

HOUSE OF ASSEMBLY**Thursday, 14 February 2019**

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***ELECTORAL (PRISONER VOTING) AMENDMENT BILL***Conference*

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:01): I move:

That the sitting of the house be continued during the conference with the Legislative Council on the bill.

Motion carried.

*Motions***MEDICAL MESH**

Ms WORTLEY (Torrens) (11:02): I move:

That this house establish a select committee to inquire into and report on the surgical implantation of medical mesh in South Australia and in doing so consider—

- (a) the number of people in South Australia adversely affected following the implantation of medical mesh;
- (b) the benefits of establishing a South Australian register of mesh implant recipients, including a prospective and retrospective audit, which includes the public and private hospital sectors;
- (c) identifying the current role of South Australian medical practitioners in reporting medical mesh-associated adverse outcomes and the consequences of non-mandatory reporting;
- (d) assessing the usefulness of current patient information provided prior to surgery, including options for non-surgical treatment, possible adverse outcomes and fully-informed consent;
- (e) the credentialing of medical practitioners conducting implantation and the removal of medical mesh;
- (f) identifying the extent to which there exists a need for physical and psychological support, including family members, following adverse outcomes; and
- (g) any other related matter.

*Parliamentary Procedure***VISITORS**

The SPEAKER: Before I call the next speaker, I welcome to parliament today Mrs Joan Hall, former member for Coles, and Morialta as well, if I am not mistaken. Welcome.

*Motions***MEDICAL MESH**

Debate resumed.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:03): I move that the motion be amended as follows:

Delete the words 'establish a select committee' and replace with 'instruct the Social Development Committee'

The first part of the motion would read:

That this house instructs the Social Development Committee to inquire into and report on the surgical implantation of medical mesh and in doing so consider—

The rest of the motion remains unchanged. The government is very supportive of the member for Torrens bringing this motion forward. In fact, we do think that it makes good sense to instruct the Social Development Committee to undertake this work, rather than have a select committee. It is exactly the same work that the member for Torrens would like looked into.

This is a very important area. I admit, at least as one member of this chamber, that it is not something I knew much about. I have learnt a lot more about it with the help of the health minister. That is what this parliament is about: bringing forward important issues that not every member is aware of, giving them some prominence and making sure that they are investigated. It is very clear that there have been very serious adverse medical outcomes. The government supports the intent of the motion but would like to change the committee.

Ms WORTLEY (Torrens) (11:05): While it is not my preferred position, we on this side are happy to accept the amendment and this issue move to the Social Development Committee. My first preference would be a select committee but, as long as we are able to proceed, I am happy. I just want to make some comments with regard to those impacted by surgical mesh implantation, and those who may make decisions to proceed with it, and all the facts surrounding what have become for many, sadly, devastating consequences.

Today, in the chamber I have with me some of the women who have been affected by medical mesh implantation. Yvonne was not fully informed prior to mesh being implanted. The procedure has negatively altered every aspect of her life. She told me that, going into surgery, she was fit and active, a much-needed wife, mother and grandmother, and that she was full of hope. Due to adverse surgical injuries, she awoke bewildered and broken. A bladder perforation left her unable to void and catheter dependent.

She developed a foreign body reaction to mesh and felt like she was dying a slow and agonising death, which at times she says would have been welcomed. Mesh stole her dignity, her ability, self-esteem, confidence and independence. It shattered her hopes and dreams and put an end to quality time with her family. More upsettingly, mesh left her unable to lift her granddaughter. She is saddened when she reflects on life before mesh and life now. She said:

Gone is the fun, happy, energetic me who loved to dance and socialise. Instead is a traumatised, slow moving, helpless, unsociable and angry me.

Mesh has impacted significantly on so many women, not just in South Australia or Australia but around the world. While I was doing some research as recently as last night, I looked at what was happening around the world on this issue. The US, New Zealand and the UK are just some of the places where thousands of women have been affected by mesh implants.

Kim is a mother of four, a career paramedic and a registered nurse. She told me that the effects of transvaginal mesh had a life-altering impact on her and her family physically, emotionally and financially, impacting on both her personal and professional life. She said that she was now three years post mesh removal, marking the anniversary three days ago. In saying this, I would just like to say that to have the mesh removed, and only partially removed at that, Kim had to travel to the US at her own expense.

Kim returned to work five months post removal. This has been extremely difficult due to the physical aspect of her position as a paramedic. She is often in pain through shifts, but she prefers not to take pain relief while on shift so as not to blur her judgement. The pain is constant and unrelenting. It limits her physically at work, but she pushes through to provide for her family. She still has pain in her right hip, thigh, calf and foot, along with continuing numbness in her toes, severe lower back and multiple joint pain.

