, which was supposedly urgent, supposedly needed to be dealt with immediately, but it is clearly just filibustering. There is actually some urgent business on the *Notice Paper* put there by the opposition that should be dealt with. Every time we have private members' bills on a Wednesday morning, the government adjourns off each one of those bills because apparently they are too busy doing other things to deal with issues like giving the police the power to search cars for drugs where there has been a positive drug test.

Why should we not pass that legislation? If we have time for you to spend 20 minutes speaking on this, taking up time when the parliament could be doing other things, let's give the police those powers. Let's move that bill on and deal with it immediately. But that continues to get adjourned off. We have also got a piece of legislation there—

The DEPUTY SPEAKER: Member for Kaurna—

Mr PICTON: —to be tougher on home detention.

The DEPUTY SPEAKER: Member for Kaurna, this is the second reading, and I ask you to refer your remarks to the bill at hand, please.

Mr PICTON: Thank you, Deputy Speaker. This is an important bill, and it is something that the opposition supports, and that is why we have given our unequivocal support to get this through the parliament quickly. We were asked by the police minister to do that, and we have given that support. What we have seen today is the government delaying this, the government holding up this

legislation, which is clearly going against what they have said in terms of the urgency of this, clearly going against what they have said in terms of needing this to be done quickly. It is clearly an attempt just to delay the sittings of this house so that it is not apparent that they do not have any government business of their own to deal with.

I think it is very disappointing. If the government can just show support for their own proposition, support the proposition that their own minister has put to the opposition, which is that this needs to be done very swiftly, now, then we can get this done now. We can stop the filibustering, get this ticked off, make sure our roads are safe, and make sure the police have the powers and the resources they need. It is up to the government to do that now.

Mr PATTERSON (Morphett) (12:43): I rise to speak on this very important amendment to the Road Safety Act.

Members interjecting:

The DEPUTY SPEAKER: The member for Morphett will be heard in silence. You have the call.

Mr Picton interjecting:

The DEPUTY SPEAKER: Member for Kaurna, you have had your opportunity. The member for Morphett has the call.

Mr PATTERSON: As so many other members who have debated the second reading have said, it is an important amendment to the act. We are delighted to hear some speeches from the other side. This amendment looks to insert new evidentiary provisions, to address issues arising from court outcomes involving the use of the Lidar traffic speed analyser by South Australia Police to detect speeding offences. In fact, this year, on 19 July 2018, Justice Peek in the South Australian Supreme Court handed down three judgements: *Police v Hanton*, *Police v Miller* and *Police v Henderson*. These cases all relied on the argument used in a 2016 Supreme Court decision by Justice Stanley, which the member for Heysen has outlined, that resulted in speeding charges against the defendant being dismissed. So it is important because it is about road safety, and it is quite right that members of the government speak on this issue.

The three judgements all related to speeding offences detected by SAPOL, as I said. At that trial, the prosecution called the police officer who was operating the handheld traffic speed analyser to give evidence in regard to the five-step test they conduct on a daily basis as part of their regime before their traffic safety work. This regime confirms that the device is operating correctly. In fact, at these judgements the prosecution tendered certificates, signed by an officer of the police, pursuant to section 175(3)(ba) of the Road Traffic Act, to certify that the device had been tested on a specified day and was shown by that test to be accurate within the asserted range.

However Justice Peek, in those aforementioned cases, made the following comments in judgement, especially in terms of *Police v Hanton*:

A problem that has arisen, perhaps incrementally, is that SAPOL have (in purported compliance with the statutory test), erected a system whereby the result of the last 'calibration test' of a TSA unit (if it had occurred in the previous 12 months) will be taken to be the current extent of accuracy of that unit, provided that the rudimentary test (which may be referred to as the 'five-step test plus calibration check' procedure) is 'passed.' What has been lost sight of is that RTA s 175(3)(ba) requires that first, the statutory test be performed proximate to the measurement of the speed the subject of a charge and second, that the statutory test must itself show that the TSA unit is then accurate to a particular stated extent.

This highlights that the issue in each case was the reliance by the prosecution on a certificate to prove the accuracy of speed guns used to detect the speed of the vehicles.

In general, measuring and scientific devices are caught by a common law presumption of accuracy over time, so the legal test to meet is a test of common law to establish that a device is a scientific instrument of accuracy. It contains two facets: first, proof that the instrument in general is trustworthy and, second, the correctness of the particular instruments.

Looking at section 175 of the Road Traffic Act that relates to evidence, at present, in order to prove that second facet of the test in the Road Traffic Act, it contains an evidentiary provision that enables the prosecution to tender a document to certify that a specified traffic speed analyser has

been tested on a specified date and was accurate to the extent indicated on the documents in the absence of proof to the contrary. Without reading the entirety of section 175(3), it states, in part:

...a document produced by the prosecution and purporting to be signed by the Commissioner of Police, or by any other police officer of or above the rank of inspector, and purporting to certify that a specified [traffic speed analyser] had been tested on a specified day as was shown by the test to be accurate to the extent indicated in the document constitutes, in the absence of proof to the contrary, proof of the facts certified and that the [traffic speed analyser] was accurate to that extent on the day [on which it was so tested]

This evidentiary provision removes the obligation that would otherwise be placed on the prosecution to call multiple witnesses to present evidence to a court regarding the accuracy of that device.

Speed guns are required to be calibrated every 12 months in accordance with Australian standards, and when that speed gun is calibrated a report is issued that states that the gun is accurate to within a certain specified margin of error. In addition, police are required to perform a number of daily tests, as prescribed by the manufacturer. These tests are recorded as pass or fail. The law requires that these tests are performed on the day the device is used, and the results of these tests are then used when producing the certificate.

In relation to this, Justice Peek held that in the three cases the prosecution could not rely on the certificate because the evidence of the daily testing by police did not show that the devices were accurate to within plus 2 to minus 3 km/h; rather, they relied on just pass or fail.

The finding in all three cases is that the defendant did not need to prove that the device was inaccurate but only that the daily testing done by police did not prove that the device was accurate to what was stated in the original certificate. Therefore, the certificate could not be used to prove that the device was accurate to that extent and the speed of the vehicles recorded by the devices could not be proven. As a result of this, SAPOL did consider a number of non-legislative options to resolve this certification matter. Amendments to the Road Traffic Act will offer the most practical and efficient solution, and that is where we are today.

I should state that, while there have been no concerns raised about the accuracy of the Lidar equipment, SAPOL did have concerns about the ability to prosecute an appeal as to the certificate of that equipment. As a result, South Australia Police have temporarily stopped using these handheld speed detection laser guns. The decision does not impact speeding fines issued as a result of detection by other forms of speed detection, whether they be speed cameras, red-light cameras or handheld radar devices.

All these are in place to enforce speed limits, which has been proven to be an effective tool in making our roads safe. If we go back and look at trends of road deaths on Australian roads, in 1970 there were around 4,000 fatalities a year. This was the year that saw the introduction of seatbelts. Further on, the late seventies saw the progressive introduction of random breath testing. This resulted in a 50 per cent decrease in fatalities between 1970 and 1994. This was at the same time that the population increased by 40 per cent and the number of cars on our roads increased from 4.9 million to 10.7 million.

We know that one of the other major contributors to fatalities on our roads is speed. Where speed is involved in crashes, it is a key instigator of death. Proven successful strategies in reducing road trauma include improving police enforcement in rural areas, which we have heard the member for Schubert talk about extensively, upgrading identified blackspots in the road network and enforcing speed limits generally. Now, in late 2018, the road toll has been reduced to around 1,250.

In terms of enforcing speed limits, I remember the early speed detection devices just being strips placed on roads a set distance apart and the police measuring the time taken between the two points. I remember as a young kid riding our bikes along there with mates to see if we could beat the speed limit. Later, radar detection was used as a way of enforcing speed limits. Really, the basic speed gun is just a radio transmitter and receiver combined into the one unit.

The radio transmitter is a device that oscillates an electric current so that voltage goes up and down at a certain frequency. This electricity generates electromagnetic energy, which travels through the air as an electromagnetic wave. The transmitter then amplifies this and increases the intensity of that wave to broadcast it out into the air. At the same time, a radio receiver is just the

reverse of a transmitter, so that it picks up these electromagnetic waves with an antenna and converts it back into electrical current.

Really, that is what a radio is: transmitting electromagnetic waves through space. Radar uses these radio waves to detect and monitor various objects using basically two things that most of us here would be familiar with: echo and Doppler shift. As a way to understand it in the realm of sound, it is probably easier to understand it in terms of echo. We are all familiar with soundwaves reflecting back off a cliff face and travelling back to your ears, for example. The length of time that it takes for that echo to come back can be used to determine the distance between you and that stationary object. Using this echo, you can also combine it with what is called Doppler shift, so that when you send out that noise—say, a sound travelling towards a car that is moving to you—you can tell that the soundwaves change.

As a police car comes towards you, you hear a high-pitched siren from the soundwaves being compressed. As the police car moves past you and starts receding, you hear the low-pitched sound as the soundwaves become lower in frequency. That is the Doppler shift in action. Rather than using soundwaves, radar uses radio waves. These radio waves are invisible to humans, of course, but easily detected by devices. Radar can be used to tell not only how far away an object is but also how fast it is moving either towards you or away from you.

As an example, when a car is moving towards a radar gun, the second segment of the radio wave as it bounces back travels a shorter distance than the segment that went towards the car before it was reflected. As a result, the peaks and valleys of that wave are squeezed together and the frequency increases. Based on how much the frequency changes, the radar gun can calculate how quickly the car is moving towards it. That was the initial form of radar speed detection. We have now moved on to speed detection using laser guns, which is what we are talking about today.

Lidar (light detection and ranging) guns operate slightly differently from radar guns. Lidar measures a vehicle's speed by sending out two laser pulses and calculating the difference in time between the two pulses. If you can imagine it just briefly, the light travels from the Lidar gun at the speed of light, 300 million metres each second, or 0.3 metres every nanosecond. When the light hits the target, it is reflected back to the source. The laser gun can then do a simple calculation to determine the distance by calculating how long it took for the returning photons to travel and dividing that by two because the photons had to go up and back. Once that distance is known, a second pulse a set period apart can determine the change in distance.

The change in distance and the time between the two pulses can then be used to calculate the speed of the moving vehicle. It is important to understand that a laser gun can do this many times per second because of how fast the speed of light is. It also emits a highly focused beam of infrared light in a near-infrared region. Over a distance of 300 metres, there is not much dissipation of the signal itself—around 50 centimetres from 300 metres. However, this means that the officer using the laser speed gun has to aim it, unlike the broader radar beams. This has its advantages.

Because radar is so diverse, people can have radar detectors that detect when police officers use radar guns as opposed to the narrow-beamed Lidar guns, which are much harder to detect by any sort of device to forewarn oncoming traffic. That is certainly a distinct advantage. The other advantage of having such a narrow beam is that it is able to pick out one vehicle in a clustered stream of traffic. It is also good in a built-up metropolitan area where other cars are parked on the side of the road. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 12:59 to 14:00.

Petitions

SERVICE SA MODBURY

Ms BEDFORD (Florey): Presented a petition signed by 100 residents of South Australia requesting the house to urge the government not to proceed with the proposed closure of the Service SA Modbury Branch announced as a cost-saving measure in the 2018-19 state budget.

*Parliamentary Procedure***ANSWERS TABLED**

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

PAPERS

The following papers were laid on the table:

By the Speaker—

Auditor-General—

Examination of the District Council of Coober Pedy—Report 10 of 2018

[Ordered to be published]

New Royal Adelaide Hospital Operating Term Arrangements—Report 11 of 2018

[Ordered to be published]

Local Government Annual Reports—

Cleve, District Council of Annual Report 2017-18

Coorong District Council Annual Report 2017-18

Gawler, Town of Annual Report 2017-18

Murray Bridge, Rural City of Annual Report 2017-18

Port Lincoln, City of Annual Report 2017-18

Walkerville, Town of Annual Report 2017-18

West Torrens, City of Annual Report 2017-18

By the Premier (Hon. S.S. Marshall)—

Regulations made under the following Acts—

Public Corporations—International Koala Centre of Excellence

By the Attorney-General (Hon. V.A. Chapman)—

Regulations made under the following Acts—

Authorised Betting Operations—

Budget Measures

Fees

Casino—Budget Measures

Disability Services—Assessment of relevant History—Fees No. 2

Fair Trading—

Gift Cards—General

Mining and Resources Industry Land Access Dispute Resolution Code—
General

Gaming Machines—

Budget Measures

Fees No. 2

Independent Gambling Authority—Budget Measures

By the Minister for Energy and Mining (Hon. D.C. van Holst Pellekaan)—

Stony Point Environmental Consultative Group—Annual Report 2017-18

Regulations made under the following Acts—

Health Practitioner Regulation National Law (South Australia)—

Amendment of Law No. 3

Revocation of Provision

By the Minister for Child Protection (Hon. R. Sanderson)—

Royal Commission into Institutional Responses to Child Sexual Abuse—Annual
Report 2018

Regulations made under the following Acts—

Adoption—

Fees No. 2

General

Children's Protection—Fees No. 2

By the Minister for Transport, Infrastructure and Local Government (Hon. S.K. Knoll) on behalf of the Minister for Environment and Water (Hon. D.J. Speirs)—

Murray-Darling Basin Authority—Annual Report 2017-18

VISITORS

The SPEAKER: I welcome to parliament today members of the Tea Tree Gully RSL, who are guests of the member for King. I believe that at some stage today we also had in parliament worksite representatives for 2018 training participants from the Australian Nursing and Midwifery Federation, who were guests of the member for Hurtle Vale. I also welcome today Ms Elizabeth Lee, who is the federal member of parliament for the Kurrajong electorate, and who has also held various parliamentary positions, and is a guest of the Minister for Industry and Skills. Welcome to you.

Parliament House Matters

FACEBOOK LIVE STREAMING

The SPEAKER (14:09): I am pleased to announce that recently the House of Assembly launched a Facebook page. The Facebook page will be an additional live streaming platform for question time, encouraging a wider reach of our live broadcast and facilitating more transparency, openness and accountability. The page will also showcase educational and procedural information about the house, as well as how the public can engage with their parliament.

The page can be found by searching for Parliament of South Australia/House of Assembly or by typing www.facebook.com/House of Assembly into your internet browser address bar. The page is politically neutral and will be monitored by staff within the House of Assembly to answer questions from the community. It will also be moderated to ensure that the public complies with the page guidelines. I encourage members to like, share and tag the page. We are live.

Question Time

TRAIN SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:10): My question is to the Premier. Will the Premier show some leadership and overturn the decision of his transport minister regarding the shutting down of all train services on this Adelaide test match weekend?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:10): I am not sure whether it's about showing leadership, but I am certainly not going to overturn the decision. It's a real shame, quite frankly, that the Leader of the Opposition has resorted to talking down the Adelaide test. We heard him out in the press today.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We have heard about his football antics.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Obviously, he is not a cricket fan. The Adelaide test is one of those great sporting events that we all look forward to enjoying in South Australia, but the Leader of the Opposition has been out today telling everybody that ticket sales are down, completely in contravention to what the SACA is putting out. They are saying that they are looking forward to a bumper test in Adelaide.

The reality is that the Leader of the Opposition either wants to talk down what is going on in South Australia this weekend or he has amnesia, because when we look back at the previous test that was held in Adelaide, the Ashes test, I think it had the largest attendance since back in the 1930s. The Leader of the Opposition seems to forget that he closed not one, not two, but three train lines in South Australia. Certainly, the previous government did.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: We have made it very clear that we have work to do with this government to move some of the infrastructure which is on that rail line. It needs to be done. We are not going to be putting it off until next year, as that will cause immense inconvenience to the people of South Australia. Rather than talk down—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —ticket sales in South Australia, you should be doing everything you can to talk it up. This government has already made sure that there are going to be substitute buses in place.

Members interjecting:

The Hon. S.S. MARSHALL: Why? What have you got against buses, on that side? Now they are having a go at the bus drivers in South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Captain Negative is talking down the state and talking down our fabulous buses in South Australia like they are some sort of second-class mode of transport. Well, we won't have it said about our buses. We think we have excellent buses in South Australia. Of course, we don't—

Members interjecting:

The SPEAKER: Order!

Mr Malinauskas: Why are you cutting them?

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: Of course—

Mr Picton interjecting:

The SPEAKER: Member for Kaurana!

The Hon. S.S. MARSHALL: —we regret any inconvenience. If it was avoidable, we would have avoided it, but the simple fact is that this maintenance needs to be done.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: It can be done this weekend and that is the weekend that it will be done.

The SPEAKER: Before I call the Leader of the Opposition, I call the following members to order: the Leader of the Opposition, the member for Lee, the member for Reynell, the Minister for Transport, the Minister for Primary Industries, the members for Badcoe, Light, Kaurana, Mawson and the Minister for Industry. The Leader of the Opposition has the call.

TRAIN SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:13): My question is to the Premier. Does the Premier have the authority in his party room to reverse the decision to shut down all train lines during this weekend's test?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:13): It's really—

Mr Brown: Apparently not.

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

The Hon. S.S. MARSHALL: This is a story from last week and it shows the lack of depth and focus of the opposition—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —in the South Australian parliament. They are wanting to reheat a story from last Thursday or last Friday.

Mr Malinauskas: When you lost your vote in the parliament.

The SPEAKER: Leader, order!

The Hon. S.S. MARSHALL: That is when this actually occurred. They have run out of things to actually talk about. They have run out of ideas. With the first two questions of the final sitting week of this parliamentary year, the Leader of the Opposition chooses to go backwards in time. I noticed that not all members of the press pack even turned up to his press conference today, so he is trying again. If nothing else, he is persevering.

TRAIN SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:14): My question is to the Premier. When was the Premier first made aware that all train lines would be shutting down during the Adelaide test match weekend?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14): Last week.

AUSTRALIAN ENERGY MARKET OPERATOR

Mr TEAGUE (Heysen) (14:14): My question is to the Minister for Energy and Mining—

The Hon. S.C. Mullighan: The next Attorney!

The SPEAKER: The member for Lee is warned.

Mr TEAGUE: Can the minister please update the house on the Australian Energy Market Operator's 2018 SA Electricity Report?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:14): Thank you to the member for Heysen for this important question. There was bad news and there was good news in that report. The bad news for the people of South Australia—

The Hon. S.C. Mullighan: Let's hope the Eastern States don't cross the floor.

The SPEAKER: Member for Lee!

The Hon. D.C. VAN HOLST PELLEKAAN: —is that AEMO confirmed what we already knew, and that was that the previous government left this state in a mess with regard to—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —electricity— and they think it's funny.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: They think it's funny. They were asleep at the wheel and the best they can try to do now is pretend it was a booby trap or something. They're just trying to pretend that they left us with a problem. But there was good news in the report, too. The report actually explicitly praised the Marshall Liberal government's energy policies.

The Hon. A. Koutsantonis: What energy policy?

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: Absolutely outstanding. Anybody who's been paying attention knows that on 10 October last year—so over a year ago—we announced our energy policy—

The Hon. A. Koutsantonis: No mining policy, no energy policy.

The SPEAKER: Member for West Torrens!

The Hon. D.C. VAN HOLST PELLEKAAN: —which has several planks, which are all at work. The AEMO decided to particularly single out our Home Battery Scheme as something that needs to be done and that other states should follow, and that, interestingly, other states are following. While the opposition, when in government and now in opposition, say that the Home Battery Scheme is no good, it is very interesting to note that their federal Labor colleagues are copying our program. They're offering something very, very similar.

AEMO specifically said also that our plan for interconnection is a very positive one for South Australia and for the rest of the NEM. Interestingly, we announced this policy, as I said, over a year ago. The government of the day believed in interconnection with New South Wales right up until the time when we announced that we would do that if elected. Then, all of a sudden, they decided that they didn't like it. It's a shame for them that AEMO has highlighted that they are alone on that issue.

AEMO's own ISP (Integrated System Plan) certainly says that interconnection between South Australia and New South Wales is a very positive thing. ElectraNet's draft RIT-T report says exactly the same. Our ACIL Allen independent modelling shows the same. Independent modelling, which we commissioned very recently from PwC and Jacobs, shows exactly the same thing. In fact, the New South Wales government's own work shows exactly the same thing.

This AEMO report, while being bad news because it confirms the mess we were left and the failure of the previous government's energy policies, is very good news and it is very welcome news. It makes it very clear that the Marshall Liberal government's energy policies are the right ones. It has highlighted two of our key planks, and of course other planks to do with grid-scale storage—very, very important—will support South Australia as well and also with regard to voluntary demand management options, which will reward customers and the industry.

We are determined—absolutely determined—to make electricity in South Australia more affordable, more reliable and cleaner. We will work with the regulating authorities. We will work with industry. We've already seen three retailers with whom we've been in close contact announce discounts on their standing offers, which we welcomed. Things are going well. There's a long way to go still and there's a lot of work to do to clean up the mess, but we are determined to do it.

The SPEAKER: Before I call the Leader of the Opposition, I call the following members to order: the member for Wright, the member for Giles and the member for Hammond. The member for Playford is warned. The Leader of the Opposition has the call.

TRAIN SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:19): My question is to the Premier. When was the Premier informed 'last week' that the trains would be shutting down for the test match weekend?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:19): I don't have detail of the time and date; I'm not sure that it's particularly relevant. As I said, the government regrets—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: The government regrets the inconvenience. It is unfortunately necessary due to the need to move the operating control centre so that we can accommodate other buildings on that important site for South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: There will be some closures. The closures won't occur right the way throughout the test but on the Saturday and the Sunday. I am absolutely convinced that we have made the right decision. I am quite sure not everybody is satisfied with it. I heard the member for West Torrens saying that this was pandemonium. I don't know what anybody else's definition is, but pandemonium is when all the lights go out for the entire state, not when the state government is embarking upon important maintenance on the rail line. This is where we are at the moment with some of the hyperbole from those opposite.