Kim said that it has impacted on every aspect of her life, including her sex life, which is basically non-existent due to the pain and the fact that she feels violated by mesh and the extensive surgical intervention that she has had to endure. She says, 'Luckily for me, I have a supportive partner and work colleagues.' Kim is just one of the women in South Australia, and she has played a significant role in the Australian mesh support group. I met with another woman, a constituent, Tracey, who told me:

I am not a number or a statistic, I am a woman who was just 29 years old when mesh ruined my life. After the birth of two children, I suffered stress urinary incontinence, and 2006 saw the beginning of my harrowing journey...

She said that mesh stole her life. It stole her children's happiness and her marriage. She continued:

It stole my mind and my body, my ability to trust another human being. The damage physically, emotionally, financially and psychologically is far more damaging than the very reason we had these surgeries in the first place.

Gwenda from Port Pirie said:

I feel that mesh surgeries performed in 2004 have mostly destroyed my life. They've contributed to my marriage breakdown, they've caused me physical and emotional ongoing problems. I've been on a disability support pension for eight years, been toxic and hospitalised, traumatised from major bleeding, and am still waiting for further assessment.

Listening to women like Kim, Yvonne, Kirsty, Gwenda, Eunice, Tracey, Lyn and many others makes me determined to see an inquiry into the issues surrounding mesh implantation in South Australian women, as outlined in the motion before us today.

I want to acknowledge the courage and the selflessness of these women, and all the women affected by medical mesh implantation, who have stood together in South Australia, Australia and around the world. Meeting some of them and hearing what can only be described as nightmare stories, along with my research, confirms my view: it is important that we are thorough and ambitious in this inquiry, in ensuring that any recommendations that come from the inquiry are speedily implemented.

I want to elaborate on a story told by Yvonne, who is here with us today. We met in this parliament in December, when this motion was first put up, but unfortunately we did not get to it. Yvonne wrote to me and said:

I am letting you know just how precarious and unpredictable women's health is as a result of mesh. One night before Christmas—

and we are talking about the Christmas just gone—

I woke in agony around 4am suffering chronic pain and passing large blood clots.

Knowing a mesh friend, Canadian advocate Chrissy Brajic aged 42, tragically died just over 12 months ago from Sepsis as a result of having the same mesh as me, leaving 2 small boys motherless at Christmas, I became extremely scared.

My husband drove me to the RAH ER where I spent that night and the next day attached to an antibiotic intravenous drip. Diagnosed with another Urinary [tract] Infection, the 4th for the year, never having suffered with the condition prior to mesh, I was dosed up with strong pain medication 'Endone' and Panamax forte, leaving me unable to function with a foggy brain, vomiting.

What upset me most was that some of the nurses I spoke to had never even heard of mesh and the doctor on duty asked 'did you have tape or mesh?' I was shocked that a qualified doctor did not know tape is mesh, made from the same plastic polypropylene. This is December 2018, in Adelaide.

It brought back memories of an appointment with a gynaecologist who told me 'stop talking about mesh, you never had mesh, a TVT is not mesh'. It was only when I produced my removal notes from my surgeon that he finally backed down.

We have women here in South Australia and around the world who have been telling these stories, and I encourage all of you to google 'medical mesh implantation'. You may have heard about it from the forum we held last year or maybe today is the first time. You will see that thousands of women around the world have been impacted.

I have heard from many women here in South Australia. Two of them have told me the same story, that after months and months of going to doctors, to specialists, with all sorts of symptoms, and no record of the mesh implantation coming forward, they were told it was in their head. Some were given medication because they were being accused of being hypochondriacs and told they just needed to settle down. Two women told me that it was not until during intercourse when their husband's penis was grated as if from a cheese grater, when there were physical signs, that the medical profession actually saw the impact that the mesh, which was coming through the woman's vagina wall, was having.

It was put to the women that it was in their head, that this does not happen, that this is not a reality. It is a reality, and if you just google and get onto the website you will see that it is a reality for many thousands of women. I have some statistics here in relation to what is happening in the US in relation to the number of people who have died as a result of medical mesh implantation.

We know that the consequences for some women have been severe, and we also know that there are men now being impacted by the implantation of medical mesh, men who have had hernia operations. It is not everyone, just as it is with the medical mesh that women have had implanted. Not all of these people will have the negative impacts and some of them will go on to have very positive results, but the risk is significant. It is so significant that the Therapeutic Goods Administration has lifted the rating of mesh from medium to high risk. That happened only recently, at the end of last year. So there are also men out there—and I can see some in here squirming, but I will not make any reference to that.

This is so important. This inquiry, from right across the parliament, needs to be given the genuine and serious consideration it deserves. We need to look at the recommendations. We do not want it to be a report that gets put on the shelf and ignored. We want it to be a report that will be taken into serious consideration, and have the recommendations the committee comes up with implemented, not dragged out.