The reality is that this is inconvenient. We apologise for that inconvenience. We have taken the necessary steps to put the substitute buses in place. We are going to make sure that the frequency of the buses that operate is increased so that we inconvenience the patrons for the very smallest amount of time possible. That's what we have done and, as I said, we apologise for that inconvenience.

The SPEAKER: I hope the test isn't over by Sunday.

TRAIN SERVICES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:20): My question is to the Premier. Why did the government fail to consult the SACA, the SMA or Cricket Australia before announcing the shutdown of all train lines this weekend?

Members interjecting:

The SPEAKER: For the audible exclamations on my left, I call to order the member for Hurtle Vale and the member for Light. The member for Badcoe and the member for Lee are warned. The Minister for Transport has the call.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:21): The premise of that question is wrong. We did have discussions with the Stadium Management Authority in relation to this prior to the information going out, and we did that because the SMA are the people we are contracted with to deliver the public transport policy. Can I say that this line of questioning really does beggar belief. The member for Lee's then ministerial chief of staff is now the opposition leader's Chief of Staff.

The Hon. A. KOUTSANTONIS: Point of order, sir.

The SPEAKER: There is a point of order. Minister, please be seated for one moment.

The Hon. A. KOUTSANTONIS: Debate, sir.

The SPEAKER: The point of order by the member for West Torrens is on debate. Whilst it is a rational one, I will listen to the minister's answer carefully. Minister, please do not be distracted. Please stick to the substance of the question. I am sure you will.

The Hon. S.K. KNOLL: Certainly. We are talking about consultation on rail line closures. I am sure that Mr Bistrovic should have remembered what happened last year.

The Hon. A. KOUTSANTONIS: Point of order, sir: this is clearly now debate.

Members interjecting:

The SPEAKER: Minister, one moment. Members on my right!

Members interjecting:

The SPEAKER: Order! I have the point of order. I am listening carefully to the answer. The minister is able to provide some relevant background information to answer the question. I will give him a little bit of a preamble, and then I expect him to stick to the substance of the question.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: I know the member for West Torrens does not like being turfed out under 137A, especially if he has a question today; I am not sure, but he might. I ask members to listen to the answer.

The Hon. S.K. KNOLL: The opposition leader is basically saying, 'Do as I say, not as I do.' During the highest attended Ashes since 1933, the former government shut down half the train lines, and not just on the weekends when patronage on the normal routes is down and provides us with greater flexibility to be able to provide options. During days 1, 2 and 3, the highest attended days, the former government shut down half the train network. Somehow, that blew out of their mind. More than that, let's talk about raw numbers.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Last year, there was an event—

Mr Malinauskas interjecting:

The SPEAKER: The leader is called to order.

The Hon. S.K. KNOLL: The pageant was attended by 330,000 South Australians, and the former government thought it was okay to shut down multiple train lines.

The Hon. A. KOUTSANTONIS: Point of order, sir. The question was: why did the government fail to consult the SACA, the SMA and Cricket Australia?

The SPEAKER: I have the point of order. The question was about consultation. I think the minister is coming to the consultation very shortly.

Members interjecting:

The SPEAKER: The member for West Torrens and the leader are warned.

The Hon. S.K. KNOLL: We're talking about half a dozen Big Bash League games; New Year's Eve, which is possibly the biggest day of the year; 10 cruise ship arrivals when the Outer Harbor line wasn't running, which I would have thought would be reasonably important given how important cruise ships are to the South Australian tourism industry; as well as ODIs in the city and a host of other events when the former government shut down train lines. Now, if you want to talk about consultation, Mr Speaker—

The SPEAKER: Yes.

The Hon. S.K. KNOLL: —over the last four days, we have had extensive consultation with SACA. In fact—

The Hon. Z.L. Bettison: Why didn't you have it before?

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

The Hon. S.K. KNOLL: —earlier today, we released the timetable for this weekend. We have increased the frequency of buses along the train lines several-fold for this weekend. We are delivering more buses more frequently—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —than would ever have been delivered using the train lines. I am confident that we have done everything we can to make sure that this weekend is a success. This is a government that wants to talk up our state and talk up our tourism opportunities. You have the

SMA and SACA working their hardest to make sure that this week's event is a success. You have other departments—

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: —like the Department for Trade, Tourism and Investment—

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. S.K. KNOLL: —with an inbound Indian trade mission, trying to make sure that we can export more out of South Australia, and there is only one person who continues to want this event to fail and that is the Leader of the Opposition. He needs to get his act together. He needs to stop reading a little bit of *Hanrahan* and he needs to get on—

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

The SPEAKER: The point of order is for debate. I uphold the point of order.

The Hon. A. KOUTSANTONIS: Debate and imputing improper motive, sir.

The SPEAKER: Is the minister finished? The minister has completed his answer. The member for Morphett.

HOME BATTERY SCHEME

Mr PATTERSON (Morphett) (14:25): Thank you, Mr Speaker. My question is to the Minister for Energy and Mining. Can the minister please update the house on how the Home Battery Scheme has been received and are there any alternate views?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:25): Thank you to the member for Morphett for this important question. He has followed our energy policy very closely since well before the last election. Our Home Battery Scheme is actually, I have to say, going pretty well. We are cautious and we want to make sure it rolls out, but we are ahead of our benchmarks. We are pleased with how it is all going.

Of course, as well as wanting to reduce electricity prices for those households that acquire the batteries and potentially the solar panels as well, with our up to \$6,000 per household subsidy and the low-interest loans that we have been able to deliver with the support of the Clean Energy Finance Corporation—a combined \$200 million investment in South Australia to drive down electricity prices for those households. Of course, all other households will benefit as well by having the 40,000 households that we supply this equipment to off the grid, or at least pulling less from the grid at high-peak demand times.

As well as that, we have managed to bring three new battery assemblers and manufacturers into the state: Sonnen, a well-known German company; Alpha ESS, a Chinese company; and Eguana, a Canadian company—so three companies from three different countries, all choosing to invest in South Australia and all saying they are doing that because of our Home Battery Scheme. As well as the key focus on the price of electricity, we are creating, in partnership with those companies, in excess of 800 new jobs in South Australia, of which 430 plan to be at the old Holden site at Elizabeth.

It is very pleasing for all South Australians, I am sure, but particularly for local, former Holden employees to see manufacturing coming back into their area. When the Premier and I were at the Sonnen factory about a week and a half ago, it was terrific to meet so many former Holden employees now employed on exactly the same site with Sonnen due to this Marshall Liberal government program.

The Hon. S.C. Mullighan: Some of them were building buses until you shut that contract down.

The SPEAKER: Order, member for Lee!

The Hon. D.C. VAN HOLST PELLEKAAN: As well as that, RateSetter have brought 194 jobs into South Australia; that is the company that supports the financial platform that is so important in making sure that the subsidies are paid appropriately and that the loans are made available appropriately. One of the key features of this program is that people can apply for the loans, provide all their information over the phone and/or on the internet, and they can actually get a provisional approval for their loan. Of course, they do need to come back and provide the information that they have provided on the phone in a more concrete form to be absolutely sure that it's all 100 per cent accurate and appropriate, but they can get a provisional approval for a low-interest loan.

Part of the question was: are there any alternate views? There are some complementary views. Queensland and Victoria have both announced schemes similar to ours, after ours. They have seen the merits of it and decided to copy. Federal Labor have decided to announce a scheme very similar. So that is federal Labor and Labor Queensland. But there is one alternate view, and that is that of the South Australian Labor opposition: they still don't want our policy to get this support.

The SPEAKER: The minister's time has expired.

BUS SERVICES

The Hon. A. KOUTSANTONIS (West Torrens) (14:29): My question is to the Minister for Transport and Infrastructure. How long will it take a southern suburbs resident from Seaford and surrounding suburbs to get to this weekend's test match on a substitute bus? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: This weekend, during the first test—

Members interjecting:

The SPEAKER: Sorry, member for West Torrens. The leader and the Premier will cease interjecting so I can hear the member for West Torrens.

The Hon. A. KOUTSANTONIS: Thank you, sir. This weekend, during the first test the state government has closed all rail lines and sections of the Southern Expressway.

The Hon. V.A. Chapman interjecting:

The SPEAKER: The Deputy Premier is called to order. The minister has the call.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:30): Can I say that the Seaford train line is a long train line, and it does take its time to wind its way through to Adelaide.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: I understand these are basic facts—

Mr Pederick interjecting:

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

The Hon. S.K. KNOLL: —but sometimes I just need to put them into the debate to make sure that everyone understands where we are.

Ms Hildyard interjecting:

The SPEAKER: The member for Reynell is warned.

The Hon. S.K. KNOLL: What this government has done and in putting together this bus timetable, which is now online—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Order! The member for Lee is warned.

The Hon. S.K. KNOLL: If the member wants an answer, the fact is that it's publicly available information. The answer here is that we have worked with the South Australian Cricket Association as well as inside our department to make sure that we've got buses which are running more frequently than the train services would have run. What we've also done is put express services and skip-stop services in place so that we can get people to Adelaide Oval quicker. In fact, with some of the express services, we can get people there extremely quickly.

We have moved very quickly to make sure that we are doing everything we can to make this weekend a success. We have put measures in place to show the South Australian public that we're serious about this being a great tourism spectacle for our state. Those opposite need to get on board, or they need to get out of the way.

Members interjecting:

The SPEAKER: The Leader of the Opposition is warned. The member for West Torrens has the call.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:32): My question is to the Minister for Transport and Infrastructure. Will the proposed SMA hotel development, assisted by the \$42 million state government loan, improve patronage, profitability and the commercial success of Adelaide Oval?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:32): That's a question for the Stadium Management Authority in the first instance. I would point out to the house that I'm actually not responsible to the state parliament for the Stadium Management Authority. It's actually a private company—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee is warned for a second and final time.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: It is a board that is not appointed by the government. It has a CEO who is not appointed by the government. It is a private entity.

The Hon. L.W.K. Bignell interjecting:

The SPEAKER: The member for Mawson is warned.

The Hon. S.K. KNOLL: What we as a government have chosen to do is help reinvest in a world-class facility. We want Adelaide Oval to remain at the forefront of stadia around the world so that, for instance, over the five-day test we have the opportunity to showcase our state and, for those visitors who then want to be able to stay in this hotel, that we provide them the opportunity to do so.

What I would also say is that the business structure that the Stadium Management Authority has to work under, again, was put in place by the former government. When the member for Lee has a go because the price of beer is expensive—and I'm not suggesting that it's cheap—it is a tacit recognition of that fact that—

Mr Odenwalder interjecting:

The SPEAKER: The member for Elizabeth is warned.

The Hon. S.K. KNOLL: —the financial structure of Adelaide Oval relies on—

The Hon. L.W.K. Bignell interjecting:

The SPEAKER: The member for Mawson is warned.

The Hon. S.K. KNOLL: —a high level of patronage. What we've also sought to do through this hotel proposal is to give the Stadium Management Authority a diversified revenue base whereby

they can have income streams that can support their business. That is prudent, that is important and, moreover, it helps to improve the tourism offer of our great city.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:34): My question is to the Minister for Transport and Infrastructure. Does the minister or anyone in his family derive any benefit from any contractual arrangement associated with the Adelaide Oval?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:34): I think that for half an hour last Thursday the member for West Torrens went down this path and for half an hour I provided responses in relation to that.

The Hon. A. Piccolo interjecting:

The SPEAKER: The member for Light is warned.

The Hon. S.K. KNOLL: I've got nothing further to add than what I said—

The Hon. S.C. Mullighan interjecting:

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

The Hon. S.K. KNOLL: —last week. But again I suggest that if the member for West Torrens has an allegation that he would like to make, he can make it, and if he would like to go outside and make an allegation, he can make that as well.

Members interjecting:

The SPEAKER: The member for Lee is on two warnings, close to the edge. The member for Newland and then I'll come back to those opposite.

COURTSA

Dr HARVEY (Newland) (14:35): My question is to the Attorney-General. Can the Attorney-General update the house on the progress of the electronic court management system launched by the Chief Justice last Monday?

The SPEAKER: The Deputy Premier.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:35): Thank you, Mr Speaker.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee can leave for half an hour under 137A, thank you.

The honourable member for Lee having withdrawn from the chamber:

The Hon. V.A. CHAPMAN: I thank the member for Newland. Some say there are only two certainties in life—death and taxes—and I—

An honourable member: And the member for Lee being evicted.

The Hon. V.A. CHAPMAN: And the member for Lee being evicted—yes, that's very good. I am very pleased to update the house that on 26 November there was a very significant day in the history of the South Australian courts. The Chief Justice, together with other leadership members of the Courts Administration Authority, formally launched the new electronic court management system, known as CourtSA, in the probate jurisdiction.

Prior to this, I sought assurance from the Chief Justice that it wouldn't fall to the same fate as the recreational fishing licence initiative a few years before when the whole system crashed. I am pleased to report that as of 26 November all matters related to probate are now dealt with electronically through the CourtSA system. It had its launch smoothly and efficiently. Simply, this means that court users are now able to securely initiate, access and inquire about their probate matters online 24 hours a day as well as making payments online without attending court.

The Supreme Court of South Australia has exclusive jurisdiction in this state to make orders in relation to the validity of wills of deceased persons and the appointment of an executor or administrator of the deceased estate and the administration of deceased estates. The Probate Registry deals with applications for grants of probate and administration and other related matters. Importantly, the Probate Registry keeps a register of all grants issued by the court.

For the community, processing probate matters is a stressful and often upsetting time, with delays further adding to the distress of losing a loved one. Being able to speed up this process is integral and ensures that crucial parts of our court system are working efficiently for all South Australians waiting for an estate to be finalised. As some members might recall, the Chief Justice advised at estimates this year that at that stage there was a 600-odd backlog in probate applications with a six-week wait. So it is important in saying that in today's times modern technology is essential to efficient, effective and timely delivery of justice.

Our courts have not seen such a dramatic change in their system since the CrimCase and Civil Case management systems in the 1990s. This was obviously prior to the internet being widely used in both our community and by the legal system for lodging of documents. The need to replace these ageing programs would be obvious and, of course, is critical. The probate jurisdiction is the first in the South Australian courts to transition to CourtSA. The online system will be rolled out in the civil jurisdiction in late 2019 and in the criminal jurisdiction in late 2020. The state government has committed over \$23 million towards this digital transformation initiative.

The latest statistics from the Probate Registry show that as at today, just over a week since the launch of the new program, 304 lodgements for a grant of probate were made. Of the 304 applications, 168 wills had been received, with these able to be actioned by the court. From the 168 actionable files, 112 have been finalised. This number shows a finalisation rate of 66 per cent within the first week of the rollout, a huge success by any means. These figures show that the new system was well used and its introduction has been a success.

Probate is already a highly functioning area of the court system. It has been excellent to see the rollout of this important system begin in the area before an extension elsewhere. I am confident that the introduction of CourtSA will modernise the courts, starting with probate, and will make it easy and accessible for all South Australians to conduct business with the courts. I look forward to advising members of the rollout in the future. I wish to place on the record my appreciation to those in the community, but particularly those in the legal profession who for some six weeks were not able to access the facility of court probate applications while this was being implemented. I appreciate their patience and indicate the appreciation of the government to them and their clients.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:39): My question is to the Minister for Transport and Infrastructure. Does any associated entity of Sausage Boys Pty Ltd pay a dividend or benefit derived in full or part from retail activity at the Adelaide Oval? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: ASIC documents show that the minister is the current secretary, director and shareholder of Sausage Boys Pty Ltd.

Mr Picton interjecting:

The SPEAKER: The member for Kaurna is warned.

The Hon. J.A.W. Gardner: Same question, same answer.

The SPEAKER: The Minister for Education is also called to order.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:40): The member for West Torrens has been able to uncover information so secret that it is on my Register of Members' Interests.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: He got out his magnifying glass. I answered all these questions last Thursday, and I have nothing further to add.

Members interjecting:

The SPEAKER: The member for Badcoe is on two warnings. The Deputy Premier is warned. The member for Waite is called to order. The member for West Torrens has the call.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:40): My question is to the Minister for Transport and Infrastructure. Why did the minister retain his position as secretary and director of Sausage Boys Pty Ltd while the state government was negotiating a non-commercial loan with the Stadium Management Authority? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: The minister did not recuse himself from the deliberations by the state government for a loan to the SMA while holding an interest in a contractual partner of the SMA. ASIC documents show that the minister is the current secretary, director and shareholder of Sausage Boys Pty Ltd, with whom it or its associated entities receive a commercial benefit from retail activity at the Adelaide Oval.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:41): Now I think the member for West Torrens thinks he is inside the Liberal cabinet room. I don't remember him sitting around that table.

Members interjecting:

The Hon. S.K. KNOLL: It's okay. He has his fishing rod out—

Mr Brown interjecting:

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

The Hon. S.K. KNOLL: —but there is no bait on the line. Once again, I refer to the answers I gave last Thursday in the house.

ADELAIDE FRINGE

Mr DULUK (Waite) (14:41): My question is to the Premier. Can the Premier please update the house on the 2019 Fringe festival?

The SPEAKER: The arts attaché and Premier.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:42): Thank you very much, sir. I would like to thank the member for Waite, who is a great supporter—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —of the arts. Although, like me, he doesn't have much of a—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: —fringe left, he does love the Adelaide Fringe. As we all know, arts festivals don't get much bigger than they do here in Adelaide, and the Adelaide Fringe is now the largest annual arts festival in the Southern Hemisphere. This is something every single South Australian should be immensely proud of. When we look at the 2018 annual report, we read that 700,000 tickets were sold, and I have no doubt that the 2019 Fringe will be even bigger and even better. In fact, I was at the program launch last week and the program itself is 8 per cent larger than it was in 2018. More than 7,000 artists will be performing next year at 1,326 shows and nearly 500 venues across our state. This is truly remarkable and something we should be very pleased about.

One thing I will say is that sometimes arts festivals just repeat what they do every single year, but nothing could be further from the truth at the Adelaide Fringe. In fact, there are 450 new events or programs running this year that will be making their debut. That is something to be immensely proud of.

Just a couple of highlights: I can inform the parliament that on 15 February next year the Fringe will get underway with an incredible ceremony called Tindo Utpurndee, or Sunset Ceremony, a celebration of Indigenous heritage and the deep cultural significance of the land through song and dance. I am particularly looking forward to this. Rundle Mall will be busier than usual because there will be a series of Fringe events scheduled to take place: street performers, workshops, special guests and public artwork displays centred around the Gawler Place canopy.

There will be some of the favourites returning to the Adelaide Fringe. I am happy to announce that there will be events like Barbu from Cirque Alfonse, Club Briefs and Cirque Africa, which were some of the most popular shows and performances at last year's Fringe and which will be returning. If you didn't see them last time, you can come and see them or maybe just go a second time. There are lots and lots of new programs, as I said—450, to be precise.

I am very pleased and proud to be announcing that the South Australian government will be making a financial contribution to a new event called Yabarra, which is going to be performed by Karl Telfer in conjunction with illuminart and Novatech in South Australia. I think this will absolutely be spectacular. It will be along the banks of the river, and I think this will be something that all South Australians will really look forward to attending. It will be a free event, so I encourage people to get along.

This year, the state government again supported the Adelaide Fringe in abolishing inside fees to artists, putting their money back into the artist's pocket, which I think is an outstanding way to make sure that this event does remain very much uppermost on the artists' agenda worldwide.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:46): My question is to the Minister for Transport and Infrastructure. What assurances can the minister provide the house that there is no conflict of interest or personal benefit for the minister in offering the SMA a \$42 million loan? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: Asset documents show the minister is the current secretary, director and shareholder of Sausage Boys Pty Ltd, with whom it or its associated entities receive a commercial benefit from retail activity at the Adelaide Oval. He is the responsible minister to the house for the Adelaide Oval, and there is no blind trust registered on any document the minister has declared.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:46): There are about half a dozen things in that statement that are false, but that's fine.

Mr Picton: Have you got a conflict of interest or not?

The SPEAKER: The member for Kaurana is warned for a second and final time.

The Hon. S.K. KNOLL: I took steps—this is as I said last Thursday—to dissolve myself of conflicts of interest. I did that within a few days of coming to office. I have done exactly what I have needed to to make sure that I can serve the people of South Australia faithfully. There is a strong framework in place and I abide by it.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:47): My question is to the Minister for Transport and infrastructure. Is the minister fulfilling all his legal requirements as a director and company secretary of Sausage Boys Pty Ltd? With your leave, sir, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: The minister has previously stated—

The Hon. J.A.W. GARDNER: Point of order.

The SPEAKER: Leave was granted, but I will hear the point of order.

The Hon. J.A.W. GARDNER: The member seems to be asking for a legal opinion, which is not an appropriate use of the house.

The SPEAKER: It is true that a minister may not be responsible to the house for an obligation to be made under some kind of corporate role; however, leave was granted, so I am placed in a position where I will hear the answer and make a determination. Member for West Torrens.

The Hon. A. KOUTSANTONIS: Thank you, sir. The minister has previously stated in relation to his business activities that he has 'basically divorced himself' from the day-to-day operations of all associated entities of Sausage Boys Pty Ltd. Under the Corporations Act 2001, section 1.5.5.3—Duties and liabilities of directors—the minister, as the current director and secretary of Sausage Boys Pty Ltd, has a legal requirement to 'act in the best interests of the company'. There is no record of a blind trust being registered by the minister.

The SPEAKER: I am going to allow the question. The minister has the call.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:48): I refer to my answers last Thursday, when I answered this very question—

Members interjecting:

The SPEAKER: The minister is answering the question. The members on my left will be quiet, or they will be leaving.

The Hon. S.K. KNOLL: —and I abided by the rulings of the Chair (the Deputy Speaker) in relation to those. I answered everything for half an hour last Thursday.

The SPEAKER: The Minister has answered the question. The member for Davenport. I will come back to the member for West Torrens.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is on two warnings.

FLAGSTAFF ROAD UPGRADE

Mr MURRAY (Davenport) (14:49): My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on the state government's commitment to widen Flagstaff Road?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:49): I thank the member for Davenport for a question that relates to my ministerial responsibilities. Not that long ago, the member and I took the opportunity to take a bit of a drive through his electorate and to drive up and down Flagstaff Road—a road I have had cause to travel up and down on many an occasion, as one does for matters of the heart—to understand the difficulty that exists and has existed for a long time on Flagstaff Road, where we have a situation where two lanes go one way and then one lane goes the other way, except when two lanes go the other way and one lane goes the other way.

We in opposition have taken the decision and we have funded, as part of our 2018-19 budget, money to fix Flagstaff Road. This is not an easy project to deliver. We are in early-stage planning works at the moment, talking with various utility companies about understanding what we need to do underground to be able to provide this fourth lane, then use that information to understand what is the best infrastructure solution, engineering solution, to be able to deliver on this commitment.

Can I say to the people of the south—Happy Valley, Coromandel Valley, Aberfoyle Park, those residents who have wanted a fourth lane on Flagstaff Road for many years—that this government is committed to getting this done. We are committed to providing this for the people of the southern Hills areas because it is a ridiculous situation that has been allowed to stand for too

long. What we have also been able to do is undertake some high-level concept planning work, which shows some potential solutions that we have to make this fourth lane work.

We are also very cognisant of the fact that we need to fit this work program in and around the massive work that is happening at the Darlington Interchange. Those residents who have had to drive through the Darlington Interchange and deal with what is a constantly changing set of traffic arrangements as various parts of the bridge network get brought on line have shown great patience. I am really looking forward to that Darlington Interchange project being finished so that the residents of Davenport can get the benefit of the traffic improvements that are going to exist around that area. We can then make sure, as we undertake this Flagstaff Road upgrade, that we do that in sympathy with the work that is happening on the Darlington Interchange.

But wait, Mr Speaker. When it comes to election commitments and delivering them, there's more. The member for Davenport and I also took the opportunity to go and have a look at the Candy/Lander—

Mr Brown interjecting:

The SPEAKER: The member for Playford can leave for half an hour under 137A.

The honourable member for Playford having left the chamber:

The Hon. S.K. KNOLL: —and Main South roads intersection, again an intersection that has been essentially in an inferior situation for a long time and is probably a relic of a time when the Southern Expressway didn't exist. It's a great opportunity for us to be able to remedy this, as we have seen residential development really grow over the past few decades on both sides of Main South Road, around that area and to provide them with better connectivity to what is now a secondary arterial road, in Main South Road, as the majority of the traffic has moved over to the Southern Expressway.

We are looking to change the traffic signals and open up the right hand turns with Candy Road and also through-traffic movements between Candy Road and Lander Road. That's extremely important as we help to bring back that area to being a local community area where people can get from A to B in a pretty straight line. This will also help to alleviate something called 'rat running', which is not a term I have heard many times before, but is one that really does create issues in parts of our neighbourhood.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: Once again, we see a government that promised one thing before an election, has put it into the budget after the election and is now delivering for the people of South Australia and the member for Davenport's electorate.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the member for West Torrens, I welcome to parliament today the Hon. Tom Gray QC, former Supreme Court Justice, a guest of the member for Heysen. Welcome to parliament today, sir. The member for West Torrens has the call.

Question Time

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:53): My question is to the Minister for Transport and Infrastructure. Who did the Stadium Management Authority first approach in the state government with its plans for a new hotel at the Adelaide Oval, its request for assistance, and when did this occur?

The SPEAKER: That question is in order. The Premier has the call.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:54): That was me and I don't recall the date.

The Hon. A. Piccolo: That doesn't answer the question. There's two parts to the question.

The SPEAKER: The member for Light is called to order and warned for a second and final time. The deputy leader has the call.

HANDLEY, MR N.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:54): My question is to the Minister for Industry and Skills. Has the minister now received any advice if Mr Nicholas Handley meets the requirements for appointment to the Construction Industry Training Board under section 5(1)(b) of the Construction Industry Training Fund Act 1993?

The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (14:54): I don't accept the pretence of that question. I have answered that question previously. Mr Handley does meet the requirements of the act.

HANDLEY, MR N.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:54): My question is again to the Minister for Industry and Skills.

The Hon. S.K. Knoll interjecting:

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

Dr CLOSE: Is Mr Nicholas Handley a member of the Liberal Party and was that a variable in his appointment to the Construction Industry Training Board?

The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (14:55): There was no variable whatsoever. The facts are—

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: —that Mr Handley qualified for the role as per the act and so consequently was appointed in that role. I think it's important—

Mr Malinauskas: Is he a member of the party?

The SPEAKER: The Leader of the Opposition is warned.

The Hon. D.G. PISONI: —for the parliament to understand who Mr Handley replaced. Mr Handley replaced Kylie Heneker—

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: —a ministerial appointee from the previous Labor government. Guess what Kylie Heneker's job was not long after being appointed?

The Hon. A. KOUTSANTONIS: Point of order, sir.

The SPEAKER: Minister, please be seated for one moment. There is a point of order, I anticipate, for debate.

The Hon. A. KOUTSANTONIS: It's debate, sir. The question was very simple.

The SPEAKER: Yes, I have the question.

The Hon. A. KOUTSANTONIS: Is Mr Handley a member of the Liberal Party?

The SPEAKER: I have the question. I believe that the minister began to answer the question and now he is delving into other matters that perhaps may not be as related to the question.

Mr Duluk interjecting:

The SPEAKER: The member for Waite is warned.

The Hon. D.G. PISONI: Mr Handley qualifies to take up the role in the CITB and he is doing a terrific job. He replaced Kylie Heneker, whose previous job—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is on two warnings.

The Hon. D.G. PISONI: —was the office manager for Gay Thompson and, I believe, a Labor voter. Can you believe that? She went on to be the chief of staff for Jane Lomax-Smith. Gay Thompson was also—

Dr CLOSE: Point of order.

The SPEAKER: Point of order for debate?

Dr CLOSE: Yes.

The SPEAKER: Yes, debate. I uphold the point of order.

STATE BICYCLE FUND

Mrs POWER (Elder) (14:57): My question is to the Minister for Transport, Infrastructure and Planning. Can the minister update the house on the State Bicycle Fund?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:57): I can and I thank the member for Elder for her question. Providing appropriate cycling infrastructure is an extremely important part of this government's agenda. In fact, we have—

Mr Hughes: Especially if it's not a train.

The SPEAKER: The member for Giles is warned.

The Hon. S.K. KNOLL: We have a strong desire to make sure that we provide appropriate cycling infrastructure not only to improve safety for cyclists and pedestrians and other road users but also in relation to cyclists dealing with cars on our roads. There needs to be a place for all forms of transport in and around our road network, whether they be pedestrians, cyclists, public transport users or private car users.

That is why this government is investing a lot of money in projects right across the state not only as part of the State Bicycle Fund, where \$279,000 is going towards \$2½ million worth of projects where we are combining with councils to be able to provide solutions for seven different projects around Adelaide, but also in committing to improve conditions for bicycle riders through a range of funding programs and major infrastructure projects. These are all projects being undertaken in 2018-19.

On the Torrens to Torrens, there will be shared use paths and crossings of South Road and Park Terrace and a bridge over Chief Street on the Outer Harbor Greenway between Day Terrace, Croydon, and Chief Street, Brompton. Further works are being delivered this financial year that will extend the path across Chief Street Bridge—something that I know the former member for Croydon has a keen Twitter interest in—along the rear of the former gasworks site at Bowden. This will provide a significant improvement to the Outer Harbor Greenway and improve public transport and city access from the north-western suburbs. But there is more.

On the Northern Connector project, we are delivering 15 kilometres of shared use path between the Port River Expressway and the Stuart O'Grady Bikeway. In addition to that, we announced that we are delivering a further five kilometres of shared use path, which will be delivered as part of the project, adjacent to the Port River Expressway, connecting the Northern Connector path to Eastern Parade. In 2018-19, we're also spending over \$7 million implementing significant improvements for bicycle users, including:

- a section of the Gawler Greenway between Islington railway station and Henschke Street, (including between Mawson Lakes and Kings Road) utilising sections of shared use paths linking the local street network;

- a complete street project on Hart Street from Military Road to the Anna Rennie Loop Path, providing parking protected and buffered bicycle lanes from Coast Park to Port Adelaide;
- buffered full-time bicycle lanes on Port Road from Old Port Road to Tapleys Hill Road;
- bicycle and pedestrian actuated crossing of Park Terrace on the Levels-City Bikeway connecting to Melbourne Street;
- an improved arterial road crossing of Stephen Terrace at Ninth Avenue, St Peters;
- fixing a bicycle lane gap on Lady Gowrie Drive at Strathfield Terrace, Largs North;
- fixing a bicycle lane gap on Stephen Terrace between North East Road and Walkerville Terrace, Gilberton;
- bicycle lanes on Frederick Road between West Lakes Boulevard and Old Port Road;
- bicycle lanes on West Lakes Boulevard between Albert Park railway station and Port Road;
- improved pedestrian and bicycle rider access across Nottage Terrace between Main North Road and North East Road;
- secure bicycle cages at Woodville, Salisbury and Mawson Lakes railway stations;
- improved crossings of arterial roads at Park Terrace, Brahma Lodge; Dyson Road, Christies Beach; Grange Road, Findon; Wellington Road, Mount Barker; and OG Road, Klemzig;
- initial works, including fencing relocation to provide for an improved Grange Greenway between Port Road and Alma Terrace, Albert Park; and
- various access improvements at railway stations to encourage more walk-up and ride-up patronage, including Blackwood, Islington, Ethelton, Broadmeadows, Mitcham, Seaford Meadows and Hallett Cove Beach railway stations.

HANDLEY, MR N.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:01): My question is to the Minister for Industry and Skills. Has Mr Nicholas Handley had any involvement in organising Liberal Party FutureSA forums, including the Unley forum, and was that a variable in his appointment to the Construction Industry Training Board?

The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (15:01): The only variable for Mr Handley's appointment was the fact that he qualified—

Dr Close: In what?

The Hon. D.G. PISONI: —under the act in order to be appointed. Anything else that Mr Handley does is a matter for Mr Handley—

Members interjecting:

The SPEAKER: The member for Kaurana can leave for half an hour under 137A, thank you.

The honourable member Kaurana having withdrawn from the chamber:

The Hon. D.G. PISONI: —and others, sir; it's not a matter for me. For example, I didn't ask John Hill, the former minister for health, if he was a member of the Labor Party before I extended his appointment—

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: —on the Board of the South Australian Film Corporation.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: Nor did I ask Michael Boyce how he voted or what his political affiliations were before I extended his period on the Training and Skills Commission. I appoint people on merit and on their ability.

The SPEAKER: Point of order. Minister, we have a point of order—for debate?

The Hon. A. KOUTSANTONIS: Sir, this is debate. We're asking for an appointment he made for one of his fundraisers.

The SPEAKER: Yes, I have the point of order. The minister I think is wrapping up his answer?

The Hon. D.G. PISONI: I've answered it.

The SPEAKER: He's answered the question. Member for Wright.

PARK-AND-RIDE FACILITIES

Mr BOYER (Wright) (15:02): My question is to the Minister for Transport and Infrastructure. Why has the electronic parking availability sign outside the Tea Tree Plaza park-and-ride been turned off? With your leave, and that of the house, I will explain.

Leave granted.

The Hon. R. Sanderson: They're running out of questions.

The SPEAKER: The Minister for Child Protection is called to order.

Mr BOYER: Coinciding with the announcement in the recent state budget that the new Tea Tree Plaza park-and-ride would be delayed, the electronic parking availability sign ceased operating.

The SPEAKER: The ones at Paradise better be working, minister. You have the call.

Members interjecting:

The SPEAKER: Order! The minister has the call.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:03): I'm not sure what sort of conspiracy theory is going on here, but I'm more than happy, member for Wright, to get to the bottom of it. What I would say, though, is that we are committed to delivering park-and-rides along the O-Bahn corridor. We have money in the budget to deliver what we believe are our first priorities—in fact, what the department believes are the first priorities—in relation to Paradise and in relation to Golden Grove.

The interesting thing about the Golden Grove park-and-ride is that it actually provides an opportunity for people to park in and around that Golden Grove area, which is very near to the member for Wright's electorate—people who would otherwise go and use the Tea Tree Plaza park-and-ride. So, in fact, by delivering the Golden Grove park-and-ride earlier, we actually have the opportunity to take some of the pressure off the parking situation as it exists at Westfield Tea Tree Plaza.

This isn't to say that we aren't going to deliver the Tea Tree Plaza park-and-ride or, indeed, the Klemzig park-and-ride. In fact, we are in discussions with the contractor who has been assigned to look at the planning works for these studies about how we can deliver this program of works over this term of government, not only then delivering on our election commitments but being able to go further than that.

What I can say to the house, to the member for Wright and to those members in the north-east, is that this is a government that is going to deliver park-and-rides along the O-Bahn corridor because we know that improving public transport in this way is going to help relieve

congestion all along that corridor and in the city as well as provide better amenity for those residents who live in and around there. The people who live in the member for Wright's electorate should know that this is a government that is going to deliver on the promises it makes, and it has made provision for that in the 2018-19 budget.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (15:05): My question is to the Premier. Who in the SMA first approached the Premier with the SMA's plans to develop a hotel and its request for assistance?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:05): I don't recall the sequence, but we had detailed discussions with the chairman—

The Hon. A. Koutsantonis: Just some random person?

The Hon. S.S. MARSHALL: Sorry?

The Hon. A. Koutsantonis: Who was it?

The SPEAKER: The member for West Torrens is on two warnings. If he interjects again, he will be departing.

The Hon. S.S. MARSHALL: I have had discussions with both John Olsen and Kevin Scarce going back for several months on this proposal that they put to the government.

The SPEAKER: The member for Colton.

Members interjecting:

The SPEAKER: The opposition got three in a row. The member for Colton, then the member for West Torrens. The member for Colton has the call.

SOUTH AUSTRALIAN SPORTS INSTITUTE AWARDS

Mr COWDREY (Colton) (15:05): My question is to the Minister for Recreation, Sport and Racing. Can the minister update the house about the achievements of the athletes recognised at the 2018 South Australian Sports Institute Awards?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:06): I thank the honourable member for his very important question—and what a fitting person to ask that question. The member for Colton is a SASI Award winner himself, not to mention an inductee in Swimming South Australia's Hall of Fame, the Australian Institute of Sport's Best of the Best and the Path of Champions at the Sydney Olympic Park Aquatic Centre. He is an absolute superstar. It is great to have him on this side of the house, but enough about the members on this side of the house.

I am pleased to inform the house that the South Australian Sports Institute Awards night was held in November. SASI scholarship holders, coaches, staff, special guests and families all came together for what was a wonderful night to celebrate the success of the South Australian Sports Institute and the year that preceded. The awards night saw awards presented to the senior and junior female and male athletes of the year, athlete with a disability, coach of the year and program athletes of the year as well as the presentation of the Amy Gillett-Safe Memorial Award. In their first year together as a team, outstanding beach volleyballers Taliqua Clancy and—

Mr ODENWALDER: Point of order, sir: as important as this information is, it's all publicly available on the SASI website.

The SPEAKER: Please send it to me if you have it, and I will review it.

Mr ODENWALDER: I will.

The SPEAKER: Thank you.

The Hon. C.L. WINGARD: Please do. Taliqua Clancy and Mariafe Artacho del Solar won the Female Athlete of the Year. This pair have done outstandingly well. They won a silver medal at the Commonwealth Games. They beat Canada in a thrilling final. In August, they finished third in

Hamburg at the FIVB World Tour final. It was the best result ever for Volleyball Australia at the finals. Taliqua was awarded the best server and Mariafe was chosen as the most improved for that event. They both did wonderfully well. It is great to have such outstanding women athletes being developed in South Australia and achieving such great results.

The men's award could not be split. Matthew Glaetzer and Alex Hill, a cyclist and a rower, both claimed that award. Cyclist Sophie Edwards capped off an outstanding year by taking out the Junior Female Athlete of the Year. Sophie claimed a bronze medal in the individual pursuit at the junior world championships, breaking a longstanding national record in the process and leading the nation for South Australian athletes.

Matthew Carter took out the Junior Male Athlete of the Year honour. Matthew won a bronze medal at the Commonwealth Games in the three-metre synchro and a bronze in the junior world championships in the one-metre springboard. What you would not read anywhere is that, when this guy's photo was put up on the screen, my wife's jaw hit the floor. This guy had the best abs you have ever seen. He is a physical specimen, and everyone in the room was suitably impressed. Darren Hicks was recognised as the Athlete of the Year with a Disability. Darren won a silver medal at the world cycling championships and a bronze at the road world titles.

Taneka Kovchenko was awarded the Amy Gillett-Safe Memorial Award. This is presented annually at the SASI night and recognises the spirit and sporting qualities of Amy, who was an Australian cyclist and rower killed while cycling in Germany in 2005. Her parents, Mary and Denis Safe, were there and are two of the loveliest people you will meet. They are big advocates for cycling, and I have done a number of rides with them over the years. They are just genuinely super people, and they were both over the moon to present Taneka with her award.

Some background on Taneka: she was forced to retire and pull out of the Commonwealth Games, even before her first dive, after receiving some news that she could risk permanent injury if she continued diving. She didn't let those circumstances get to her and they didn't deter her. She provided strong support for the Australian divers at the games and really did an outstanding job. Kym Simons was acknowledged for his outstanding work as the Coach of the Year. Again, the program sportspersons were named as well, but you can get them online. A big thanks to Wes Battams as well, the director of SASI, for his work.

The SPEAKER: I am going to give the member for West Torrens one on the buzzer.

Members interjecting:

The SPEAKER: Order! The member for West Torrens—only one.

Members interjecting:

The SPEAKER: Order, members on my right! One more.

ADELAIDE OVAL HOTEL DEVELOPMENT

The Hon. A. KOUTSANTONIS (West Torrens) (15:10): The wisdom of Solomon, sir. My question is to the Minister for Transport and Infrastructure. Will the minister table all the financial statements, contracts and holdings of Sausage Boys Pty Ltd and its associated entities for the previous five financial years? Sir, with your leave, and that of the house, I will explain.

Leave granted.

The Hon. A. KOUTSANTONIS: The minister did not recuse himself from deliberations by the state government for a loan to the SMA while holding an interest in a contractual partner of the Stadium Management Authority. ASIC documents show the minister is the current secretary, director and shareholder of Sausage Boys Pty Ltd, with whom it or its associated entities receive a commercial benefit from retail activity at the Adelaide Oval.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:11): Once again, the member has made assertions in that question that are incorrect. He had his chance last Thursday for half an hour and I invite the member, if he is going to make some sort of assertion, to make it. More than that, potentially—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens can leave for half an hour under 137A.

The Hon. S.K. KNOLL: —he can make that assertion outside and we will see what happens after that.

The honourable member for West Torrens having withdrawn from the chamber:

The Hon. D.G. Pisoni interjecting:

The SPEAKER: The Minister for Industry is warned for a second and final time.

Grievance Debate

FEMALE FACILITIES PROGRAM

Ms HILDYARD (Reynell) (15:11): I am a lifelong, enthusiastic participant in many sporting codes, sometimes at a high level but unfailingly with a complete lack of any great success, hence why I must refer to myself as participant rather than competitor. Despite that appalling lack of success, I fundamentally and deeply believe in the power of sport and local clubs to equally include and bring people together and look after people as part of a community family. That is why it is crucial that sport be an exemplar of inclusion and equity and why everyone who seeks to participate should be equally included and provided with the same facilities to be involved.

Girls and women here in SA are taking to traditionally male-dominated sport in droves. The Female Facilities Program was a proud \$24 million Labor initiative dedicated to providing women with opportunities to equally and actively participate in the sport they love. This program had already provided funding to 41 clubs across SA, enabling them to upgrade or build facilities to make sure girls and women could have toilets, places to change—other than in car parks or bars—and places to gather before games. Numerous applications were received in every round and the \$10 million round 4 alone would have meant at least another 20 clubs could build facilities that enable girls and women to have an appropriate place.

But this cruel Marshall Liberal government clawed that money back, leaving hardworking club volunteers devastated. Disgracefully, those opposite have now cut the \$24 million dedicated female facilities fund altogether. In doing so, they have tried to dress up a \$5 million per year general grants program, contingent on club and council funding and restricted to just three sports, as an investment in women's sport.

Women athletes, coaches and officials are not buying it. They know that backing women in sport means providing appropriate facilities. They know that South Australian girls and women deserve so much better and, together with their clubs, they will relentlessly campaign for the restoration of this dedicated fund. Cruelly cutting this \$24 million program sends a message that this government does not care about women in sport, nor about equality. We will not stand for it.

Just yesterday, this government tried to pass off a \$275,000 commitment to the Crows for women's footy as a big new announcement. It was awkward and dishonest because this money is merely a continuation of funds our Labor government provided. However, we also gave \$275,000 to SANFL to develop women's football. Any actual increase in funding for women's sport is good news, but unfortunately this comes at a time when they have cut the dedicated \$24 million females facilities fund, meaning their so-called announcement is worth just over 1 per cent of what they have cut.

It also comes at a time when they have cut the SA Women in Sport Taskforce, female participation grants, and money for clubs overall. It comes at a time when the Adelaide Lightning is desperate for funding to be able to continue. Having been at many Lightning games, I am resolute that we must support our WNBL team and the pathway it provides to girls following their basketball dreams.

South Australian girls and women deserve their \$24 million dedicated female facilities fund and to have a basketball team in the national league. But in saying all this, I speak of a government that simply does not care about women or equality. This is a government with four women amongst its 25 lower house members.