As I said, this has been going on in other countries as well for years: 2015 in New Zealand, in Scotland and in the UK. As we speak, there is currently an independent review in the US that is travelling around that country hearing from the thousands of women who have been impacted by this. I expect that, with this inquiry proceeding, women will be able to have a voice here, that we will be able to call in the medical profession. SA Health is already in the process of putting together a number of clinics, and there is also a telephone number that women who are impacted by this can call.

There is work being done, but there needs to be even more. The pace at which it is being done needs to be much quicker. We need to take it seriously and we need to deliver, not just for the women already affected but for those women—it may be your wife, it may be your daughter, it may be your mother—who could still be impacted by this procedure. I commend the motion before the house today and seek the full support of this parliament to ensure this inquiry proceeds in the fastest time possible.

Amendment carried; motion as amended carried.

Parliamentary Committees

**PARLIAMENTARY COMMITTEE ON OCCUPATIONAL SAFETY, REHABILITATION AND
COMPENSATION: ANNUAL REPORT 2017-18**

Mr PATTERSON (Morphett) (11:20): I move:

That the 2017-18 annual report of the committee be noted.

I am pleased to present the 2017-18 annual report of the Parliamentary Committee on Occupational Safety, Rehabilitation and Compensation. The committee's activities during this reporting period were somewhat interrupted by the six months between the prorogation of the Second Session of the Fifty-Third Parliament, which happened in December 2017 for the state election and the resumption in May 2018, when the 54th parliament commenced.

Notwithstanding this, the committee met a total of nine times and completed a total of three reports during the reporting period. Details regarding these three reports are as follows. Firstly, the committee resolved to inquire into the work, health and safety concerns related to home care and support for South Australians with a disability and elderly South Australians. A briefing report on these matters was tabled in the House of Assembly in October 2017.

Secondly, the committee produced an annual report of its activities covering the 2016-17 reporting period, which was also tabled in the House of Assembly in October 2017. Thirdly, the committee completed an inquiry into the Return to Work Act and scheme. As part of this inquiry, the committee received a total of 52 submissions from interested parties, including workers, unions, employers and their associations and groups, and also from medical and legal professional

organisations. The committee also received additional evidence from a range of witnesses over 11 separate public hearings.

In addition to the aforementioned completed reports, in October 2018 the committee also resolved to undertake a wideranging inquiry into workplace fatigue and bullying in South Australian hospitals and health services. This inquiry is currently underway and is expected to take at least 12 months to complete. We are asking for submissions up until the newly extended time frame of May.

Certainly, if elected members have any people working in the health system, either public or private, throughout South Australia, I encourage them to take an interest in this matter, both from a bullying perspective and from a fatigue perspective. We have heard stories recently of the effects of fatigue on junior doctors working many long hours, the effect that fatigue can have on their workplace performance, equating eight hours' lack of sleep to being equivalent to a .05 blood alcohol reading, but I digress.

I note that at its first meeting of this parliament, the committee also considered a referral from the committee of the 53rd parliament regarding a potential inquiry into SafeWork SA, following the tragic death of Mr Jorge Castillo-Riffo during the construction of the new Royal Adelaide Hospital. As a committee, we noted that the Independent Commissioner Against Corruption announced in May 2018 that he was undertaking an evaluation of SafeWork SA. At the same time, the Coroner was hearing the inquest into the death of Mr Castillo-Riffo, so the committee deferred progression of this proposed inquiry.

However, the committee is continuing to monitor developments in this matter with respect to the external reviewing agencies to help inform its view on how to address this matter moving forward. I would like to take this opportunity to thank everyone who took the time to contribute to the work of the committee during the reporting period, including those who gave up their time to make submissions or to appear before the committee at hearings.

I would also like to thank all the members who worked diligently to ensure a balanced approach to the work of the committee. Specifically, I acknowledge the former member for Ashford, the Hon. Steph Key MP, who was the presiding member of the committee during the Second Session of the Fifty-Third Parliament; the member for Hurtle Vale; the member for Schubert; and the former member for Wright, the Hon. Jennifer Rankine. They were the previous members.

I also acknowledge the current committee members: from this house, the member for Taylor and the member for Davenport. From the other place, I would also like to thank the Hon. John Dawkins, who is continuing on in his role; the Hon. Justin Hanson; the Hon. Tammy Franks; and the Hon. Tung Ngo, who is an existing member of the committee.

Finally, I would like to express my appreciation to the various staff supporting the work of the committee during this reporting period, including Ms Sue Sedivy, Mr Peter Knapp, Ms Peta Spyrou, Ms Anthea Howard and the new incoming parliamentary officer, Mr Simon Macdonald. I commend this report to the house and look forward to continuing our work as a committee to investigate important matters around health and safety.

Mr MURRAY (Davenport) (11:26): I rise to speak to the report tendered by the member for Morphett. Rather than canvass all the ground he has covered, I want to briefly make some points regarding the occupational safety, rehabilitation and compensation committee and several of the key items that it has covered, certainly in my time, since being elected in March last year. It has to be said that whilst the committee suffers an incredibly convoluted name, which does cause some difficulty if only by way of remembering precisely—

The SPEAKER: As an acronym perhaps?