Members interjecting:

The SPEAKER: Order, members on my left and right!

Ms HILDYARD: This is a government that has refused to speak up about the appalling treatment—

Members interjecting:

The SPEAKER: The Minister for Primary Industries, the member for Morphett and the member for Waite are called to order.

Ms HILDYARD: —of Liberal Party women in Canberra, women who are leaving their party in droves. This is a government with no plan to ensure—

Mr Duluk interjecting:

The SPEAKER: The member for Waite is warned.

Ms HILDYARD: —the equal representation of women in their ranks. Our party proudly knows that there are equal numbers of women and men of merit and that, if there is not equality in representation, you do something about it. Those opposite are lost in the wilderness on this issue with no strategy or will to achieve gender equality.

Members interjecting:

The SPEAKER: Order!

Ms HILDYARD: As disappointing as it is, it is utterly unsurprising, because we are talking about a party with a leader who remained silent when one of his ministers demanded I get him a coffee. Another minister questioned the merit of our deputy leader. This is a party with a leader who himself refers to our deputy opposition leader as having a nasty face. We on this side value the role of women in parliament, on the basketball court, in the CEO's chair, in the coach's box and wherever else they want to be. It is an indictment on South Australia that those opposite—

Time expired.

VOLUNTEERS

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:17): I rise today to recognise a fantastic individual in my home electorate of Chaffey whose volunteering was officially recognised recently. Volunteers are an important part of the fabric of our regional community. Those who donate their time have a positive impact on the lives of many others in the community.

As we know, volunteering is a vital part of Chaffey, the way of life contributing greatly to our fantastic community spirit. Volunteering is part of the fabric of the good people of Chaffey. There is no doubt that the people of Cobdogla as well as the people of the Riverland have been blessed with a rich tennis history. We have a rich sporting culture in the electorate. The passion and commitment of those who have contributed to our great sporting past give our young aspiring athletes inspiration for the future.

The local sporting clubs and associations rely heavily on the hard work of volunteers. Without volunteers, these clubs would not exist. The award recognises volunteers who often go unrewarded for the many hours of work that they contribute to tennis. This award honours volunteers within tennis—those people who foster relationships within and between their clubs and the community—for the contribution they make to the sport.

John Pick, a great Riverlander from Renmark, was officially recognised last week as he was awarded the Volunteer Achievement Award at the Australian Tennis Awards. Over 25 years, Mr Pick has devoted his time to a variety of roles within the Riverland Lawn Tennis Association and of course the Renmark Tintra Lawn Tennis Club, making him a very deserving winner of the Volunteer Achievement Award. He was also my children's tennis coach and did an outstanding job. He is a role model. Many years on, my children to this day still reflect on the advice he gave them but also the respect he gave them and, in reward, they gave him.

Currently the President of the Riverland Lawn Tennis Association, John Pick was one of three finalists in the category at a ceremony in Melbourne. He was awarded the win after putting his own teaching career on hold and volunteering countless hours to ensure the survival and prosperity of tennis in the Riverland.

As John said, 'I don't think the volunteers know how many hours they put in, but their families certainly do.' It is a testament to the sacrifices made by volunteers in terms of their careers and family time. John was awarded alongside the likes of Darren Cahill, former coach of world number ones Simona Halep, Lleyton Hewitt and Andre Agassi, as well as Ash Barty and Alex de Minaur, who were announced as recipients of the Newcombe Medal.

Another Chaffey finalist on the night was the Cobdogla Primary School, which was amongst three other schools from around the nation nominated for the Most Outstanding School Award. Remember that the name Cobdogla is also associated with the great name, Luke Saville, from a great tennis family in the Riverland. Luke was a junior Wimbledon champion, and Shane Nettle was a state champion and is now coaching and mentoring the strong Cobby tennis club.

This award recognises schools that have aligned with a Tennis Australia qualified coach, have a dedicated staff member assigned to tennis, have strong links with the local club and coach and have incorporated tennis as part of the curriculum. It is a fantastic effort for Cobdogla Primary School, with just over 100 students, to be nominated in the top three in Australia. Once again, I say thank you to all the volunteers in the Riverland, and keep up the good work. I commend you for your dedication to providing children with positive role models within their sporting clubs.

As I have said, volunteers in any regional town are the fabric of that community in the outstanding work they do. It is invaluable. There is no dollar value that can be put on the contribution of our volunteers, particularly in our regional communities. The electorate of Chaffey is blessed by dedicated volunteers. It is also blessed by the commitment of those volunteers who continue upgrading, mentoring and coaching our students, making sure that the Riverland has some of the state's best sportspeople, achieving some of the state's best sporting results. I am very proud of our volunteers. I am very proud of all the junior sporting programs and I am proud of the sporting organisations in Chaffey because hashtag #ChaffeyMatters.

Time expired.

PORT ADELAIDE HERITAGE

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (15:21): I am very pleased to stand to talk about Port Adelaide but disappointed that what I have to talk about is a threat to a building regarded by many in the Port Adelaide community as one of the last remnants of our heritage. I am talking about Shed 26. For those who may have visited Port Adelaide, it is on the Semaphore side of the Inner Harbour and it is often known also as the Sawtooth Shed. It has the attractive lines of the sawtooth that so many sheds had that were built in the last century. The Sawtooth Shed is not classified officially as heritage, and the Heritage Council has not regarded it as being suitable for protection. But I can tell you that many people in the Port Adelaide community are devastated to hear that it is very likely that soon they will be losing one of the last sheds in the Inner Harbour and the very last shed with the sawtooth shape.

Port Adelaide's development, for the last 20 or 30 years, has gone through very difficult times. When containerisation of shipping meant that the ships were able to get bigger and no longer could fit into the Inner Harbour, at that point there was a need for a dramatic change in Port Adelaide. When West Lakes was first built, taking away from Port Adelaide what had been for many years the second busiest retail area in Adelaide after Rundle Mall and dragging people into these newfangled malls, you saw the twin destruction of Port Adelaide as a vibrant centre.

Many things have been done to lift Port Adelaide. There are magnificent museums in Port Adelaide, for example. There has been an ongoing dedication by the community—the Aboriginal community, artists, environmentalists and people who are dedicated to and have been part of our maritime history and our present to do everything they can to keep the vibrancy of Port Adelaide alive. But some time ago, there was a misstep and the misstep was the Newport Quays development.

Although many people live in Newport Quays and love it—and it is a very beautiful place to live, particularly looking out at Hart's Mill—the big error that happened when that occurred was the view that this development would grow and expand around Inner Harbour. There were other errors made in terms of not listening to the community and not reflecting the maritime history of the community in the buildings, but the problem I want to talk about is that nearly all the sheds were knocked over back then and nothing has been built on them.

Indeed, it was not until I became the member for Port Adelaide and Jay Weatherill, the member for Cheltenham, became the then premier that the contaminated soil generated by knocking over all those sheds was scooped up and most of it placed into Shed 26. After I became the member and the member for Cheltenham became the premier, we emptied out that shed, freshened up the area and got rid of that heap of contaminated soil. People in the community thought there was a future for Shed 26: 'It has been cleaned out and is going to be used, it is going to be activated.'

We moved to have two big new developers—one Dock One on the port side and the other Cedar Woods on the Semaphore side—to start bringing more people to live in Port Adelaide, which everyone in Port Adelaide wants to happen. We know we cannot have a thriving business community and we cannot have a healthy tourist and visitor economy unless we have more people living in Port Adelaide and more people working in Port Adelaide.

The working in Port Adelaide part has been dealt with—although somewhat awkwardly since the election—by taking 500 public servants down, but we need more people living there. However, we do not need that to be at the expense of the last sawtooth shed. There is such a thing as adaptive re-use. We saw, on the initial plans, that the sawtooth shed shape was still there; as a community we thought we had a chance of retaining the feel of the port without continuing to have the emptiness of the port, that we could keep the feel and fill it up with people.

We thought we had developers and we thought we had, at the time before the election, a government that was committed to making that happen. Since the election not only has there been nothing from the government about what it is going to do to preserve our heritage but I have not even had a response to a letter I wrote to the minister some time ago. There has been no response, no sense of responsibility for maintaining our heritage in Port Adelaide.

KING ELECTORATE

Ms LUETHEN (King) (15:27): First, I would like to quickly acknowledge the important members of the Tea Tree Gully RSL who visited Parliament House today, and I thank Bill Bates for arranging the tour today as well as for all the wonderful work he does to bring the community together in the north-eastern suburbs. I would also like to take this opportunity today to talk about some hardworking members of the King community who have been working collaboratively to solve a pressing local issue in Hillbank.

A number of King residents from Hillbank have raised with me, when I have been out doorknocking, an issue involving rogue dirt bike riders across the local region. These riders are causing significant damage to community assets and riding around at high speed, endangering both themselves and local community members. I have been working alongside members of the Sanctuary Rise Neighbourhood Watch group and its chairperson, David Jones, to find a solution to this issue.

SA Police have been involved—and I am very grateful for their support—and have also increased their presence in the Hillbank area with the goal of catching these riders in the act. The community is worried about these movements and increasingly afraid someone is going to be hurt.

I have been so pleased at the level of community involvement in this situation, as many members of the Hillbank area have talked to me about the issues with these riders. I plead with those doing the wrong thing to stop what they are doing, and I also call on the surrounding community to assist with our campaign by reporting these incidents to authorities. We know they are riding about three times a week, usually between 5 and 6 o'clock, and if we can narrow down where they are coming from and on what days that would be really helpful in locating these riders.

Another important issue in the King electorate revolves around the Marshall government's pledge to upgrade Golden Grove Road. Our community was given its first opportunity to see the

concept designs at a number of community information sessions held late last month. The sessions were designed to let residents provide feedback, both positive and negative, to staff of the Department of Transport to ensure that the \$20 million upgrade will provide exactly what the north-eastern community requires. I attended all three sessions, and it was so exciting to hear from local residents and businesses about just how important this upgrade is to them. The DPTI staff told me that on the first day of consultation they had more people go along to provide their feedback than they had had in a similar three-day session.

This upgrade is a significant development for not just the people in the north-east. When I was collecting signatures for a petition to pressure the former government to commit to this upgrade, a great number of community members were from areas north of Golden Grove, including One Tree Hill and Gawler. The DPTI team said that they are really pleased with the feedback, and I look forward to seeing the impact this has on the next draft of the plan.

Lastly, many King residents would have noticed in their letterboxes our most recent flyer, which outlined, funding announcements which the Marshall government has committed to in King. Funding for an upgrade of the Golden Grove park-and-ride has been delivered in this budget, much to the delight of residents who live in the vicinity, including those in Goodman Circuit, who are often facing pressure from people who cannot fit into the park-and-ride. Look at the DPTI plan and if you contact me, I can give you the specific link to provide more feedback about what this park-and-ride should look like.

The Skyline Drive slip lane in Hillbank has been costed and will be delivered. Improvements to our healthcare system at the Modbury and Lyell McEwin hospitals have been funded and will be delivered. A parking solution at the South Australian Districts Netball Association has been funded and will be delivered. I have been talking to the Tea Tree Gully council about their plans and time frames, as they have been given the money to deliver this. This is on top of the Marshall government's commitment to create more jobs, lower costs and provide better services. Residents would have also felt hip pocket relief in their emergency services bill, and the abolishment of payroll tax for small businesses will take place very soon, in January 2019.

On top of all this, the government has also begun its plan to provide cheaper and more reliable power to all South Australians. The Home Battery Scheme will provide 40,000 households with reduced electricity prices, which will in turn reduce demand on the grid and ultimately result in lower prices for all South Australians.

MINISTERIAL ELECTORATE VISITS

The Hon. L.W.K. BIGNELL (Mawson) (15:32): I rise today to point out to people in regional South Australia that this government, since it came to power in March, has thrown out a decades-old tradition of the Premier and ministers notifying local MPs when ministers are coming into their area. It is a courtesy that I know I extended for the entire five years that I was the minister for agriculture, food, fisheries, forestry, tourism, recreation, sport and racing, and I think we all benefited from having local members come to events that we attended.

I remember being in a woolshed up in the Flinders Ranges with the now Minister for Energy, the member for Stuart, and over on the West Coast with the member for Flinders. In fact, he was the first person I rang when the oyster disease, POMS, broke out in Tasmania—to make sure that he was in the room when we got all the oyster growers together so that he could hear firsthand what was happening and feed in his background. Traditionally, the person who knows the local area the best is the local MP, and it is all part of our democratic process.

I am not here to have blues with people on the other side. If you look at my newsletter, which went out last week, I have a picture of the Minister for Transport and me on the front page, stating, 'Great to have the Minister for Transport down here. The government is continuing a promise that we made to duplicate Main South Road from Seaford to Sellicks.' I am not here to have blues just for the sake of having a fight. In fact, most people in our areas, no matter where they are in Australia, are sick and tired of the fighting and nitpicking that go on between both sides of politics.

I am all for getting on with people, and I find it astounding that minister after minister has come into the electorate of Mawson but not had the decency or the courtesy to give us a heads up.

Last Friday, I was on the ferry to Kangaroo Island and ran into the Hon. David Ridgway, the Minister for Tourism. He had not invited me to a function he was going to, and the public servant who was running it had not invited me to a function they were going to, but people on the island had asked me to be there. It was a seminar about the economic future of Kangaroo Island. Why would you not invite the local MP to come along and listen to Darryl Gobbett, the nationally recognised economist, talking about the state of the nation, the state of Kangaroo Island and the economy?

We had people there from all sectors of Kangaroo Island industry. We also had people representing the sector bodies—Primary Producers SA, the South Australian Wine Industry Association and representatives from the South Australian Tourism Commission—and we had Food SA giving an overview. Plus, sitting around all the tables were the people who actually go out and do the work, day in, day out, the people who have put their financial future on the line and who are working seven days a week. They wanted me there to hear what was going on.

Was I going to sit there and make a nuisance of myself or have a crack at anyone? No, I was there so that I heard the story at the same time that these other people around the table heard the story. Other people were there from interstate, people who are going to build an international-class golf course on Kangaroo Island. When you are in government, it does not matter whether you are the Minister for Planning or the Minister for Environment, these sorts of projects can get a little tricky and you need to have the local member on board and across what is happening. Was I invited? No.

The public servant who was running this, and who reports to the Minister for Planning, asked me what I was doing there. I said, 'I wasn't invited by you, but I was invited by a lot of business people and a lot of other people who are here today at the seminar. They wanted me to be here.' She said, 'Why would I invite you?' Democracy has gone wrong when the local member of parliament is not invited along to something as important as this planning day.

Getting back to David Ridgway, he looked at me and I could see the look of horror as he recognised that his office had probably not given me a heads up. The first thing he did was ask me whether I had been given a heads up. I said, 'No. I'm filthy. I'm really dirty on the fact that you are coming over here and you haven't given me a heads up.' To his credit, when he gave his address at the seminar he welcomed me along. David and I get on really well. He has some of the portfolios I used to have responsibility for. We want to see them grow. The first thing he did when he got up was acknowledge that I was there and say that he had given someone in his office a rocket because I had not been informed.

I wrote to the Premier about this back in September, but I still have not received a response. We need ministers and the Premier to tell us when they are coming to our area. We can actually help you.

LIFESAVING WORLD CHAMPIONSHIPS

Mr PATTERSON (Morphett) (15:37): You will recall that recently in parliament I moved a motion recognising that the Lifesaving World Championships 2018 were held from 16 November to 2 December at Glenelg beach and the South Australia Aquatic and Leisure Centre. I wish to update the house on the exciting competition now that the championships have concluded.

This was the first time that these championships had returned to the same city. Whereas Rescue 2012 Adelaide showcased its fantastic location and pristine beach conditions, in 2018 Adelaide showcased the spirit of South Australia's people, who demonstrated teamwork and resilience in the face of unseasonal weather conditions. With over 7,000 registered participants, including 4,400 competing athletes from 45 nations, the Lifesaving World Championships 2018 has been the largest Lifesaving World Championships ever conducted.

The championships got underway on 16 November at the SA Aquatic and Leisure Centre with Masters events illustrating the skills of old surf lifesavers. Sunday 18 November saw 800 nippers hold a junior carnival at Glenelg beach and get to experience the excitement of competing on the courses that the best lifesavers in the world would compete on in the weeks ahead. The beach sprints track was bordered by a temporary grandstand that was a fantastic viewing platform for spectators.

On Tuesday 20 November, teams from around the world congregated on Moseley Square, Glenelg, before marching to the Champs Hub on the Glenelg foreshore as part of the Parade of

Nations and opening ceremony. The member for Gibson, the Minister for Tourism and I joined the crowd to witness the Premier officially open the championships and welcome the athletes to Adelaide. Little did we know that the next day the weather was not going to be so welcoming.

Wednesday saw me, along with fellow Masters competitors competing in the ocean and on the beach. Craig Burton, Steve and Tony Dalton from Glenelg won the Masters ski relay. I was fortunate enough to reach the semifinals of the beach sprints but kept out of the final by an Argentinian. While marshalling for the next event, the beach relay, the officials suddenly gave us five minutes to get off the beach to beat the incoming storm front. The ensuing 12 hours would cause havoc, with a king tide resulting in the grandstand footings being inundated and gale-force winds battering the canvas stands.

The next morning saw parts of the grandstand beyond repair. What yesterday had been a flat beach sprint track was now covered in seaweed carried in by the tide, but with the world's eyes upon Adelaide the strength of Surf Life Saving—its volunteers—came to the rescue. Led by President John Baker and Glenelg Surf Life Saving Club members, remediation work started at first light on Thursday morning. Along with Sacha Sewell and the Holdfast Bay council's support, the track was cleared and the grandstand structures repaired, except for the southernmost section, which was disassembled. By Friday, all ocean events were back on schedule.

Meanwhile, in the pool, competition continued unaffected. Adam Luscombe took me on a tour of the pool events and gave me an opportunity to go below the pool deck to see some of the events through one of the underwater viewing windows, before presenting medals for some of the team events. By the end of the championships, over 35 world records were broken in the pool across all disciplines and the open international competition saw Australia and New Zealand tied in the lead on equal points.

The team events then moved to Glenelg beach, which saw the competition remain tight, with Australia just shading New Zealand by 20 points and France finishing third. In the interclub competition, Northcliffe won the championships by 10 points from Currumbin. The event ran with significant support from Events SA. The event's media reached in excess of seven million people in Australia and live streaming on YouTube reached 50,000 viewers around the world. The live stream was interspersed with advertising promoting South Australian locations, such as Kangaroo Island. Local accommodation was near capacity and Jetty Road traders' feedback has been positive.

It was a memorable two weeks at Glenelg. Congratulations and a thankyou to all the athletes and officials, Surf Life Saving SA staff and the army of volunteers who built and then rebuilt these championships. As an example, Glenelg Surf Life Saving Club members, led by Pete Tidswell's local work party, clocked up 3,800 volunteer hours. Everyone should be rightly proud of what they delivered and how the Lifesaving World Championships showcased South Australia to the world.

Bills

ROAD TRAFFIC (EVIDENTIARY PROVISIONS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading (resumed on motion).

Mr PATTERSON (Morphett) (15:42): Previously, I spoke at length about the different detection devices out there and the need for these to be in use for road safety. Where it led to was that, in order for the prosecutor to tender a certificate at court, which is consistent with the Australian standard or procedures determined by the Commissioner of Police based on the manufacturer's specifications, there is an amendment required to section 175 of the Road Traffic Act to insert a provision that will enable the prosecution to continue. It has been introduced by the minister. He has reacted very quickly. He is very concerned about road safety in this state and has so acted.

Looking at some of the amendments, previously I spoke at length about a clause in section 175(3)(ba). Where it mentioned 'specified traffic speed analyser', this amendment seeks to insert after that 'that is a photographic detection device'. That still stands, but it basically provides a delineation to then move onto what is an insertion into section 175(3), which is (baa), and this deals with the Lidar detector devices. It states:

- (baa) a document produced by the prosecution and purporting to be signed by the Commissioner of Police, or by any other police officer of or above the rank of inspector, and purporting to certify that a specified traffic speed analyser that is not a photographic detection device had been tested on a specified day in accordance with—
- (i) either the appropriate Australian Standard for testing the analyser as in force on the day of testing; or
 - (ii) if there was no appropriate Australian Standard for testing the analyser in force on the day of testing—the manufacturer's specifications...

That allows for the presentation of the certificate that was used to test these Lidar devices in court, overcoming the need to have expert witnesses and this complex issue, which was causing consternation in the courts. This has been moved by the minister and should allow for the Lidar detection devices to be brought back into use by the South Australian police force.

I stress that SAPOL does not consider that the actual devices are unreliable; rather, the evidentiary requirement has proven more complex than anticipated. New paragraph (baa) helps to overcome this. While the Lidar devices have been withdrawn until this legislation is passed—which we are hoping is speedy—there are other options available to ensure that SAPOL continues its road safety focus. Motorists should not think there is a gap.

Earlier in my contribution I spoke about the different devices and how they work, and the evolution in these speed detection devices, from the simple strips a step-distance apart through to radar and on to the Lidar devices. The police want these back in operation so quickly because they allow flexibility. With some of the technology available these days, even GPS devices that come standard in cars show the location of fixed speed cameras. This means that if people want to game the system, they can slow down in anticipation.

We are trying to educate the community not to speed at all times. These mobile Lidar detection devices are very accurate; they have a narrow beam and cannot be detected by radar detection devices. It instils the fear that there could be a device pointing at you wherever you drive, and that is exactly what we want. We want to see people driving at the speed limit because there is only one method that is 100 per cent effective: not to speed at all. We want to stress that this will keep drivers and the community safe. The speedy passage of this bill through both houses will ensure that families will be able to drive safely and arrive home alive in the upcoming holiday season.

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:47): I would like to take the opportunity to thank all those who have spoken on this bill. I understand it has been requested to be moved through here expeditiously, and that has been outlined by the members who have spoken.

I would like to acknowledge the shadow minister (member for Elizabeth) and thank him for working with us on this. We briefed him late last week and kept him updated at regular intervals to make sure he knew exactly where we were going with the bill. The details behind that have been outlined prior to this. I also acknowledge that the opposition have said they will not need to go into committee on this, as they support the bill and want to see it go through both houses of parliament as quickly as possible. I thank the shadow minister very much for that.

Whilst we have been briefing the opposition along the way, we have also been briefing the crossbenchers and others in this place and in the upper house. We have made the effort to ensure they are as informed as possible. In fact, I was still reaching out to the crossbenchers in the upper house at lunchtime, only a couple of hours ago, to make sure that they were briefed on this. Whilst we want to get this through as soon as possible, we want to make sure that people are across the bill, provide them with information and answer any questions they may have.

I would like to thank the Attorney-General. One of the points she stressed right from the get-go was that the accuracy of the guns is not in question. The Attorney made it very clear that the Lidars worked perfectly fine. That has been accepted by the judge in the 2018 case, the lawyer who won the case, and also SAPOL and their technicians. They have all said that the guns work perfectly fine; it is just the certification and the fact that certification hinges around a pass/fail. Again, that has been highlighted. I would like to thank the Crown Solicitor's Office as well, as they have worked very

hard to get this legislation through, and all the staff at SAPOL who worked very hard over the past little while to make sure this came to fruition.

The member for Heysen, as always, was very insightful. The Minister for Energy and Mining outlined the workarounds that SAPOL had been trying to do. Because of this legal loophole, as he pointed out, SAPOL had done everything in their power to find ways to get around having to make legislative change, but we got to a point where section 175 had to be adjusted. That is what we have before us here today.

The Minister for Education outlined how these Lidars are important and how well and efficiently they work in built-up areas. They are important for that. The Minister for Transport and Infrastructure made a very good contribution. He pointed out that road safety is a combined responsibility. I understand that from a policing point of view, and he understands that from a transport point of view. It is great working with him on that front because it is not 'one thing fixes everything': we need a concerted approach.

He talked about improving infrastructure such as road shoulders and intersections. He is working very hard to make that happen from an infrastructure point of view, and I look at road safety from a policing point of view. Together, we work very well on that front. The member for Kaurana asked us to hurry up. I appreciate that we need to get this through today. I understand that it is moving quickly, but I point out to the member for Kaurana that we are still briefing the crossbenchers. We are doing that as quickly as we possibly can. We thank him for his support in wanting to get it through.

I cannot mention people on the other side who are not here, so I will not go into that. To finish up, I commend the member for Morphett for his input. It has been a short period of time, but his technological understanding of the situation was really well outlined in this place and I commend him for that. He did an outstanding job of getting his head around the difference between Lidar, lasers, radars and the different technologies. His contribution was very valuable for anyone who wants to know the technical side of what is happening.

I thank those on the opposite side for supporting this bill and getting it through posthaste. Coming into the Christmas period, we want everyone to be safe on the roads—I cannot stress that enough. We want everyone to have a wonderful Christmas period with their families and make sure that they return in the new year safe on the roads, and we know that this bill will help do that.

Bill read a second time.

Third Reading

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:52): I move:

That this bill be now read a third time.

Bill read a third time and passed.

SOUTH AUSTRALIAN EMPLOYMENT TRIBUNAL (MISCELLANEOUS) AMENDMENT BILL

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:53): I move:

That this bill be now read a second time.

The legislative amendments contained in the South Australian Employment Tribunal (Miscellaneous) Amendment Bill 2018 relate to the exercise of the jurisdiction of the South Australian Employment Tribunal to hear federal diversity jurisdiction matters. The bill addresses the constitutional issue raised in the recent High Court decision of *Burns v Corbett* [2018] HCA 15. That decision applies to prevent bodies that are not courts of the state from exercising federal judicial power in relation to federal diversity matters, namely, those in which the commonwealth, or a person suing or being sued on behalf of the commonwealth, is a party, or between states, between residents of different states or between a state and a resident of another state.

It follows from the High Court decision that the South Australian Employment Tribunal can only exercise jurisdiction to decide matters involving federal diversity issues if the tribunal is a court of the state. However, the South Australian Employment Court is established under the South Australian Employment Tribunal Act 2014 as a part of the South Australian Employment Tribunal. The South Australian Employment Court is a court of the state and hence is capable of exercising federal diversity jurisdiction. The bill ensures that jurisdiction in relation to federal diversity matters is directly vested in the South Australian Employment Court.

The bill defines 'federal diversity jurisdiction' by reference to sections 75(iii) and (iv) of the Australian Constitution. These provisions are clear and self-explanatory and do not need further elaboration in the bill. An example of when the jurisdiction might arise in the South Australian Employment Tribunal is if an injured worker, or a disputant in industrial relations or other employment-related matters, were to move interstate to live with supporting family members.

This constitutional issue also arose in respect of the South Australian Civil and Administrative Tribunal, or SACAT, as we know it in South Australia, in response to which parliament passed the Statutes Amendment (SACAT Federal Diversity Jurisdiction) Act 2018. However, that act and the present bill deal with the issue in a different way in view of the different characteristics of SACAT and the South Australian Employment Tribunal. The bill contains a number of consequential provisions, including to mitigate the risk of constitutional invalidity by not permitting the non-judicial supplementary panel members appointed to the South Australian Employment Tribunal to sit as part of the South Australian Employment Court in proceedings that involve federal diversity matters.

Some of the acts that confer jurisdiction on the South Australian Employment Tribunal enable the president to elect to constitute the tribunal with a judicial member and supplementary panel members to provide the South Australian Employment Tribunal with special industry or subject matter expertise. These are the Equal Opportunity Act 1984, the Education Act 1972, the Technical and Further Education Act 1975, the Fire and Emergency Services Act 2005, the Public Sector Act 2009 and the Work Health and Safety Act 2012.

It is fair to say that, given the High Court decision, we necessarily must address this matter if we are to deal with the very contemporary issue of circumstances where one or both of the parties may be living, operating or registered in another state. The SACAT matter, which has already been through the parliament, was addressed by the appointment of magistrates in the Magistrates Court, to enable them to adjudicate those decisions and ensure that there was an available body to determine those issues in dispute.

In the real world, it is not an uncommon problem. In that jurisdiction, we found that very often one or another of the parties, particularly in housing rental disputes and tenancy and occupation disputes, frequently involved a party who resided interstate. I was surprised at that and I am sure other members would be surprised to learn that this was a very common situation. I thought South Australians would own the flat, the house, the apartment or the mansion and that, obviously, South Australians would live in them. However, we found that a very significant number of dwellings in South Australia are owned by corporate entities that are registered or headquartered in Melbourne. Of course, they then become the party in respect of eviction, unpaid rental or property damage disputes that SACAT are called upon from time to time to resolve.

The decision of *Burns v Corbett* meant that we had to jump straight into an immediate action to try to ensure that those parties who were waiting to have their rent paid, or for relief from paying rent, or who were in dispute as to who was responsible for damage or neglect, or failing on behalf of a landlord—all those disputes—had a forum in which those disputes could be adjudicated, and so we had to move fairly quickly.

Similarly, in the South Australian Employment Tribunal's areas of responsibility from time to time they will need to have somebody within the court structure to deal with the matter. I know that they have Magistrate Ardlie down there. As I have indicated, the president is a District Court judge, and indeed a number of deputy presidents are also District Court judges in the South Australian Employment Tribunal.

With these amendments, we are able to establish a proposal for diversity proceedings. The clause to be inserted under the proposed section 6AB will deal with diversity proceedings, as follows:

Proposed section 6AB provides that where a determination of a matter within the jurisdiction of the South Australian Employment Tribunal (SAET), or that would otherwise be within the jurisdiction of SAET, involves the exercise of federal diversity jurisdiction, the matter is to be dealt with by the Tribunal sitting as the South Australian Employment Court (the Employment Court). Federal diversity jurisdiction is defined to mean jurisdiction of a kind referred to in section 75(iii) and (iv) of the Commonwealth Constitution, whereby the High Court has jurisdiction over matters in which the Commonwealth is a party, or over matters arising between the States, residents of different States or between States and residents of another State. This clause refers to such proceedings before the Employment Court as diversity proceedings.

If, in a matter before the Tribunal not sitting as the Employment Court, the Tribunal is of the opinion that the determination of the matter involves, or may involve, the exercise of federal diversity jurisdiction, then the Tribunal must refer the proceedings to the Employment Court for determination. (This clause also refers to such proceedings as diversity proceedings). The matter may be remitted to SAET if the Employment Court is of the opinion that the matter does not involve the exercise of federal diversity jurisdiction.

In determining diversity proceedings the Employment Court may not be constituted of supplementary panel members. The Employment Court has the same jurisdiction, powers and functions in relation to the proceedings that the Tribunal (other than in Court Session) would have had if it could exercise federal diversity jurisdiction. The usual practices and procedures that apply to the Tribunal other than in Court Session will apply to the Employment Court unless, and to the extent, the Court determines otherwise.

The proposed clause also makes provision for the enforcement of purported orders (including monetary orders) of SAET, whether made before or after the commencement of the clause, that are invalid because determination of the proceedings that gave rise to the order involved the exercise of federal diversity jurisdiction. It also provides for proceedings in relation to the variation or revocation of such orders by the Employment Court (which are to be treated as 'diversity proceedings'). The clause also provides for immunity in relation to actions or purported actions taken pursuant to, or in relation to the enforcement of, a purported order or monetary order in good faith.

In the event that I have not fully covered that, I seek leave to have the explanation of clauses inserted in *Hansard* without my reading it. I otherwise commend the bill to members for consideration.

Leave granted

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal. The intention is for the measure to come into operation on the day on which it is assented to by the Governor.

Part 2—Amendment of *South Australian Employment Tribunal Act 2014*

3—Amendment of section 4—Relevant Acts prevail

This clause makes a consequential amendment to make sure that a relevant Act cannot override the provisions of proposed section 6AB.

4—Insertion of section 6AB

This clause inserts proposed section 6AB.

6AB—Diversity proceedings

Proposed section 6AB provides that where a determination of a matter within the jurisdiction of the South Australian Employment Tribunal (SAET), or that would otherwise be within the jurisdiction of SAET, involves the exercise of federal diversity jurisdiction, the matter is to be dealt with by the Tribunal sitting as the South Australian Employment Court (the Employment Court). Federal diversity jurisdiction is defined to mean jurisdiction of a kind referred to in section 75(iii) and (iv) of the Commonwealth Constitution, whereby the High Court has jurisdiction over matters in which the Commonwealth is a party, or over matters arising between the States, residents of different States or between States and residents of another State. This clause refers to such proceedings before the Employment Court as *diversity proceedings*.

If, in a matter before the Tribunal not sitting as the Employment Court, the Tribunal is of the opinion that the determination of the matter involves, or may involve, the exercise of federal diversity jurisdiction, then the Tribunal must refer the proceedings to the Employment Court for determination. (This clause also refers to such proceedings as *diversity proceedings*). The matter may be remitted to SAET if the Employment Court is of the opinion that the matter does not involve the exercise of federal diversity jurisdiction.

In determining diversity proceedings the Employment Court may not be constituted of supplementary panel members. The Employment Court has the same jurisdiction, powers and functions in

relation to the proceedings that the Tribunal (other than in Court Session) would have had if it could exercise federal diversity jurisdiction. The usual practices and procedures that apply to the Tribunal other than in Court Session will apply to the Employment Court unless, and to the extent, the Court determines otherwise.

The proposed clause also makes provision for the enforcement of purported orders (including monetary orders) of SAET, whether made before or after the commencement of the clause, that are invalid because determination of the proceedings that gave rise to the order involved the exercise of federal diversity jurisdiction. It also provides for proceedings in relation to the variation or revocation of such orders by the Employment Court (which are to be treated as 'diversity proceedings'). The clause also provides for immunity in relation to actions or purported actions taken pursuant to, or in relation to the enforcement of, a purported order or monetary order in good faith.

Debate adjourned on motion of Mr Brown.

ELECTORAL (PRISONER VOTING) AMENDMENT BILL

Final Stages

Consideration in committee of the Legislative Council's amendment.

(Continued from 27 November 2018.)

The Hon. V.A. CHAPMAN: I move:

That the Legislative Council's amendment be disagreed to.

May I indicate that the Electoral (Prisoner Voting) Amendment Bill 2018 as amended by the Legislative Council and the amendment thereon are wholly rejected by the government and being returned. This is a bill which now shifts the parameters of the policy a great deal. This is a policy which we took to the last state election and which we say the people of South Australia were utterly committed to.

The bill we see before us has an amendment which diminishes that policy and does not align with the commonwealth position, which is to essentially make provision that you will forfeit the right to have a vote if you are in prison on a term of imprisonment of more than three years, which includes life prisoners. We consider, and the public of South Australia consider, you should forfeit the right to vote while you are in prison, and prison for us includes while you are in home detention.

The opposition has proposed that only the people who are serving a life sentence will be unable to vote in the state election. All other prisoners will be allowed to vote. In terms of numbers, this means only 6 per cent of the prison population would be unable to vote, a significant change from the proposal this government brought to the parliament. Currently, there are 196 people serving a life sentence in South Australia's prisons, as I am advised. While there is a range of offences on the statute book that have a maximum penalty of life imprisonment, murder carries a mandatory life sentence. The government agrees that people serving a life sentence should not be able to vote. That is part of what we proposed. However, the government believes that the voting restriction should go further.

The government bill, as introduced, would capture prisoners who have committed offences where the maximum penalty is life imprisonment but who have received a lesser sentence, a sentence greater than three years but less than life. Offences that carry a life sentence, depending on the circumstances of the offending but where a lesser sentence might be imposed, include manslaughter, death by dangerous driving, criminal neglect, rape, unlawful sexual intercourse with a person under the age of 14, persistent sexual abuse of a child, sexual servitude and related offences if the victim is a child under the age of 14 years, arson, aggravated robbery, aggravated serious criminal trespass, serious drug offences under the Controlled Substances Act. So we are talking about offending of a very serious nature, offending where, if a person has received a sentence of three years or more, under the government bill they would be prevented from voting—but not under the opposition's proposal, unless they happened to get a life sentence.

In addition, the government bill would apply to prisoners who have committed offences that do not carry a life sentence but that carry a high maximum sentence, and where a court considers they should be sentenced for three years or more. This would include offences such as robbery, but not aggravated (that is, with a weapon, etc.); causing serious harm to another; endangering life; possessing child pornography; procure a child to commit an indecent act; participate in a criminal

organisation; drug offences under the Controlled Substances Act; and offences under the Firearms Act.

These are not small misdemeanours, these are not some summary level of criminal activity, these are not just misconduct, not just unbecoming conduct. These are at the serious end, the pointy end of the pencil. On this side of the house, we say it is important that we send a message that people serving sentences in these categories should also lose the right to vote. The opposition has obviously forgotten that whilst many people commit offences for which the maximum penalty is life imprisonment they may not be sentenced to life imprisonment; it is only the maximum.

Finally, the government bill also prevents the following categories of people from voting: persons detained on the basis that they are unwilling or unable to control their sexual instincts and persons detained under the Criminal Law (High Risk Offenders) Act 2015. These two groups are particularly interesting, and I hope that other members in the chamber are listening carefully to this matter, particularly those who sit on the opposition benches.

They were in government once—and I hope we will not see that time again in a hurry—and I will say that, when in government, they were very strong regarding protection of the people of South Australia from people in these categories. They went to considerable lengths, which has been dealt with in some other jurisdictions around the commonwealth and which the commonwealth, as we speak, is looking at in terms of how to better deal with persons in this category.

However, regarding people who are unwilling or unable to control their sexual instincts, I have heard members of the house make public statements about the importance of us having protection in this area. I am utterly astounded that when people in this category are denied the option to vote the opposition say, 'No, that's okay. Let these people have their democratic right to vote.' This is a category of people the opposition has been so fervent about in terms of sponsoring law reforms to keep them in custody or under extended supervision orders—that is, they would be released but continue to be under surveillance or restriction post the head sentence concluding—a group that when it is politically opportune the opposition claim should have absolutely no rights and then they attempt to rush legislation.

That is pathetic, absolutely pathetic. It is hypocritical, absolute hypocrisy. I do not know how the opposition can justify distinguishing their rampant demand to lock them up and protect the public of South Australia and then, in all conscience, come into this parliament—or at least the Legislative Council, dominant in the sponsoring of these amendments—and demand they have a right to vote. It is just laughable.

It is a clear reminder that the Leader of the Opposition and his team only care about the high-risk offenders and the sexual offenders when there is good media—good media for what they can get out of it, or, in the case of the Leader of the Opposition, when one of them has proposed to live in his electorate. That is how narrow-minded the opposition has been and how easily exposed they are to the assertion that they are totally opportunistic on this and do not really consider the significance of what the public wants.

Sure, the public wants protection. They want to make sure that there are not people living in their streets or loitering around their schools, but they also want to know that, when these people have been convicted of these offences, they have been denied the privileges that all the rest of us have. One of those privileges is to contribute in elections by voting for people who are going to represent us in the state parliament or in the federal parliament. I find it incredible that we are in a situation where there has been this blatant hypocrisy displayed by the opposition. Beyond high-risk offenders, serial sexual deviants like Shannon McCool would be eligible to vote under the Labor proposition.

I can remember, and I know the member for Enfield can remember, the then premier (now the member for Cheltenham) standing shoulder to shoulder with the police commissioner. The member for Enfield might have even been there as the attorney-general, but perhaps he was not quite so silly as to be exposed to that. There was a big press conference and every man and his dog were there. This was in circa May 2014, when the premier came out and said that Mr McCool had been arrested and charged and that he had committed acts of evil.

The Hon. J.R. Rau: I was not there.

The Hon. V.A. CHAPMAN: Well, that was smart enough. That SC is worth something, I suppose. You would not be so silly, member for Enfield, as to stand up there in a circumstance that I have never seen in all the time I have been in here: an act that could be so prejudicial to a fair trial, if it were needed in that case, resulting from the conduct of the now member for Cheltenham, then premier, standing up and making those statements when a man had been charged. He had not at that stage been tried, but where the member for Enfield was slightly missing in action—

The Hon. J.R. RAU: Mr Chair, point of order.

The CHAIR: There is a point of order from the member for Enfield.

The Hon. J.R. RAU: I am thoroughly enjoying this trip down memory lane with the Deputy Premier, but it is not actually pertinent to the matter before parliament. Whilst it is very good—I am loving it, and I hope you can think of some more things I have done that are terrific—in the meantime, why don't we get back to prisoners having a vote?

The CHAIR: Attorney, I think we have probably spent enough time on the member for Enfield's previous time, so we will come back to the amendment at hand.

The Hon. V.A. CHAPMAN: Alright. I do not think there is anyone in South Australia who would forget Shannon McCoole. Under the opposition's proposition, voted for in the other place, he still gets a vote. I do not even understand—

Mr PEDERICK: Point of order, Mr Chair.

The Hon. A. Koutsantonis interjecting:

The CHAIR: There is a point of order from the member for Hammond. Member for West Torrens, you are interjecting and you are not even in your place.

Mr PEDERICK: You have the point of order, Mr Chair.

The CHAIR: Thank you, I pre-empted that. Attorney, let's not coax too much from the opposition.

The Hon. V.A. CHAPMAN: Alright. As I said, the Legislative Council, with the support of the members of the Australian Labor Party, have presented to us an abridged version of those who can continue to vote whilst in prison. I make the point that people such as Shannon McCoole will continue in that category. I find it astounding and incomprehensible that, with all the carry-on from the opposition, they would even allow this to happen. It is simply not acceptable; it certainly would not pass the pub test, not in my electorate.

The Hon. A. Koutsantonis interjecting:

The Hon. V.A. CHAPMAN: The member for West Torrens—

Mr PEDERICK: Point of order: the member for West Torrens keeps interjecting out of his place. He has been here 21 years and I know he should know better, but he does not.

The CHAIR: He does indeed know better. I remind the member for West Torrens that interjections are out of order, let alone if they are not from your place. Attorney, let us return to the amendment at hand.

The Hon. V.A. CHAPMAN: The amendment at hand would have a very serious and extensive consequence if we were to accept it, which is why I am explaining why the government would reject it. Let us go back to what the public want. The public voted us into government with a commitment, as one of our policies, that we would ensure that prisoners would not have a vote. We made it very clear that it would be the same as the commonwealth threshold and that it would be for those imprisoned for three years or more, whether they were in prison or in home detention. We made that very clear.

I do not know how often the member for West Torrens, the member for Enfield or even the member for Kaurna go into their local pub. I have been into the one on Henley Beach Road before. I do not think I let the member for West Torrens know that I was there. He might like to know that the

announcement of where the new Festival Centre would be built was first made in 1969 in one of his hotels at a Liberal Party function by then premier Hall.

Mr PICTON: Point of order.

The Hon. V.A. CHAPMAN: I am getting a bit off track, I agree.

Mr PICTON: Amazingly, even the Deputy Premier has acknowledged that she is getting a bit off track.

The CHAIR: I accept your point of order. I redirect the Attorney.

The Hon. V.A. CHAPMAN: I was just so enthused with the blush of history—

The CHAIR: I can see that. We have had a history lesson here today.

The Hon. V.A. CHAPMAN: —that I thought he might like to know that. He could have a little plaque put outside in recognition of that important event. I am told that the question was—if I could just complete the sentence—shall we have it on the river or shall we have it back on the road? That was the—

Mr PICTON: Point of order: the Attorney is defying your ruling.

The CHAIR: I did not actually make a ruling, but I suggested earlier to the Attorney that she address the amendment at hand.