Mr MURRAY: Even the acronym does not work, and I can assure you that we have tried. Notwithstanding the name, I am incredibly honoured to be able to contribute what I can by way of oversight to ensure that workers in particular are safe in their workplaces. That said, I first of all make the point with regard to a referral to the committee from the 53rd parliament, which the member for Morphett has alluded to. It was a suggestion for a potential inquiry into the death of Mr Jorge

Castillo-Riffo, who tragically lost his life on the new RAH site. I do not intend to drill down to the specifics thereof.

The potential inquiry was deferred by virtue of the fact that SafeWork SA was involved, and particularly in the view of the Coroner investigating Mr Castillo-Riffo's death should have been more involved, and that is the subject of some contention. It is a matter now on public record that SafeWork SA has gone on to become the subject of an ICAC report into a variety of its methodologies and not just the way in which it conducted itself in this particular case.

I want to put on the record that I feel humbled and honoured, as I said, to be able to contribute what I can to ensure that workers have a work environment that is as safe as possible so that they do return to their loved ones. I make the point that SafeWork SA has been the subject of innumerable inquiries over the years, and matters seem, to me at least, to continue to be reheated.

I am very firmly of the view that more parliamentary oversight of the workings of SafeWork SA and some form of full-time audit of the way in which they carry out their obligations and the methodologies they employ are the only ways in which people can be assured that their best interests are adequately exercised by SafeWork SA.

Moving to the inquiry being conducted into workplace fatigue and bullying in the South Australian health system, this again is a particularly germane point from the perspective of a large number of people in my electorate. My electorate includes the Flinders hospital, and a large number of people resident in the seat of Davenport work at Flinders or previously worked at the Repat hospital. During the course of my doorknocking and speaking to many thousands of them, literally, a large number made the point that there were extremely undesirable endemic workplace practices and, in particular, that there was a considerable amount of undesirable activity in regard to people being able to speak out about workplace practices that were less than optimal.

I very much look forward to giving people a voice to ensure that our health system does not encourage or countenance any form of workplace bullying for any reason whatsoever, be it on an individual basis or be it perpetrated by way of ensuring that people do not speak out against policy implementation.

I do not intend to reiterate all the thankyou's and acknowledgements made by the member for Morphett, other than to make particular reference to the outstanding work provided to the committee by Anthea Howard. She deserves special commendation for the diligent and exemplary way in which she conducted herself whilst in the service of the committee. I conclude by not so much recommending that the committee be renamed but by commending it to the house and what it seeks to achieve, along with this annual report.

Mr PATTERSON (Morphett) (11:32): I thank the member for Davenport and members for contributing to this report, and I thank everyone for their keen interest in listening to this.

Motion carried.

PUBLIC WORKS COMMITTEE: WATERFALL GULLY TO MOUNT LOFTY SUMMIT TRAIL RESTORATION

Mr CREGAN (Kavel) (11:33): I move:

That the eighth report of the committee, entitled Waterfall Gully to Mount Lofty Summit Trail Restoration Works Project, be noted.

Attracting more than 600,000 visitors each year, the 3.8-kilometre Waterfall Gully to Mount Lofty Summit Trail is one of the most popular walking trails of all South Australia's national parks and one that members with Hills electorates are familiar with and value greatly, as do members of our communities. The trail sustained major damage as a result of several storms in 2016. In early 2018, stage 1 restoration works commenced to repair the most severely affected section of the trail. Additional funding to undertake stage 2 works was approved in the 2018-19 state budget. Those restoration works include:

- replacing eroded sections of the trail with a more durable, exposed aggregate concrete surface;

- installation of a fibre-reinforced plastic boardwalk to traverse sections of trail next to steep embankments that were severely scoured by water run-off in the course of the storms;
- civil works to repair landslips and creek bank erosion;
- new surface water drains and flagstones to prevent erosion and scouring (some of which I have outlined); and
- installing stone terrace steps and flagstone paved seating and rest areas as required along the trail.

The works are designed to improve the sustainability of the trail and to help futureproof it against storm damage. The estimated total cost of the project for stages 1 and 2 is \$5.4 million and is expected to be completed by December 2019.

The Public Works Committee has examined written and oral evidence in relation to this project, and the committee has been assured by the Department for Environment and Water officials that acquittals have been received from the Department of Treasury and Finance, Premier and Cabinet and the Crown Solicitor that the works and procedures are lawful.

The committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for examination of projects as described in the Parliamentary Committees Act 1991. Based on the evidence considered, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works.

Mr PATTERSON (Morphett) (11:36): I would also like to note this report and the hardworking efforts of the Public Works Committee members.

The report examines the history of the efficacy of the application of South Australian taxpayer funds to the Waterfall Gully to Mount Lofty Summit Trail. It is a very important trail, and many people use it. It is 3.8 kilometres from Waterfall Gully to the Mount Lofty Summit, and it is one of the most popular walking trails in all of South Australia's parks. It attracts over 600,000 visitors a year and certainly is very popular with people not only from the local community but also from the wider surrounds of Adelaide.

Many people I know in the district of Morphett, while enjoying walking the flat foreshore of Glenelg, do also like the challenges that this trail presents, as it is quite a climb to get to the top of Mount Lofty, and then, once there, being able to look out over the wider Adelaide region. You can also see Glenelg and some of the hotels, such as the Stamford Grand and the like, from that viewpoint.

Certainly, as an attraction it is very important, but it also combines some nearby attractions, such as Waterfall Gully, which are the first falls on the trip as you start from Waterfall Gully. Immediately, you start climbing straight up, towards Cleland Wildlife Park, and eventually to Mount Lofty Summit. The car park in the area of Waterfall Gully is always quite full, and as a works committee we asked questions around this and whether anyone was looking at upgrading it. While these works did not consider it, it was a consideration of the committee around how to manage really the popularity of this trail and how to get people there.

It is also worth noting that the Waterfall Gully kiosk restaurant that sits there was constructed in 1912. It is one of the first examples of refreshment rooms in a national park setting, so it was listed as a state heritage place. Again, the committee considered the state heritage nature of this and also the Cleland Wildlife Park but found that there was a low risk of these works impacting on their heritage status.

With respect to the path itself, as I said, it is very popular. It has been degraded over a number of years just from wear and tear, but certainly in September 2016 South Australia experienced a series of severe storm events that did cause widespread damage to this track due to flooding, landslips and also high winds, with trees falling down. In the context of this project, it led, as I said, to some flash flooding and erosion. The landslips occurred because of the flash flooding and caused extensive and severe damage to the Waterfall Gully to Mount Lofty Summit Trail.

This damage compromised the trail's integrity and posed a risk to public safety, especially because it is such a popular trail. Of course, many people do not want to turn back when they are partway through their walk, so they might try to find other ways to get around these landslips, which could result in them being injured. So works were done immediately to try to correct this in terms of some urgent minor works being undertaken to ensure that the trail remained open and was safe for users.

Once these urgent repairs were put in place, attention then turned to the remainder of the trail. As a result, the works were divided into two stages. Combined, stage 1 and stage 2 works are designed to improve the sustainability of the trail and to help futureproof it against storm damage. The estimated cost of the project, combining stages 1 and 2, is \$5.4 million, and is expected to be completed by 29 December. The key aims of the project are:

- to ensure the safety of the public using the trail by repairing and improving the trail surface and corridor so that it meets and exceeds the Australian standards for a class 3 walking trail;
- to improve the sustainability of the trail by using materials and designs that will be less prone to damage by storms and reduce general maintenance costs because of general wear and tear due to having, as I said, over 600,000 visitors per year walking up and down it;
- to improve the quality and the visitor experience of the trail because of its high use and its significance as a tourism attraction and recreation asset for both local residents and the wider community;
- to encourage continued use of the trail to promote public health and nature-based tourism; and
- to support demand for local businesses, including the lessees operating businesses out of both the Waterfall Gully end and the Mount Lofty Summit end of the trail.

The first stage did involve restoration works to various parts of the trail, and they were by no means continuous. So stage 1 and stage 2 are interspersed in terms of topography. Some of the stage 1 works were from the first falls to the second falls, and some of the final works are from the summit down to where the trail itself hits Mount Lofty Road. These works were valued at \$2.5 million and were to the most severely damaged sections of the trail.

This brings us to stage 2 of the upgrade, which is what the committee considered. Funding of \$2.9 million is required to complete these restoration works for the damaged section, and it was approved in the 2018-19 state budget. Those restoration works will entail replacing the eroded gravel/bitumen trail with a more durable exposed aggregate concrete surface, which will be less prone to damage by future storms. Additionally, a fibre-reinforced plastic boardwalk will be installed to traverse sections of trail next to steep embankments that were severely scoured by the storms. Rather than try to repair some of that landslip, we would rather have these reinforced plastic boardwalks to go over those sections.

There will also be some civil works to try to repair some quite heavy creek bank erosion. There will be the installation of new surface water drains and flagstones so that the existing water drainage channels can be reinforced and prevent erosion. This will help improve the durability and amenity of the track itself, improve the sustainability of the trail and help futureproof it against storm damage.

In terms of infrastructure development within the parks, it also must be undertaken in a way that is environmentally sensitive. That is the case for all parks when we do works, and this was no exception. So we ensured that the contractor would develop and implement environmental management plans, soil erosion and sediment control plans, waste management plans, ground contamination plans and also weed management plans.