The Hon. V.A. CHAPMAN: In the other place, the opposition carried on about the legislative synchronicity across the states with these laws and, despite this, the opposition's proposal would take us down a path that other jurisdictions have not taken. In most other jurisdictions, a prisoner is unable to vote if they are serving a sentence of one year, three years or five years. The threshold varies. In no other jurisdiction is the threshold a life sentence.

We must remember that all other states have already passed laws restricting prisoner voting. South Australia again lags behind and, as I said, it was the commitment of the government prior to the election that we would remedy this. I commend the Minister for Energy because he was one of the first people in the then opposition to recognise the significance of this and ensure that we address it, we consider it and, of course, it was embodied in the commitments we made prior to the election.

The government introduced a bill into the house that had clear parameters and policies around it. It was well thought out and covered varying groups of offenders, even those on extended supervision. The opposition want you to believe that they are tough on crime and hard on criminals in our prisons, but clearly this is not the case. They have absolutely watered down a sound legislative change to restrict prisoner voting in line with the commonwealth standard. This policy is based on federal standards. This government firmly believes that people who commit serious offences should not be afforded the privilege to vote. By moving these amendments, allowing high-risk offenders such as those who commit rape and domestic violence to continue to vote, Labor has again shown that they misunderstand community expectations.

I also point out the absolute absurdity if we were to accept this legislation: all those people sitting in custody would be restricted from voting at the next federal election but could go and vote for any of us at the next state election. How utterly absurd to have a situation where they can be told, 'Sorry, none of you can come into the voting booths at Yatala unless you are in the under three-year category. All the rest of you have to go back to your cells; you're not getting a vote,' but, come the state election, it is everyone in except those with a life sentence. It is just so absurd. Imagine the bureaucratic process of redoing the new set of rules and not keeping it consistent when there is an opportunity under the original government bill to do just that.

Clearly, somehow or other the ALP have decided that they are in the business of trying to frustrate good and sensible law and not seriously consider operational capacity and consistency, where it can be done. They have not considered the public expectation that we not only deal with people, in the sense of depriving them of their liberty when they commit serious offences, but certainly not allow them to vote. Therefore, for all those circumstances, the opposition utterly rejects this amendment.

Mr PICTON: What a load of hogwash we have just heard from the Deputy Premier. Sadly, it is not the first time, probably even this week, that we have heard such a diatribe from the Deputy Premier—

The CHAIR: The member for Kaurna will speak to the amendment, as I encouraged the Attorney to do.

Mr PICTON: That is what we have come to expect, sadly, but it is interesting that we are debating it this week and not last week because it was here ready to debate last week. We could have debated this in the house last week, if it was such an important thing to do.

The Hon. V.A. Chapman: Too busy doing other things.

Mr PICTON: I do not think we were because we went home early a couple of times. I do not think we were very busy at all because this is a government that has no agenda, so we were not very busy. It was interesting that there was a report published about the bill on Thursday 29 November, which stated:

She—

being the Deputy Premier—

is expected to accept the amendments this morning meaning only those serving life sentences will be banned from voting.

The Advertiser reported last week that the Deputy Premier was expected to come into this house and pass these amendments, but something happened between now and then that we get this thunderous opposition from her. Let's recollect for a second that these amendments were not just Labor Party amendments. They were supported by SA-Best and the Greens as well in the other place, although the Deputy Premier fails to acknowledge that.

We even had the spectacle of accusations flying at the Hon. Frank Pangallo MLC that he was somehow in favour of paedophiles, which was remarkable and absolutely disgusting, in my view. Clearly, this could have been done and dusted last week. We could have debated this. We could have had the Attorney's references to the development of the Festival Plaza and Liberal Party fundraisers in her filibustering speech last week, but clearly something has happened. Of course, last week, we had all sorts of division happening in the Liberal Party, so who knows what has happened here.

The CHAIR: Member for Kaurna, could you take a seat, please. I did direct the Attorney on a number of occasions back to the amendment.

Mr PICTON: Really?

The CHAIR: Yes, I did. You were sitting here. I am going to ask you to do the same thing.

Mr PICTON: We know that there was an article in the paper saying that the Deputy Premier would be supporting this, but now those amendments proposed by the Legislative Council are being opposed by the government here, and that change is interesting.

It is also interesting that we are seeing complete filibustering in the parliament today. Essentially, the Deputy Premier has made some allegations as to whether or not the Labor Party is tough on law and order. I think one thing is pretty clear from the past 16 years. You can make all sorts of assertions, as she does, about the past 16 years, but clearly the Labor Party was tough on law and order. We consistently changed the laws. We consistently increased the resources available to our police. We increased penalties for violent and other horrible crimes in our community and continued to strive towards a safer community, which we did in the reduction of crime in South Australia over that period of time.

When you judge a piece of legislation in terms of the impact it will have on a safer community, you can look at a few tests. One is: is this going to stop anybody from offending? Is this going to stop any offences from occurring in our community? In this case, the answer is no. There will not be an offender in the community who is going to say, 'I'm not going to punch this person because I might be sentenced to imprisonment, which might result in the lack of voting.' That is not going to happen. That is not going to deter anybody from committing a crime.

The second test is: is this going to help catch any offenders? Is this going to lead to a prosecution or arrest that we would not otherwise have in South Australia? Of course not. The police are not going to have any extra ability to arrest, nor the DPP to prosecute, nor our courts to convict people, on the basis that this is in place. There will not be any greater enforcement of the law because of this.

The third test is: is this going to reduce the likelihood of prisoners to reoffend once they have been released from prison? Not only is there no evidence of that but in fact it is potentially the reverse. According to our own experts from the South Australian Law Society and elsewhere, and international experts I have referred to previously in this house, this might have a detrimental effect in terms of our ability to rehabilitate prisoners and stop them from reoffending in the future.

One of the central aims of our corrections system should be to stop people from reoffending. When the Leader of the Opposition (member for Croydon) was minister for correctional services, he led a transformation in terms of South Australia's corrections policy, supported by the then shadow minister (member for Stuart), to refocus our energies on trying to prevent reoffending. There is evidence that the Attorney-General's proposal to oppose the Legislative Council's amendment could have a detrimental effect, leading to worse rehabilitation outcomes.

On those factors—nobody else is going to be caught, there will not be any further deterrence, there will not be any people arrested, there will not be any extra people prosecuted or convicted and there is not going to be any benefit to rehabilitation—there seems little reason for this. In addition, when we went through the statistics the last time this was debated in the house, it was very clear that hardly anybody will be affected.

Not many prisoners vote, and particularly not many of the prisoners we are talking about in relation to this bill. As such, the impact is going to be very small in terms of the number of voters. The impact on community safety is absolutely non-existent, although it could potentially harm rehabilitation, which is what our corrections system should be focusing on.

We look forward to the government developing an agenda. They have talked about an 'agenda of real change', which we have yet to see. If they continue not to have an agenda, we have some other bills we could debate. With those few words, we support the Legislative Council's amendment and will be opposing the government's motion to oppose it.

Ms LUETHEN: I rise to support everything the Attorney-General has said today in not supporting the amendment that has come from the other place. This bill fulfils the Marshall government's election commitment to bring South Australia in line with every other jurisdiction in Australia, with the exception of the ACT, with regard to prisoner voting in elections. I really do thank the Attorney-General and her department for the important work they have done on this bill—

The Hon. J.R. RAU: Point of order.

The CHAIR: There's a point of order, member for King; could you take your seat, please. Member for Enfield.

The Hon. J.R. RAU: The member's contribution is self-confessed repetition and therefore contrary to standing orders.

The Hon. V.A. Chapman: It does not matter in a debate. Haven't you been listening to the member for West Torrens for the last 21 years?

The CHAIR: Attorney! The member for King has only just begun her contribution; she is making the case, as I understand it—

The Hon. A. Koutsantonis: She started off by saying, 'I agree with everything—

The CHAIR: Member for West Torrens, give me a moment here, please. The member for King is looking to build a case in opposition to the amendment, as I understand it. We will give her the opportunity to do that.

The Hon. J.R. RAU: I was just making the point, Mr Chair, that she said that she agreed with everything the Attorney-General had said. Having listened to the eloquence of the Attorney-General, I—

The Hon. D.C. van Holst Pellekaan: Yes, but she has more to add as well.

The Hon. J.R. RAU: There is more? Okay, fair enough.

The CHAIR: Member for Enfield, I am sorry; I am going to have to ask you to repeat that because I could not hear what you were saying due to the interjections.

The Hon. J.R. RAU: Interjections, disorderly they are. I was just going to say that the member for King started her contribution with an explanation that she agreed with everything the Attorney-General said. In those circumstances, seeing that the standing orders discourage repetition, it would be orderly for that to be noted—it informs us of her opinion—then we can move on.

The CHAIR: That is extraordinarily pedantic, member for Enfield. I do not uphold the point of order, but thank you for repeating it anyway. The member for King has the call and she will be heard in silence.

Ms LUETHEN: I have talked to my electorate of King, in the campaign leading up to the election and subsequently, about their views on this bill today and generally in terms of taking a tougher stance on people who break the law in South Australia. I will be getting to my electors' feedback. The change we propose is to amend the legislation so that our South Australian law reflects that committing an offence that attracts a prison term of three years or longer is so serious that the consequences ought to go beyond imprisonment to forfeiting voting rights for the duration of the prison sentence.

This change brings South Australia in line with every other jurisdiction in Australia with the exception of the ACT. The bill provides that any prisoner, including a person on home detention, who is serving a sentence for three years or longer is ineligible to vote at state elections. The bill does not change the enrolment status of prisoners. After release, prisoners will be able to vote again. This is consistent with the principle that punishment should not extend beyond the original sentence. This bill reflects what the public have been telling me they want to see.

If not for the changes we are proposing, people like Shannon McCoolle will continue to have the right to vote and be able to influence who gets elected to make the laws that would or would not stand in the way of their reoffending. A further reason I oppose the amendments from the other house is that the Marshall government took this promise to the 2018 election after listening to South Australian views that people who commit a serious criminal offence should forfeit their democratic right to participate in state elections. The Marshall Liberal government does not back away from the promise it made prior to the election.

Simply put, our view, which is shared by most South Australians, is that it is an affront that people who commit serious criminal offences are entitled to elect the parliament that makes the laws they have broken. Passing this bill will mean that a person who is in custody at the close of rolls and serving a sentence of imprisonment of three years or more will be ineligible to vote in a South Australian state election. Currently, all prisoners in South Australia can vote in South Australian elections; however, the position is not the same in other jurisdictions. This will bring us in line. The changes we propose will mean that prisoners who are ineligible to vote in a commonwealth election will also be ineligible to vote in a South Australian election.

A difference between this bill and the commonwealth laws is in relation to prisoners serving a sentence of imprisonment of three years or more on home detention, who will also be ineligible to vote at a state election. People sentenced to home detention must realise that this is a serious sentence from the court and will impact on their right to vote just as any other type of custodial sentence would. The rationale for this is that, for the purposes of the Sentencing Act, home detention is treated as a form of custody. Importantly, the bill will not apply to people who are detained under the mental impairment provisions of the Criminal Law Consolidation Act 1935.

This is a really important point that I share in terms of what has been voiced to me as important to King electors. This bill does not affect a person's enrolment status or their ability to enrol. That is unaffected by the amendments, which relate specifically to the entitlement to vote provided in part 9, division 1 of the Electoral Act. A prisoner who is enrolled but ineligible to vote will remain on the roll and be able to vote again once they are released; I want to make that absolutely clear. Upon release, they will resume the freedoms and entitlements of other citizens. In other words, once

a person has finished their sentence, their rights are restored, including their right to vote, and that is how it should be.

The bill makes a number of technical amendments to the Electoral Act to support the new position on prisoner voting. It makes amendments to section 68 of the Electoral Act, which provides for the preparation of a certified list of electors for an election. Finally, the Marshall government approach to this and all justice issues is a principled one. It is the right thing to do and should have been done years ago. South Australia is currently the only state that has not imposed these restrictions upon prisoners voting and it is appropriate that we fall into line with the other jurisdictions. Indeed, it is our time to catch up.

My electorate of King have told me very strongly that their wish is to see stronger penalties and sentences for people who break the law, especially expressing a desire for tougher consequences for those people who commit the most serious offences. In the past couple of days, I have asked for feedback on this issue from groups of young people and the broader community. The responses were mixed, but it was clear that the majority of people who shared their view told me that they do support the change that we initially proposed and that they do not support the amendment that has been put forward.

I will quote some of these responses, which reflect the majority view. Quote 1 says, 'I believe that if you are in jail, then you are a danger to society and should not vote, because voting is a social privilege and crime is a social problem.' Quote 2 says, 'In prison, you lose freedoms...and this should extend to the right to vote.' Quote 3 says, 'I'm shocked. I assumed they could not vote whilst in prison.' This was echoed by a number of people today when I did a tour through Parliament House with the Tea Tree Gully RSL. They were shocked and just assumed that people could not vote while in prison. Another quote says, 'No vote for criminals of course!!!' The next quote says:

If you have committed a crime severe enough to put you in jail for a sentence longer than 3 years then loss of privilege is a given. The privilege of food, shelter, a day in court, Drs, dentists, exercise, tv, books, telephones, visitors and legal representation are not denied. Freedom is denied. Voting is freedom!

Another quote:

Do the crime, go to gaol. This means your liberty is curtailed. Such as the right to vote. Your crimes are a demonstration that you have rejected the implicit assumption of democracy that you respect others rights and they respect yours. Ok once you're out of gaol you've done your time so it's ok to give you another chance to live in civil society and this includes voting.

Yet another quote:

Criminals should not be entitled to keep their vote. Its time to stop giving paedophiles, rapists, drug traffickers, arsonists and a whole variety of other very serious offenders more rights than their victims. Its time for justice to prevail in our courts, and in government. Victims of horrendous crimes receive a life sentence, while offenders of inhumane crimes in this country are given more right than their victim, are even given the right to vote. While victim and their family's receive a lifetime sentence.

To summarise, the Marshall government has committed to introducing legislation to disqualify people who have committed serious offences from voting at South Australian state elections. Passing this bill will mean that a person who is in custody at the close of rolls and serving a sentence of imprisonment of three years or more will be ineligible to vote at a South Australian state election. This is an overdue change and one that will be broadly welcomed.

Currently, all prisoners in South Australia can vote in South Australian state elections. However, the position is not the same across Australia. The bill will bring South Australia broadly into line with the commonwealth position. It will mean that prisoners who are ineligible to vote in a commonwealth election will also be ineligible to vote in a South Australian election.

In addition, the bill will prevent the following categories of people from voting: a person who is detained on the basis that they are unwilling or unable to control their sexual instincts and a person who is subject to a continuing detention order under the Criminal Law (High Risk Offenders) Ac 2015. Importantly, the bill will not apply to people who are detained under the mental impairment provisions of the Criminal Law Consolidation Act 1935. Importantly, when a person has finished a custodial sentence, their rights are restored, including the right to vote. That is how it should be. This is not a decision we have come to lightly; it is one we have debated within our own party.

In relation to the proposed opposition Labor Party amendments, I do not support these because their party is asking this parliament to accept that paedophiles, rapists, drug traffickers, arsonists and a whole variety of other very serious offenders should not only be entitled to vote but should be entitled to influence who becomes our lawmakers. This is what the Labor Party is asking this parliament to support.

Can I say on behalf of the government that we strongly oppose this amendment from the Labor Party. It is symptomatic of everything that was wrong with the former Labor government and the Labor Party. There is a stark difference between the attitude struck by the former government over 16 years and the new government that was elected on a new platform, and we made it quite clear. This was not a policy that was hidden away: this was a policy that was quite clearly communicated prior to the election. We made it quite clear prior to the election, and the bill seeks to implement that clear election policy. Again, this bill reflects what the public have told me that they want and I commend the bill to members.

The Hon. D.C. VAN HOLST PELLEKAAN: I appreciate the opportunity to say a few words on this matter. I agree with everything that the member for King just said, but that in no way means that I forgo my right to contribute myself. The member for King has just made an absolutely outstanding contribution on this matter, built on the contribution from the Attorney-General.

It is a terrible thing for the Labor opposition to be trying to water down this proposal from the government. This proposal, which we took to the election, was very clearly an election commitment. I am not aware of the now opposition ever objecting to it when they were in government, when we announced it as a policy. I might have missed that somewhere along the line and perhaps the shadow minister can bring that information forward if it exists. However, I do not believe that the then government ever uttered a word against this policy of ours when we were in opposition before the election.

To try to water down what is such a straightforward, common-sense and clear policy really just adds to the list of examples of the now Labor opposition trying to play politics with just about everything that comes along. I know that if the Labor Party had come up with this suggestion themselves, they would think that it was a terrific idea. They would have thought that it was a terrific idea for the same reasons that we do: it is sensible, it is practical, it brings the state in line with the commonwealth and it makes it very clear that among a list of privileges that a person loses when they go to prison, voting in state elections as well as commonwealth elections is one of them.

For the opposition to say that they should not do this because very few people would be affected, very few prisoners actually vote, so it will have minimal impact so they should not support is silly. For them to say that there are very few people out of the total population who are prisoners who would be captured by this change as we have proposed is silly. For them to say that it will not reduce crime is silly.

The reason it is silly is that it is not a penalty targeted at reducing crime; it is a penalty targeted at the very sensible, logical position that, when people commit crimes so serious that they are sentenced to three or more years in prison, they do not get to contribute to society in the same way they used to when they were out of prison and they do not get to contribute to society, particularly with regard to having the right to place their vote to decide who makes the laws—the laws that those people, clearly by definition of their sentence, have so obviously disregarded.

It is sensible for a whole range of reasons, but it should not be a complete surprise. The Liberal Party brought to this parliament a policy of limiting the number of drug diversions that a person could have, from unlimited diversions down to three. I know that the majority of members of the Labor Party agreed with that. Somebody could be caught with a small quantity of a low-level drug an unlimited number of times and just be sent off to a drug diversion program, and quite often not even attend that program, get caught again and get diverted, get caught again and get diverted.

From memory, when I was a shadow minister, one person had been sent to a drug diversion program 34 times. Clearly, after the first three or four times you would say, 'This is not working for this person.' So we proposed that there would be a limit of three, and after three there would not be an automatic diversion. After three, it would go to court and the court would decide whether or not

that person had some extenuating circumstances and had a right to a further diversion, or whether some other penalty should be imposed.

But the government of the day, the now opposition, opposed that purely because they wanted to mess around with politics. It is ridiculous. They just use this house as their plaything. Again, on the issue of home detention, quite a few years ago we made the very sensible suggestion that home detention, as proposed by the previous government, absolutely did have a place as a substitute for sentencing to prison in certain situations, but that it could never be considered for murderers, terrorists or serious sex offenders. You cannot get much more sensible than that.

The Hon. V.A. Chapman: Or treason.

The Hon. D.C. VAN HOLST PELLEKAAN: Or treason—thank you, Attorney. But the then government, purely for political reasons, said, 'Yes, actually we know it's a very sensible proposal, but we will object to it just purely to cause difficulty.'

It is just like the previous government's decision to purchase the diesel generators. As soon as the then opposition and now government said that we would not pursue the purchase—we would fulfil the lease that the former government had locked us into, but we would not pursue the purchase—within milliseconds they said they were going to commit the state to the purchase. Just like the former government agreed with interconnection between South Australia and New South Wales right up to the moment when the current government, then opposition, said that we supported that and thought it would be a good thing, all of a sudden they flipped their position—changed instantly overnight.

So we should not be surprised that when we bring a sensible position forward, saying that we want to bring rights to vote in state elections in line with rights to vote in commonwealth elections and in line with the overwhelming majority of public sentiment, the opposition just want to object to it. If they had thought of it themselves, they would have delivered this into parliament. Because the Liberal Party has come up with this sensible proposal, they want to object to it. The opposition do not use this parliament for what they think is best for South Australians; they use this parliament for what they think is worst for the government. That is their modus operandi and they should be absolutely ashamed of that.

As the shadow minister said, when the former minister for corrections, the current Leader of the Opposition, and myself as the former shadow minister for corrections talked about policy issues from time to time, and when the government of the day came up with a good one, as shadow minister I said, 'Yes, that's a good one. We will support that policy.' When it was not good, I said, 'No, we won't support it.' That is the way an opposition should work.

When the government of the day comes up with something that is sensible and is supported by the public and common sense, the opposition should just get in behind it and say, 'Yep, good on you. We wish we had thought of it ourselves, but you did. It is a good idea we'll support it.' But, no, not these guys. They just want to use the parliament as their personal plaything to make life difficult for the government, with no thought whatsoever for what is best for the people of this state. So shame on them for that.

We are going to stick with what we believe is sensible and respected by the public and what is the right way to treat voting. Whether it is from the perspective of consistency with the commonwealth, from public sentiment or from deprivation of liberties in a responsible way for those who have committed very serious crimes, we are going to stick with our position. Like those from the government who have spoken before me, I do not support the amendment that is coming back from the other place.

Mr TEAGUE: I rise also to oppose the amendment. In an endeavour to give some credence or to attempt to analyse where the opposition might be coming from in supporting the amendment that has come from the upper house, I have endeavoured to look for a rationale that might be behind it, and we can all have an interesting conversation about jurisprudence, law reform measures, theories of justice and all the rest of it. I do not see that ably articulated by those on the other side, so I confess to being persuaded by the remarks of the member for Stuart just now in that regard.

Having made those remarks at the outset, I agree with everything the Attorney-General has said just now; moreover, I agree with everything the member for King has had to say. I was privileged to be present in the chamber for her remarks, and I agree wholeheartedly with everything she said. As I have just adverted to, I also agree with everything the member for Stuart has had to say.

However, I am not the least bit concerned that I might be traversing over ground that might be covered by standing order 128 because I say 'more', and that is important on two fronts. I will not rehearse what I had to say when the bill was first before this house back in June, but I certainly encourage honourable members to reflect on those remarks where I talked about the history of depriving the vote to those who are incarcerated. It goes back to at least 1870. I will not rehearse all that, but in the context of the amendment—

The Hon. V.A. Chapman: Very interesting, though.