This environmental management will help ensure that there is no damage done by this upgrade. In fact, the upgrade itself will be a significant improvement on what was there previously. As I said, previously there was gravel and bitumen, which are very prone to erosion, so I am really

looking forward to these works being completed and the trail being utilised fully. Hopefully, the numbers will continue to grow from those 600,000. I commend the committee for the work they have done in examining this really beneficial upgrade to the Waterfall Gully to Mount Lofty Summit Trail.

Mr MURRAY (Davenport) (11:45): I rise to very briefly reinforce the points made by the previous two speakers. As a member of the committee, we were provided with considerably detailed evidence of storm damage. We were provided with evidence of the fact that some 600,000 visitors a year traverse the park and of the need to spend \$5.4 million. On the basis of the evidence provided to us, and in particular reassurances provided to members of the committee, myself included, the money, rather than being spent on easily damaged pathways and/or materials, will instead be spent on far more durable fibre-reinforced plastic boardwalks, along with concrete, in place of what were essentially compacted dirt surfaces.

The money is going to result in a far more durable and less damage-prone public amenity. On the basis of the evidence provided for that, the committee was of the view that that provides adequate value for money. As previous speakers have alluded to, having satisfied ourselves that the works were lawful, the appropriate acquittals had been derived, appropriate agency consultations had been conducted and the project met the criteria for examination under our purview, as a result, we were of the view that the expenditure of the funds in total for both stages 1 and 2 of some \$5.4 million be recommended to the parliament. On that basis, I commend the works to the house.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (11:47): I rise to speak to the report of the Waterfall Gully to Mount Lofty Summit Trail Restoration Works Project. I thank members of the Public Works Committee, including of course the new Chair, the member for Kavel. I appreciate the contribution they have made to the parliament. Clearly, they are active and passionate in their work on the Public Works Committee, which personally I think is one of the most important committees that we have in the parliament. They have undertaken their role of scrutinising this project so that it not only be fit for purpose but be of public value and, of course, value for money.

In my contribution, I would like to confirm that the government's promotion of this project, which happens to be in my electorate and supports the restoration works post the 2016 floods, has not been in isolation. Apart from the fact that it is an international visitor destination—in fact, well over a million people use this trail and other trails, including Chambers Gully walk and Cleland Conservation Park—it is important that it provides a safe amenity for the purposes of continued access.

As a result of the floods back in 2006, 10 years before, we had damage to the Waterfall Gully area. Some 11,000 tonnes of rock from the top of the causeway and waterway ended up at the bottom. It massively affected the flooding along Waterfall Gully Road and large sections of the road completely collapsed. There was significant scrutiny on the damage that was caused. Personally, I would not be rushing to live on Waterfall Gully Road anyway, just because of access during a bushfire, but in the time that I have represented the area flooding has been its enemy.

I would like to express to the house why it is so important that we maintain this and why this project is so important. I recall the words of former minister Conlon when the major flooding occurred in 2006 and 2007. In tow with the then premier, Mr Rann, he was inspecting the damage along the road, and his public comment was that the Burnside council had a lot to answer for. It did not take long for it to be pointed out to him that not only was the rock from the causeway state rock but the whole facility was a state asset; it was bordered by a state park and it was a state road. With egg on his face, he then had to crawl back and start negotiating how he was going to support the rebuild of that area.

As a government, we are proud to say that this is an important state asset and we have taken the step of ensuring that it is maintained properly. The extraordinary amount of use of this area has called for two extra things to happen. The first is already happening, and the Minister for Environment is well aware of this. The waterway along Waterfall Gully Road, some of which traverses private, council and public asset via state government land, has been severely overgrown with weeds, particularly bamboo.

I suggested when we got the pandas (I see they are probably on their way back to China at the end of their lease) that we could fence off that area, stick the pandas out there and see if we

could deal with the issue, but that does not seem to have been taken up. Nevertheless, the new government are mindful of this and of the damage that it causes by having waterways clogged—in this case, with an invasive pest. It obviously needs to be cleaned out and I have observed some considerable work being undertaken there.

The second thing is that we need to do more to ensure that there are other walking trails available to traverse the Mount Lofty climb. The member for Heysen enjoys the benefit of traffic redirection up the freeway for people to now climb from Crafers. They can park their car in the park-and-ride area, if they want to, or enjoy some refreshment or lunch at the Crafers Hotel.

Mr Teague: The best hotel in Australia.

The Hon. V.A. CHAPMAN: The best hotel in Australia, indeed. I was there on Sunday. I do not think I actually let the member for Heysen know that I was going to be up there; I am sorry. In any event, that has enabled people to have parking access and enjoy the summit walk from a different angle. Some work had been done prior to him coming in and I know that he will carefully husband the protection of that access.

There is a third area, which is still to be done, and that is the Chambers Gully walk. It is not as steep and is also enjoyed by a lot of people, but it is also plagued with the problem of inadequate parking, so people park along the road. As previous speakers who have been up there and inspected this area have indicated, they appreciate the significance of the parking problem. It is also a problem for the Utopia cafe that operates there because their patronage is diminished if their patrons are not able to park and it is prioritised for those who are up there doing the walk.

There are lots of challenges there. One of the initiatives is to expand the parking at the entrance of the Chambers Gully Road parking area. There still needs to be a security gate because there is a rifle range up there and to ensure that there is an adequate impediment for people who should not be in the park or may be in danger if they were in and around the rifle range. We need to ensure that we maintain the protection and add to the number of parking bays for short-term parking so people have the alternative to use Waterfall Gully.

I assure the committee that, as the local member, I am continuing to look at other ways in which we can assist your task, and indeed the task of the government, to have some options in that regard. We are still a highly sought-after destination and we are proud of it. We are keen to look after the safety and enjoyment of the people who visit, and I thank the committee for their very comprehensive consideration of this project.

Mr CREGAN (Kavel) (11:55): I thank the Deputy Premier for her valuable contribution and close knowledge of her electorate. I also thank the member for Morphett and the member for Davenport for their contributions in the house today. Their assistance during the course of preparing and delivering this report has been considerable. I also acknowledge the work of the member for Light and the member for West Torrens. We have been ably and greatly assisted by parliamentary officers in the preparation of the report and also in the discharge and conduct of our duties, and we continue to be ably assisted by those officers.

Motion carried.

PUBLIC WORKS COMMITTEE: AVENUES COLLEGE (WINDSOR GARDENS CAMPUS) REDEVELOPMENT PROJECT

Mr CREGAN (Kavel) (11:56): I move:

That the ninth report of the committee, entitled Avenues College (Windsor Gardens Campus) Redevelopment Project, be noted.

It gives me great pleasure to move this motion. The Windsor Gardens campus of Avenues College is located approximately 12 kilometres north-east of the Adelaide GPO. The college was established as a result of the amalgamation of the Windsor Gardens secondary college, Gilles Plains primary school and the Gilles Plains children's centre.

The proposed redevelopment will involve refurbishment and extension works to existing facilities to accommodate a birth to year 12 school that can also accommodate up to 944 students

on the campus. The completed project will deliver a range of flexible learning areas designed to enhance student engagement and allow for enhanced collaborative teaching practices.

The project will incorporate a range of important elements, including the construction of a new children's centre; the refurbishment of teaching environments to support contemporary teaching and learning; better connectivity between indoor and outdoor spaces and learning areas; the development of outdoor learning spaces, new landscaping and play areas; and the refurbishment of existing administration spaces. The estimated total cost of the project is \$9.7 million, and it is expected to be completed by February 2020.

The Public Works Committee has examined written and oral evidence in relation to this project, and the committee has been assured by Department for Education officials that acquittals have been received from the Department of Treasury and Finance, the Department of the Premier and Cabinet and the Crown Solicitor's Office that the works and procedures are lawful. The committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for examination of projects as described in the Parliamentary Committees Act 1991.

Based on the evidence considered, and pursuant to section 12C of the Parliamentary Committees Act 1991, the Public Works Committee reports to parliament that it recommends the proposed public works. I thank other members of the committee for their assistance in bringing forward this report. It was also ably assisted, as I mentioned earlier in relation to the eighth report, by executive officers of the committee, who continue to ably assist us and other members of parliament.

Earlier, I mentioned the member for West Torrens and the member for Light, who are the opposition members of the committee. I re-emphasise the close and able assistance of the government members of the committee (the member for Morphett and the member for Davenport), which I have valued greatly.

Motion carried.

Motions

SOUTH AUSTRALIAN STOLEN GENERATIONS REPARATIONS SCHEME

The Hon. S.S. MARSHALL (Dunstan—Premier) (12:00): I move:

That this house notes the report of the South Australian Stolen Generations Reparations Scheme by the Independent Assessor, the Hon. John Hill.

In speaking to this motion, I will briefly add to the ministerial statement I provided to the house on Tuesday. My statement explained how the government proposed to deal with the residual amount of just over \$3 million remaining from the reparations scheme. I note our decision has attracted some criticism from the former minister for Aboriginal affairs, the Hon. Kyam Maher. I regret this because we did undertake extensive consultation with a range of Aboriginal people and organisations about this. The very strong view expressed was that stolen generations moneys should directly benefit members of the stolen generations themselves.

The apology to the stolen generations 11 years ago was a long overdue recognition that some past policies and past actions of governments and other institutions were very disruptive and damaging to many Aboriginal families and people across the country. At the time, the apology symbolised a willingness of government and Australians to listen to Aboriginal people who had, for so many years, tried to speak out and share their own and their families' stories of removal and separation—and, in too many cases, abuse.

All state parliaments have issued apologies to the stolen generations, but it was the South Australian parliament that moved first, and that is something we should be proud of in this place. Three state governments, including South Australia's, have now initiated stolen generations reparations schemes. The scheme in South Australia was established with support across this parliament to acknowledge the pain and suffering experienced by many South Australian Aboriginal people. It also provided an opportunity for people to talk about the experiences of separation from family and how the trauma remained with them throughout their life.