Mr TEAGUE: —indeed, I commend it to all members—I would highlight two points in particular. It has been put, as I understand it, that somehow the deprivation of the franchise runs counter to the prospects for rehabilitation of prisoners, and that is a very interesting conversation that we might all have about the relative effects on the prospects of rehabilitation.

I would suggest that by introducing the regime, removing the right to vote for those serving a sentence of imprisonment of three years or more—in line, I hasten to add, with section 93(8AA) of the Commonwealth Electoral Act—that is a temporal removal of the right to vote while serving a serious and relatively lengthy period of imprisonment. It might well be said that that measure in itself augurs towards rehabilitation with a view to the right to have that privilege reinstated upon that person completing their sentence. The proposed restriction would bring South Australia, for the first time, directly in line with the provision that applies in relation to commonwealth elections and South Australia into the world of franchise that applies throughout the rest of the country in one form or another. It may have positive effects on the prospects for rehabilitation rather than the contrary.

I make a further important observation in this context, as has been observed by those with whom I heartily agree on this side of the house, that the Marshall Liberal government brings this legislation to the house in accord with the mandate that it obtained in March. It brings this legislation to the house because the people of South Australia voted for it.

The people of South Australia voted for it and we are delivering what we have committed to do. Without even any serious endeavour by those on the other side to deny the passage of legislation in accordance with the mandate, those on the other side are behaving in the most cynical way imaginable. I do not see any recourse to jurisprudence. I see only a cynical endeavour to stand in the way of this government delivering on what it promised it would do.

All of that is unsurprising. It is not as though we are, by the legislation that was debated in this house in June, seeking to bring about some sort of revolutionary change to the franchise situation that applies across the country. On the contrary: we would be bringing South Australia directly in line with the commonwealth and very much more analogous with the circumstances that apply in all the other states to some extent or another, there being a greater level of consistency in relation to the application of the principle.

I am anxious to hear from the opposition about what is said to support the proposed amendment in principle, but I have heard nothing of principle coming back from the other side. If we were to hear some engagement at a level of principle, we might hear from those on the other side about the positive effects of the franchise and perhaps about a rights argument, the inherent rights of every individual to participate in civil society—something along those lines. I would be interested to hear the opposition prosecute those arguments.

It might be interesting to hear the opposition, in fact, prosecute an argument in line with principle in saying, 'If we are going to go beyond three years, why stop at life? Why deny the franchise at all if it is to accord with some argument of principle?' But I hear none of that, just that here we are endeavouring to legislate in line with our electoral mandate. I would argue it is in line with principles that accord with endeavours to assist prisoners to rehabilitate and rejoin society, having served a sentence, yet we are met with this cynical response from those on the other side.

We know on the topic of rehabilitation that prisoner rehabilitation is hugely important and central to much of the corrections environment and ought to be something that we focus on with a view to ensuring that those who have served their sentences are able fully to rejoin civil society, and it is a challenge that is ongoing. There are any number of important measures, programs and so on that are made available to prisoners, and those are to be applauded. They include education and training programs while a prisoner remains incarcerated, and there are many of those providing work opportunities to prisoners while incarcerated, and explicit offender rehabilitation programs in a range of categories for a range of offenders who find themselves serving terms of imprisonment.

Of course we are focused on rehabilitation. Of course we would endeavour to do all that is possible to ensure that those who are coming out on the other side have prospects to rejoin civil society. Every endeavour should be taken to ensure that we continue to do that. But I would argue, as I have from the outset in these brief remarks, that the removal of the franchise in these circumstances, in a temporal way while a prisoner is serving a period of imprisonment for any one of the very serious offences that are caught by the period of imprisonment that is the subject of the bill prior to amendment and set out in clause 6 of the bill by virtue of the new designated purpose definition in subsection (5), is a measure that is in line with approaches to what a person is deprived of when they are serving a sentence of imprisonment.

As we know, primarily they are deprived of their liberty. They are deprived to a significant extent of property and may be explicitly so in circumstances of confiscation. For the purposes of this bill, they are in that temporal sense, while serving those serious periods of imprisonment greater than three years, also deprived of the franchise. The deprivation of the franchise, the subject of the bill as originally presented to the house, accords with principle, and I commend that original unamended bill to the house.

Time expired.

Dr HARVEY: I rise today to speak in opposition to the amendment from the other place and I wholeheartedly support the comments of the Attorney-General, the comments of the member for King, the member for Stuart and, of course, the member of Heysen.

On this side, we are seeking to deliver on a commitment we took to the people of South Australia at the last election. We took a number of commitments, and we have taken very seriously the need to do what we said we would do. That is because people from right across the community were sick and tired of previous governments that went to the election saying one thing and then straight afterwards did something very different. We are different from that: we are bringing the change that we promised.

When we went to the people of South Australia, we told them our plan: that prisoners imprisoned for a sentence of greater than three years would be unable to vote for the period of their sentence. That is what we went to the people of South Australia promising and that is what we are seeking to deliver—in the same way that we went to the people of South Australia and committed to put a cap on council rates, in the same way we committed to deregulate shop trading hours to give people better choice and in the same way we committed to undoing the damage of Transforming Health, to returning services to local hospitals, such as Modbury Hospital in my electorate and to fixing up the health system more broadly.

We also promised to deliver economic change, improving conditions within the South Australian economy so that businesses had a greater capacity to grow, to employ people and to give South Australians much greater economic opportunity. Also, and importantly, we took many commitments around reducing the cost of living for households and also businesses. We take this very seriously and have made a very strong point of delivering on what we said we would do because that trust had been severely damaged in government in general over the last 16 years. That is why, with my colleagues on this side, I am very pleased to oppose the amendment and support the original bill as it was originally intended.

In relation to that, I would like to make the point that it seems that those opposite were not paying attention in primary school during their civics classes because, if they had, they would understand that in our society each of us has rights and responsibilities. Without attempting to embark on a deep, theoretical exploration or distinction between human rights and civil rights, there

are certainly rights we all possess as humans by virtue of our humanity, but there are also rights we possess as a result of our civil society having conferred them upon us.

The right to vote is dependent on there being a democratic system of government and, therefore, I would consider it to be a civil right. Whilst of course the maintenance of a civil right should be of the utmost importance for lawmakers, and indeed for the society in possession of the civil right, the nature of the civil right is that it can be removed. This is distinct from a human right in the sense that where there is an absence of a human right it is due to suppression rather than removal.

It is important that, regardless of the category, rights are exercised responsibly and with regard to the need to balance competing rights in respect of the issue we are discussing today—responsibilities. The right to vote is and should be contingent on certain obligations. The single most important obligation is that those expecting a right to vote accept and understand that they have a responsibility to participate in the community and to do so in a way that is consistent with the values of the community.

This amendment seems to suggest that only those who are serving life sentences have committed an act so beyond the standard of acceptable behaviour of our community, while I would consider someone who has committed an act that has resulted in their serving three years or more in prison to have acted in a way far beyond the standard of behaviour our community expects. There is no greater right—indeed privilege—that South Australians have than to elect their government. It is a right that South Australians exercise with full knowledge that their decision will have a profound impact on their life for at least the next four years.

Given the impact that the election of a government has on society, it is important that South Australians can have confidence that others exercising their right to vote do so with the best interests of our state and its people in mind. Without that confidence, confidence in our democracy can begin to wane. A person who has committed an act so egregious that they need to be removed from the community for more than three years clearly has an issue in putting the best interests of our community first. They clearly have trouble understanding that a functioning society requires an acceptance that certain behaviours are, frankly, intolerable.

Most other jurisdictions in Australia recognise that such people have demonstrated that they have no qualms about failing to participate in a positive manner in society and therefore should not be able to vote for the length of their sentence. As others have described, what is being proposed today in this amendment would lead to the ridiculous situation where someone could be barred and unable to vote in a federal election but could vote in a state election.

Some people may argue that we cannot reasonably expect people to comply with the laws of our state if they do not have a say in who is making them; however, these people have demonstrated that even when they do have a say in who is making the laws they are prepared to break them. It is therefore perfectly reasonable, and I believe in line with the expectations of my constituents, that those who commit acts so serious that they are imprisoned for three years or more have their right to vote removed for the length of their sentence.

Certainly, the rehabilitation of those who commit such serious acts is an important goal and one we should all encourage; however, as I was taught as a child and as I continue to teach my children now, actions have consequences. I know from my discussions with the member for King, who has very successfully engaged with our local community in the north-east on this issue, that this is a very strong sentiment coming from many people throughout our community—and, I expect, much broader than just our part of the world—that people very strongly believe there should be consequences for actions. That sentiment is reflected time and time again through multiple comments.

If a person has acted in a way so counter to the expectations of the community that they are imprisoned for three years or more, they must realise that their actions have consequences, and if they are not prepared to be positive contributors to our society, and indeed make a negative contribution, it is only right that they not be permitted to fully participate in society until such time as they are prepared to abide by our laws and expectations.

This amendment is simply not acceptable. It does not conform to the expectations of our community. If a person is to be in prison for three years or more, they must have acted in a manner

that is seriously counter to the expectations of our community and they should face the consequences of their actions. To imply that only those serving life sentences have acted so egregiously as to require the removal of their right to vote sends entirely the wrong message to those contemplating committing criminal acts.

We need to send a strong message to those who act outside of community expectations that they need to realise South Australians expect better and that there are consequences for their actions. As I started out with, I think also an important point for us on this side is that it very much is something that we committed to before the election. It is something that we then attempted to deliver on, and it is incredibly disappointing that those opposite have decided that they wish us to go down a different path. For that reason I, like all of us on this side, will be opposing the amendment from the other place.

The Hon. V.A. CHAPMAN: I will move that we send the bill back to the Legislative Council with a very clear message and that is: these amendments are rejected. A day is a long time in politics and while we are sitting here debating this important bill, we find that Mr Deboo has been sentenced. Mr Vivian Deboo has been sentenced to six years, seven months and six days—non-parole period slightly less. He has been sentenced today. The Legislative Council need to hear this, and I hope the ears of the Leader of the Opposition are burning. He came into this house and demanded that this man not be allowed to even apply for home detention so heinous is this man—and he is now going to get a vote.

Mr ODENWALDER: Point of order.

The CHAIR: There is a point of order, Attorney. Member for Elizabeth.

Mr ODENWALDER: The Deputy Premier is reflecting on a vote in this house on a bill that is before this house.

The CHAIR: My advice, Attorney, is that we cannot accept that motion. We need to vote on the question that is before the Chair, and that is that the amendment be disagreed to.

The Hon. V.A. CHAPMAN: In moving the motion that the amendment be disagreed to, I send, and the people of this House of Assembly should send, quite clearly back to the Legislative Council the very clear message that this is not acceptable. With regard to the duplicitous conduct of the Leader of the Opposition in trying to masquerade out there in Elder territory where Mr Deboo lives that he should not have the right to even live in that street, he should not be allowed to predate or be near a school, we understand all that, but the rank hypocrisy of the Leader of the Opposition—

The CHAIR: Thank you, Attorney.

The Hon. V.A. CHAPMAN: —now saying—

The CHAIR: Thank you, Attorney.

The Hon. V.A. CHAPMAN: —he can have a vote, is disgusting, absolutely disgusting.

Mr ODENWALDER: Point of order.

The CHAIR: There is a point of order. Take a seat, please, Attorney.

Mr ODENWALDER: I assume you are addressing the same point of order as before.

The CHAIR: Yes. The question before the house is that the amendment be disagreed to.

Motion carried.

Resolutions

SOCIAL WORKERS REGISTRATION BILL

The Legislative Council informs the House of Assembly that it has passed the resolution transmitted herewith, and desires the concurrence of the House of Assembly thereto:

1. That in the opinion of this council a joint committee be appointed to consider and report on the Social Workers Registration Bill 2018;

2. That, in the event of a joint committee being appointed, the Legislative Council be represented thereon by three members, of whom two shall form a quorum of council members necessary to be present at all sittings of the committee;
3. That this council permits the joint committee to authorise the disclosure or publication, as it thinks fit, of any evidence or documents presented to the committee prior to such evidence being reported to the committee.

The Legislative Council has also resolved to suspend standing order 396 to enable strangers to be admitted when the joint committee is examining witnesses unless the joint committee otherwise resolves, but they shall be excluded when the joint committee is deliberating.

Bills

SUMMARY OFFENCES (LIQUOR OFFENCES) AMENDMENT BILL

Final Stages

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

No. 1. Clause 4, page 4, line 10 [clause 4, inserted section 21OB(3)(a)]—

Delete 'pecuniary' and substitute 'commercial'

No. 2. Clause 4, page 5, line 9 [clause 4, inserted section 211OC(2)]—

After 'transported' insert 'more than the prescribed amount of'

No. 3. Clause 4, page 5, after line 12 [clause 4, inserted section 21OC]—After subsection (2) insert:

- (3) A regulation for the purposes of subsection (2) may vary according to the area, circumstances or any other specified factor to which the regulation is expressed to apply

Consideration in committee.

The Hon. V.A. CHAPMAN: I move:

That the Legislative Council's amendments be agreed to.

These are three amendments from the Legislative Council sponsored by the Treasurer. In short and to explain to the members, there were a couple of matters that were raised during the course of the debate largely presented to us by the Aboriginal Legal Rights Movement. We had been in consultation with a number of the relevant bodies in this legislation, which was, I suppose, to colloquially deal with the grog running practice.

I will not recount the intent of the bill, but in short what was identified by them, even though their submission came in a bit late, was that there could be a pecuniary purpose—that is, there would be money exchanged for alcohol—and it may be a situation where it was not for commercial purposes but may be the purchase of some alcohol for a relative, who is obviously over the age of 18 years.

We accepted as a government, and the Legislative Council has accepted, that that might unfairly, of course, prevent an aunt or uncle, or grandparent or a parent saying, 'While you are in Port Augusta, can you collect some alcohol that we are going to be using for a celebration.' They would effectively be paying for it when their niece, nephew or grandson returned, and that would unfairly capture them.

These are relatively minor amendments, and the government has sponsored them and accepts them. I think in this instance the opposition has given us support for this legislation. It is in a form that had been initially introduced by the opposition while they were in government. There were some amendments.

We talked through those with South Australia Police, who are largely responsible for the management of this issue, and we talked with, I think, nine different Aboriginal groups we specifically consulted to make sure that we were fully cognisant of the protections they were seeking for their own people together with practical, applicable laws for the purposes of SAPOL.

With those few comments, I would endorse to the committee the support of the amendments and support the motion to accept accordingly.

Mr PICTON: The opposition is supporting the amendments from the Legislative Council.

Motion carried.

At 17:30 the house adjourned until Wednesday 5 December 2018 at 10:30.

*Answers to Questions***EMERGENCY DEPARTMENTS**

461 Mr PICTON (Kaurna) (28 November 2018). What was the number of mental health admissions in metro Adelaide public hospital emergency departments in:

- (a) July 2017?
- (b) August 2017?
- (c) September 2017?
- (d) October 2017?
- (e) November 2017?
- (f) December 2017?
- (g) January 2018?
- (h) February 2018?
- (i) March 2018?
- (j) April 2018?
- (k) May 2018?
- (l) June 2018?
- (m) July 2018?
- (n) August 2018?
- (o) September 2018?
- (p) October 2018?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

I refer the member to the SA Health Emergency Department Dashboard.

ELECTIVE SURGERY

462 Mr PICTON (Kaurna) (28 November 2018). What was the number of people waiting for an elective surgery operation as at:

- (a) 1 March 2018?
- (b) 1 April 2018?
- (c) 1 May 2018?
- (d) 1 June 2018?
- (e) 1 July 2018?
- (f) 1 August 2018?
- (g) 1 September 2018?
- (h) 1 October 2018?
- (i) 1 November 2018?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

I refer the member to the SA Health Emergency Department Dashboard.

EMERGENCY DEPARTMENTS

463 Mr PICTON (Kaurna) (28 November 2018). What was the longest wait (in hours) recorded for a patient in emergency for:

- (a) April 2018?
- (b) May 2018?
- (c) June 2018?
- (d) July 2018?

- (e) August 2018?
- (f) September 2018?
- (g) October 2018?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

I refer the member to the SA Health Emergency Department Dashboard.

EMERGENCY DEPARTMENTS

464 Mr PICTON (Kaurna) (28 November 2018). What was the number of patients waiting over 24 hours in emergency during:

- (a) April 2018?
- (b) May 2018?
- (c) June 2018?
- (d) July 2018?
- (e) August 2018?
- (f) September 2018?
- (g) October 2018?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

I refer the member to the SA Health Emergency Department Dashboard.

EMERGENCY DEPARTMENTS

465 Mr PICTON (Kaurna) (28 November 2018). What was the percentage of patients seen within clinically recommended times in emergency departments during:

- (a) April 2018?
- (b) May 2018?
- (c) June 2018?
- (d) July 2018?
- (e) August 2018?
- (f) September 2018?
- (g) October 2018?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining): The Minister for Health and Wellbeing has advised:

I refer the member to the SA state budget papers and the annual publication of data by the Australian Institute of Health and Welfare.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

In reply to **Mr PICTON (Kaurna)** (8 November 2018).

The Hon. J.A.W. GARDNER (Morialta—Minister for Education): The Minister for Health and Wellbeing has advised:

On 6 November 2018, Spotless identified potential issues and advised Hotel Services management at Flinders Medical Centre of the contamination.

FLINDERS MEDICAL CENTRE FOOD CONTAMINATION

In reply to **Mr PICTON (Kaurna)** (8 November 2018).

The Hon. J.A.W. GARDNER (Morialta—Minister for Education): The Minister for Health and Wellbeing has advised:

Given the nature of the incident being localised, no other hospitals were alerted.

KORDAMENTHA

In reply to **Mr PICTON (Kaurna)** (8 November 2018).

The Hon. J.A.W. GARDNER (Morialta—Minister for Education): The Minister for Health and Wellbeing has advised:

I refer the member to the answer provided to the Hon Justin Hanson MLC in another place.

KORDAMENTHA

In reply to **Mr PICTON (Kaurua)** (8 November 2018).

The Hon. J.A.W. GARDNER (Morialta—Minister for Education): The Minister for Health and Wellbeing has advised:

I refer the member to the transcript of the proceedings of Estimates Committee B on Tuesday 25 September 2018.

Estimates Replies

HOUSING TRUST RENTS

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I am advised that rent rates are not able to be disclosed as they are commercial-in-confidence.

The business functions transitioning from Adelaide to Port Adelaide accommodation were previously located in Westpac House. I can confirm the rent per m² of Westpac House is more expensive as compared to the Port Adelaide accommodation.

I am advised that 'dead rent' across the two buildings could amount to up to \$6.1 million although DPTI continues to pursue options to attract tenants into Westpac House to minimise any dead rent impacts.

PUBLIC SERVICE EMPLOYEES

In reply to **the Hon. J.R. RAU (Enfield)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following:

As at 30 June 2017 (the most recent data available from the Commissioner of Public Sector Employment), 27.39 per cent of employees in the public sector were on contract.

1.54 per cent of the total public sector workforce are employees who are on contracts with a remuneration level greater than \$120,000 but less than \$150,000 per annum.

1.1 per cent of the total public sector workforce are employees who are on contracts with a remuneration level greater than \$150,000 per annum.

Employees within these remuneration levels include executives, senior medial officers, senior legal officers, and other senior professional officers across the sector.

The data provided covers all public sector agencies (including those in the General Government Sector, Public Financial Corporations Sector, Public Non-Financial Corporations Sector and Non-Budget Entities). Contracts include short term (up to and including one year) and long term (between one to five years).

SAFEWORK SA

In reply to **the Hon. J.R. RAU (Enfield)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following

1. In 2016-17 SafeWork SA delivered 242 workshops/presentations as part of its education services and 257 during 2017-18.

2. In 2016-17 there were 8,815 proactive workplace visits and 12,525 reactive workplace visits. In 2017-18 there were 9,221 proactive workplace visits and 12,974 reactive workplace visits.

3. In 2016-17 SafeWork SA issued one infringement/expiation notice and zero in 2017-18.

4. In 2016-17 SafeWork SA issued 2,342 improvement notices and in 2017-18 issued 2,427 improvement notices.

5. In 2016-17 SafeWork SA issued 650 prohibition notices and 775 in 2017-18.

6. In 2016-17 SafeWork SA entered into three enforceable undertakings (EUs) and in 2017-18 entered into five EUs.

7. In 2016-17 the figure for the number of potential breaches of the Work Health and Safety Act 2012 (SA) (WHS Act) that were investigated and referred to the Crown Solicitor's Office was 15 and was four in 2017-18.

8. In 2016-17 of the 15 matters SafeWork SA referred to the Crown Solicitor's Office (CSO), eight resulted in SafeWork SA filing a prosecution, in 2017-18 there was one filing from four referrals.

9.

(a) In 2016-17 there were 11 matters (including EUs) that were filed for prosecution that resulted in a conviction or an order being made by the courts, in 2017-18 there were 13 such matters (including EUs).

(b) In 2016-17 and 2017-18 there were zero unsuccessful prosecutions due to being found not guilty. In 2016-17 there were four matters which SafeWork SA withdrew the application to prosecute and two matters in 2017-18.

10. In 2016-17 there were three matters where SafeWork SA made the decision not to prosecute, but to accept an enforceable undertaking or other remedy as an alternative to a prosecution and in 2017-18 this figure was five.

11. In 2016-17 the total amount of fines ordered by the courts for breaches of the WHS Act was \$736,000 and in 2017-18 the fines were \$1,500,000.

GOVERNMENT ADVERTISING

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following for my portfolio:

Department of Treasury and Finance:

(a)

2017/18			
Branch	Position Title	FTE	Total Salary 17/18
DTF – Corporate	Communications Officer	1	\$94,543.00
Super SA	Manager, Marketing and Comms	0.75	
(Marketing and Comms)	Projects and Campaign Coordinator	0.8	
	Projects and Campaign Coordinator	0.72	
	Digital Coordinator	1	
	Publications Coordinator	1	
	Publications Coordinator	1	
	Publications Coordinator	0.84	
	Design Coordinator	0.67	\$546,436.00
Revenue SA	Mgr, Taxpayer Education and Comms	1	
	Tax Education and Comms Officers	0.61	
	Tax Education & Engagement Officer	0.9	\$236,815.00
Lifetime Support Authority	Senior Engagement Officer	1	\$89,184.00
CTPIR	Communications Manager	1	\$83,209.00
SAFA	Manager, Communication	0.7	\$72,616.00
Total		12.99	\$1,122,803.00

(b)

2018/19			
Branch	Position Title	FTE	Total Salary 18/19
DTF – Corporate	Communications Officer	1	\$96,343.00
Super SA	Manager, Marketing and Comms	0.75	
(Marketing and Comms)	Projects and Campaign Coordinator	0.8	
	Projects and Campaign Coordinator	0.72	
	Digital Coordinator	1	
	Publications Coordinator	1	
	Publications Coordinator	1	
	Publications Coordinator	0.84	
	Design Coordinator	0.67	\$557,587.00
Revenue SA	Mgr., Taxpayer Education and Comms	1	
	Tax Education and Comms Officers	0.61	
	Tax Education & Engagement Officer	0.9	\$241,333.00
Lifetime Support Authority	Senior Engagement Officer	1	\$90,984.00
CTPIR	Communications Manager	1	\$85,009.00

2018/19			
Branch	Position Title	FTE	Total Salary 18/19
SAFA	Manager, Communication	0.7	\$73,876.00
SafeWork SA	Manager, Comms and Education	1	
	Principal Comms and Education Officer	1	
	Senior Comms and Education Officer	1	
	Senior Comms and Education Officer	0.8	
	Comms and Education Officer	0.9	
	Comms and Education Officer	1	
	Principal Digital Comms Officer	1	\$639,229.00
Total		19.69	\$1,784,361.00

The total budgeted salary for 2018-19 is \$1,784,362. Staffing budget planners for 2019-20, 2020-21 and 2021-22 have not been set.

Note: Some of the listed roles include responsibilities associated with client/employee education.

(c) As an open and transparent Government, Marketing Communications Activity Reports and Annual Media Expenditure details are proactively disclosed. The activity reports list all marketing campaigns over the cost of \$50,000 and are posted on a monthly basis.

This information can be found at: [https://dpc.sa.gov.au/what-we-do/services-for-government/government-communications/government-media-advertising-expenditure.](https://dpc.sa.gov.au/what-we-do/services-for-government/government-communications/government-media-advertising-expenditure)

Office of the Commissioner for Public Sector Employment:

(a) 2.4 FTE were engaged by the Office of the Commissioner for Public Sector Employment to provide communication activities, as at the end of June 2018. Total employment expenses was \$320,000 in 2017-18.

(b) 1.4 FTE are budgeted in 2018-19. The communications budget requirements for the next and out years have not been finalised. However an estimated employee expenses based on the current 1.4 MAS3 position is listed below for information.

	2019-20	2020-21	2021-22
1 x MAS3	\$144,000	\$147,000	\$150,000
1 x MAS3*	\$144,000	\$147,000	\$150,000
	\$288,000	\$294,000	\$300,000

*Assumes current 0.4 FTE position becomes 1.0 FTE.

(c) As an open and transparent Government, Marketing Communications Activity Reports and Annual Media Expenditure details are proactively disclosed. The activity reports list all marketing campaigns over the cost of \$50,000 and are posted on a monthly basis.

This information can be found at: [https://dpc.sa.gov.au/what-we-do/services-for-government/government-communications/government-media-advertising-expenditure.](https://dpc.sa.gov.au/what-we-do/services-for-government/government-communications/government-media-advertising-expenditure)

GRANT PROGRAMS

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following:

The following table provides the allocation of grant program/funds for 2017-18 and across the forward estimates for the Department of Treasury and Finance:

Grant program/fund name	Purpose of grant program/fund	2017-18 Estimated result \$000	2018-19 Budget \$000	2019-20 Estimate \$000	2020-21 Estimate \$000	2021-22 Estimate \$000
WHS Supplementary Scholarships (WHS Grants Program)	To increase the momentum of high quality WHS research in South Australia.	20	5	—	—	—
WHS Commissioned Research and WHS Innovative Practice Grants Program	To assist South Australian university-based or independent researchers to undertake applied research with the ultimate aim of improving workplace safety in South Australia.	44	—	—	—	—

Grant program/fund name	Purpose of grant program/fund	2017-18 Estimated result \$000	2018-19 Budget \$000	2019-20 Estimate \$000	2020-21 Estimate \$000	2021-22 Estimate \$000
Health and Safety Representative (HSR) Training Subsidy	To assist the delivery of training to HSRs by approved training providers and other HSRs.	82	100	—	—	—
Community Support Grants and Donations	To provide support to the South Australian community.	2,349	250	150	150	150
Future Jobs Fund	To support the growth of industries to create jobs.	7,468	22,126	15,689	2,882	1,016
First Home Owner Grants	To assist eligible people in the purchase of their first home.	43,010	36,396	36,738	37,084	37,432
Job Accelerator Grant	To assist eligible businesses in employing additional employees in South Australia.	16,954	31,600	20,100	3,800	—
Pre-Construction Grant	A Grant is available following settlement for eligible purchases of off-the-plan apartments.	—	700	1,100	—	—
Senior Housing Grant	To provide support for eligible persons, who are purchasing or building a new home.	302	—	—	—	—
Small Business Payroll Tax Rebate	To provide payroll tax relief to small businesses.	11,698	—	—	—	—
Industry Financial Assistance Fund	Grants to assist industry in South Australia.	2,192	6,782	10,000	717	735
Economic and Business Growth Fund	To support industry and business growth in South Australia.	—	20,000	25,000	25,000	30,000
Discretionary Grants	Grants to assist various organisations in South Australia.	23,598	19,275	19,633	19,916	20,273

The following table details the commitment of grants in 2017-18 for the Department of Treasury and Finance:

Grant program/fund name	Beneficiary	Value \$	Subject to grant agreement under TI5 (1)
WHS Supplementary Scholarships (WHS Grants Program)	University of Adelaide: Jess Stanhope	10,000	Yes
	Flinders University: Rosalie Coppin	5,000	Yes
	University of South Australia: Melissa Hull	5,000	Yes
	University of South Australia: Mikaela Owen	5,000	Yes
	University of Adelaide: Erica Beaucage-Gauvreau	5,000	Yes
WHS Commissioned Research and WHS Innovation Practice Grants Program (WHS Grants Program)	CQUniversity—Paterson—Managing generational difference	10,000	Yes
	University of Adelaide: Reducing MSD	34,122	Yes
Discretionary Grants	University of South Australia: Michelle Tuckey	10,000	Yes
	University of South Australia: Andie Xu	10,000	Yes
	Asbestos Diseases Society of South Australia	25,000	Yes
	Asbestos Victims Association	25,000	Yes
	Adelaide Exposure Science and Health Group—The University of Adelaide	64,800	Yes
	Young Workers Legal Service	132,600	Yes
	Safe Work Australia	709,558	No
	Racing SA Pty Ltd	17,681,000	Yes
	Racing SA Pty Ltd	4,850,000	Yes
	South Australian Centre for Economic Studies (SACES)	70,000	Yes
Health and Safety Representative Training Subsidy	Access Training Centre Pty Ltd	23,961	No
	Adelaide Training and Employment Centre	13,330	No
	Amalgamated AWY SA St Union	16,700	No

Grant program/fund name	Beneficiary	Value \$	Subject to grant agreement under TI5 (1)
	Gramac Training Solutions	7,395	No
	Business SA	6,450	No
	SA Unions	5,068	No
	Others below \$5,000	9,055	No
Community Support Grants and Donations	White City Soccer Club	118,600	No
Community Support Grants and Donations	Football Federation SA Incorporated	31,400	No
Community Support Grants and Donations	Western Adelaide Domestic Violence Service	75,000	No
Community Support Grants and Donations	Pontian Brotherhood of SA	22,775	No
Community Support Grants and Donations	Brinkworth History Group	1,000	No
Community Support Grants and Donations	Tarlee Primary School	30,000	No
Community Support Grants and Donations	Advance Kingscote Progress Association	110,000	No
Community Support Grants and Donations	Savoy Soccer Club, Port Pirie	5,000	No
Community Support Grants and Donations	North West Junior Soccer Association	6,700	No
Community Support Grants and Donations	Lions Club of Jamestown	8,000	No
Community Support Grants and Donations	Australian Industrial Transformation Institute at Flinders University	57,324	No
Community Support Grants and Donations	Jamestown Bowling Club	30,788	No
Community Support Grants and Donations	Ms Doris Nickolas	7,273	No
Community Support Grants and Donations	Myponga Progress Association	80,000	No
Community Support Grants and Donations	Snowtown Primary School	2,500	No
Community Support Grants and Donations	Molinara Cultural and Community Club	60,000	No
Community Support Grants and Donations	Port Pirie and Districts Road Safety Group	5,000	No
Community Support Grants and Donations	Paolo Sebastian	30,000	No
Community Support Grants and Donations	City of Tea Tree Gully	181,818	No
Community Support Grants and Donations	Indigenous Work and Relocation Experience	10,000	No
Community Support Grants and Donations	Zahra Foundation	20,000	No
Community Support Grants and Donations	Greek Orthodox Archdiocese of Australia	374,455	No
Community Support Grants and Donations	Banksia Park Primary School	160,000	No
Community Support Grants and Donations	Blakes Crossing Christian College	15,000	No
Community Support Grants and Donations	Khmer Buddhist Association	50,000	No
Community Support Grants and Donations	City of Port Adelaide Enfield	150,000	No
Community Support Grants and Donations	The City of Onkaparinga	263,705	No
Community Support Grants and Donations	Port Pirie Bowling Club	60,000	No
Community Support Grants and Donations	Kersbrook Residents Association	20,000	No

Grant program/fund name	Beneficiary	Value \$	Subject to grant agreement under TI5 (1)
Community Support Grants and Donations	Handball SA	5,000	No
Community Support Grants and Donations	The Foundation of Hellenic Studies	50,000	No
Community Support Grants and Donations	Mid Coast Surfing Reserve	14,727	No
Community Support Grants and Donations	Savoy Soccer Club, Port Pirie	69,460	No
Community Support Grants and Donations	Thoroughbred Racing SA	90,909	No
Community Support Grants and Donations	North Pines Sports and Social Club	42,900	No
Community Support Grants and Donations	Parafield Gardens Soccer and Sports Club	57,860	No
Future Jobs Fund	Business Case Support Grants	2,931,000	N/A
Future Jobs Fund	Robern Menz (MFG) Pty Ltd	250,000	Yes
Future Jobs Fund	Buzz Distributors Pty Ltd	150,000	Yes
Future Jobs Fund	Infuse Bottling Co	250,000	Yes
Future Jobs Fund	Nylastex Tooling Pty Ltd	650,000	Yes
Future Jobs Fund	P'Petual Holdings Pty Ltd	2,000,000	Yes
Future Jobs Fund	Sea Dragon Lodge	600,000	Yes
Future Jobs Fund	Philmac Pty Ltd	400,000	Yes
Future Jobs Fund	The Benevolent Society	2,300,000	Yes
Future Jobs Fund	Nuago Pty Ltd	200,000	Yes
Future Jobs Fund	Smiling Samoyed Pty Ltd	200,000	Yes
Future Jobs Fund	LAI Industries Pty Ltd	4,200,000	Yes
Future Jobs Fund	Enrite Care Solutions Pty Ltd	115,000	Yes
Industry Financial Assistance Fund	Adelaide Airport Ltd	700,000	Yes
Industry Financial Assistance Fund	GEN1 Biotechnology Pty Ltd	500,000	Yes
Industry Financial Assistance Fund	Beach Pty Ltd	1,200,000	Yes
Industry Financial Assistance Fund	ProTom Australia MFG Pty Ltd	2,500,000	Yes
Industry Financial Assistance Fund	Sea Transport Developments SA Pty Ltd	306,000	Yes
Industry Financial Assistance Fund	RDA Yorke & Mid North Inc.	80,000	Yes
Industry Financial Assistance Fund	Whitehead Timber Sales Pty Ltd	20,944	Yes

(1) Some grant programs are not subject to TI5 for a range of reasons including:

- Funds provided are considered a donation or subsidy
- The grant agreement is being finalised

The following table provides the allocation of grant program/funds for 2017-18 and across the forward estimates for the Office of the Commissioner for Public Sector Employment:

Grant program/fund name	Purpose of grant program/fund	2017-18 Estimated result \$000	2018-19 Budget \$000	2019-20 Estimate \$000	2020-21 Estimate \$000	2021-22 Estimate \$000
Leaders Institute of South Australia Inc Sponsorship	To provide sponsorship of Leaders Institute SA and 2x Governor's Leadership Foundation Program Scholarships.	58,000.00	58,000.00	-	-	-
Australia and New Zealand School of Government Sponsorship (*)	To provide sponsorship for the indigenous and Public Administration Conference and Indigenous Public Servant Forum.	-	25,000.00	-	-	-

(*)DPC will reimburse OCPSE for the Australia and New Zealand School of Government Sponsorship (\$25,000)

The following table details the commitment of grants in 2017-18 for the Office of the Commissioner for Public Sector Employment:

Grant program/fund name	Beneficiary	Value \$	Subject to grant agreement under TI I5
Leaders Institute of South Australia Inc Sponsorship	Leaders Institute of South Australia Inc	116,000	No
Australia and New Zealand School of Government Sponsorship	To provide sponsorship for the indigenous and Public Administration Conference and Indigenous Public Servant Forum.	25,000	No

GRANT PROGRAMS

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): The government has provided a complete list of grants paid during 2017-18 in question 4.

TARGETED VOLUNTARY SEPARATION PACKAGES

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following:

A budget for TVSPs is not set at the agency level. Instead the budget includes a central provision of \$170 million in 2018-19 (including an additional \$150 million provided in the 2018-19 budget) to assist all agencies in meeting the costs of TVSPs and employee separation payments. Agencies can seek reimbursement from the central provision in 2018-19 for costs associated with TVSPs.

From 1 July 2019 agencies will again become responsible for managing costs associated with TVSPs and separation payments from within their budget allocations.

PUBLIC SECTOR EXECUTIVES

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following positions in DTF were abolished and created between 30 June 2017 and 30 June 2018.

Between 30 June 2017 and 17 March 2018

(1) Abolished

1. General Manager, Super SA (SAES1), \$241,919 p.a.
2. Director, Business and IT, RevenueSA (SAES1) \$211,120 p.a.
3. Director, Public Finance Branch (SAES1) \$137,700 p.a.

(1) Created

1. Chief Executive, Super SA (SAES2), \$280,000 p.a.

Between 17 March 2018 and 30 June 2018

(1) Abolished

1. Director, Strategy and Business Management, Super SA (SAES1), \$186,760 p.a.
2. Executive Director, Public Finance Branch (SAES2), \$287,666 p.a.

(1) Created

1. Program Director, Super SA (SAES1), \$221,756 p.a.
2. Executive Director, Organisation and Governance (SAES1), \$230,000 p.a.
3. Director, People and Performance (SAES1), \$161,537 p.a.
4. Director, Enterprise Bargaining (SAES1), \$220,000 p.a.

Note: Executive salaries are listed as per annum Total Remuneration Package Value amounts.

No executive positions in the former Office of the Public Sector (now the Office of the Commissioner for Public Sector Employment) were abolished between 30 June 2017 and 17 March 2018. One position was created during this period – Director, Workforce Relations (SAES1). The total employment cost for this position, excluding oncosts, is \$211,196.

No executive positions in the former Office of the Public Sector (now the Office of the Commissioner for Public Sector Employment) were abolished or created between 17 March 18 to 30 June 2018.

GOVERNMENT PROGRAMS

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following

The Agency Statements present agency financial information allocated by major areas of activity or 'programs'. The prior year actual, current year estimated result and next year's budget information is presented for these programs.

The preparation of this information is an extensive process and involves the allocation of a range of agency overhead costs. This process is undertaken annually in order to clearly define and allocate the budget for the coming year over the various programs that the agency undertakes. Agency budgets for the forward estimates are based on the next year's budget adjusted for a range of factors including indexation and program and project related parameters.

INVESTING EXPENDITURE PROJECTS

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following

The Agency Statements present investing expenditure information for each agency. The prior year actual, current year estimated result and next year's budget information is presented for investment projects. The Budget Measures Statement contains information by agency of new investing initiatives for the budget year and the forward estimates. Therefore, investing expenditure information by agency is available from the current and prior years' budget papers.

PUBLIC SERVICE EMPLOYEES

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (21 September 2018). (Estimates Committee B)

The Hon. R.I. LUCAS (Treasurer): I have been advised of the following

As at 30 June 2018, 16 employees had formally been declared excess in the SA Public Sector under the government's Redeployment, Retraining and Redundancy policy (compared to 40 as at 30 June 2017). The total cost of the employees is \$1.7 million.

The Commissioner for Public Sector Employment publishes this data on an annual basis in the State of the Sector Report. Information at the level of detail requested is available but is not publicly released in the report given it can in some instances identify individuals in smaller agencies. On that basis, the data is not provided at an agency level in this response. A breakdown of the number of excess employees and total employment cost by classification is provided below.

Excess Employees within the SA Public Sector as at 30 June 2018 (1)		
Classification and increment	No. of Excess Employees	Total Employment Cost (2)
Administrative Services Officer—3	1	74,774
Administrative Services Officer—5	2	193,718
Administrative Services Officer—6	1	109,042
Administrative Services Officer—7	3	361,728
Allied Health Professional—3	1	101,658
Disability Services Officer	1	51,316
Manager Administrative Services—3	1	136,867
Lecturer	5	525,305
Professional Officer—2	1	105,220
Total	16	1,659,628

(1) Data relates to the financial period 1 July 2017 to 30 June 2018, and is still to be finalised by OCPSE for the State of the Sector Report 2018.

(2) Reflects total employment cost (TEC) of all excess employees for that classification and increment. TEC includes salary on-costs such as super, allowances, penalties and payroll tax. TEC of individuals at each classification may vary depending on factors such as FTE level and unpaid leave taken during the year.

PLANNING, TRANSPORT AND INFRASTRUCTURE DEPARTMENT

In reply to **the Hon. A. KOUTSANTONIS (West Torrens)** (27 September 2018). (Estimates Committee A)

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised of the following

The concept solution identified \$2500 per charging station to install and commission. The railway stations that have been proposed for the charging stations have two platforms, hence require two charging stations. The cost

per station to install and commission is \$5000. Ten railway stations will cost \$50,000 to install and commission (based on the concept design).

The Department for Planning, Transport and Infrastructure (DPTI) staff have undertaken further consultation with contractors and also conducted research into similar installations in Australia and around the world. The information gathered noted that there were very few instances that could be found where mobile device charging stations were provided in unsupervised locations, either physical or remote through CCTV, such as an Adelaide Metro Railway Station.

DPTI considers that the charging stations may be subject to significant vandalism. Mitigation such as only installing at CCTV equipped railway stations and then adjacent emergency telephones will not eliminate the risk. The cost therefore includes an allowance for 8 hours of tradesperson labour per week that will account for approximately \$60,000 in the first year.

The cost of solar power is not included in this estimate as the cost for implementation may exceed the benefits. In addition, there is a ready supply of appropriate voltage already on the stations, the incremental cost of power to the charging stations is negligible.

DPTI are exploring options that may provide the same benefits but through a different mechanism.

ECONOMIC AND FINANCE COMMITTEE

In reply to **the Hon. A. PICCOLO (Light)** (27 September 2018). (Estimates Committee A)

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised of the following:

The report of the Economic and Finance Committee – From Paddock to the Plate: A Fair Return for Producers—was handed down in the previous Parliament, and no response was provided by the previous Government. A response to the report is currently being considered by minister Whetstone. Minister Whetstone is consulting with the Small Business Commissioner (amongst others) to inform the final response to the committee's report.

In relation to planning matters, the recommendations of the Economic and Finance Committee regarding value-adding are being considered as part of the development of the state's new planning system, and in particular the Planning and Design Code. I have sought advice from my department in relation to opportunities for value-adding in key tourist and primary production areas as recommended by the Economic and Finance Committee.

I confirm this issue will be explored through a Productive Economies Discussion Paper, to be prepared by the State Planning Commission, due to be released for consultation later this year. This discussion paper seeks to outline and harness a broader understanding of planning policy issues, and importantly how policies may shape local communities in the future.

The paper proposes to highlight areas for improvement and reform for the first generation of the code, as well as for later generations. There will be opportunity for industry groups, agencies such as PIRSA and the Tourism Commission, relevant stakeholders, local councils and the community to engage and contribute to this key discussion point throughout development of the code.

Importantly, the new code will seek to rationalise and simplify planning and zoning policies. The implementation of the code will also assist to remove some of the barriers faced by primary producers seeking to add-value on land, as well as on-sell products at the 'farm gate' or through 'artisan' type operations.

DEVELOPMENT APPROVAL NUMBERS

In reply to **the Hon. A. PICCOLO (Light)** (27 September 2018). (Estimates Committee A)

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning): I have been advised of the following

Throughout 2017 the department worked hard with council's to reduce the number of active council initiated DPAs to 31. Since taking on the role, as Minister for Planning, I have approved 3 Council initiated DPA's and 1 minister initiated DPA.

While I am focused on putting in place the new planning system, the government is also supportive of ensuring the State is open for business.

On this basis I have approved 4 new Council Statement of Intent (SOI's).