Through the Stolen Generations Reparations Scheme here in South Australia, payments have now been made to 312 people. A community reparations fund was also established. This fund was overseen by an Aboriginal reference group and, following an expression of interest process, the fund provided financial support to 27 projects that related to the stolen generations.

In relation to the individual reparations scheme, I again urge all members, as well as the wider community, to read the Independent Assessor's report. Within the next few weeks copies will be provided to all the people who met with John Hill to share their stories, including those ultimately determined to be eligible for reparations payment. The report is also available online at the Aboriginal Affairs and Reconciliation Agency's website. We have increased each individual reparations payment to \$30,000 for the 312 successful applicants. I will soon write to recipients of the additional payment to provide details of the process.

In closing, I would like to commend Reconciliation SA for the annual Apology Breakfast held yesterday to mark the 11th anniversary of the apology and to honour and recognise survivors of the stolen generations. It was a wonderful experience to be amongst the 1,800 people who attended. It is always a very, very difficult occasion, but nevertheless it is, ultimately, an important occasion to mark, one we observe every year.

I was particularly pleased to be there to hear Susan Russell's very moving and genuine Welcome to Country, as well as to hear John Hill and Dr Jenni Caruso discussing the meaning and outcomes of the Stolen Generations Reparations Scheme and what more we could be doing to support those survivors and their descendants. I also had the great fortune to hear Jack Charles tell us a little bit more about his remarkable life.

To me, a real highlight of yesterday's breakfast was to hear the music presented by Vonda Last and Julian Ferraretto. In particular, it was wonderful to hear Helen Connolly, the joint Chair of Reconciliation SA, talk about that music. Often we can speak about some of the wrongs that have been committed in the past, and we do that often and it is appropriate to do so, but music also has an incredible way of moving us, and yesterday it was wonderful to hear from Vonda and Julian. I know that for many people that was a real highlight of the breakfast.

Events like the Apology Breakfast are very important. It was also wonderful to have not just a large crowd but a variety of people, from our Governor, His Excellency the Honourable Hieu Van Le, down to the youngest school child, all showing their respect and affection for South Australia's Aboriginal people and their culture.

We were also able to acknowledge and to some extent make amends for the past and, importantly, draw on the enthusiasm and commitment of all those participating to help build the best possible future for today's and tomorrow's generations. Because of the increasing number of school students attending this breakfast, we can be, I think, increasingly confident that many more people will take the walk of reconciliation in the future. I commend the Independent Assessor's report to the attention of this house.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (12:06): I indicate that I am the lead speaker, and I am honoured to rise on behalf of this side of the chamber to support the government's motion. We have many times, but probably not sufficient times, talked about the tragedy and the catastrophe that happened to Aboriginal people, not just at the point of the original arrival of settlers from Europe but the horror that was perpetrated upon the Aboriginal community of having children taken away.

It is a mark of our common humanity that we all now understand the crime of removing a child from a family who is doing nothing more than trying to raise and love that child in the comfort, not only of their family but their culture. We now all recognise the harm that was done both to individuals and to the continuity of the Aboriginal culture is a source of great shame for our history. The fact that we are all able to recognise it collectively is something we should feel a degree of confidence about in our capacity to improve as a society and a culture.

I particularly want to honour the incredible resilience and strength of Aboriginal people. I very briefly had the honour of working at Wilto Yerlo in the University of Adelaide. I think it has changed more recently, but at that time it was the hub of support for Aboriginal students, for the recruitment

of Aboriginal students and a lot of the teaching, particularly through the Centre for Aboriginal Studies in Music (CASM).

The Aboriginal Director, Mercy Glastonbury, was unable to continue due to ill health, so we needed to go through a recruitment process to find an Aboriginal leader and we did so. In that brief time in between, I was put into the role of running the place. The way in which Aboriginal people so generously talked to me about the damage that had been done to their individual families, their communities and their culture, and the way in which they talked about how they had made efforts to repair the harm, was profoundly moving to me.

The capacity of so many Aboriginal families to find each other again, to work out where a child who had been stolen fitted when they came back as an adult, and the way in which they felt the deep hurt but were determined to repair within their own community, was absolutely inspiring to me. When Dr Roger Thomas, who I believe is now Professor Roger Thomas, took over Wilto Yerlo, I felt that I had an immense opportunity for an education.

That resilience and strength of the Aboriginal community is everywhere you look. For some of the survivors of the stolen generations to come into this chamber when this motion was first flagged the other day to hear painful subjects talked about, to be present and to listen, shows tremendous courage and resilience. I honour their resilience and their capacity to the extent that it exists for forgiveness for what happened and for a determination that we truly reconcile, which means that we walk together in the future.

However, the good words that we have had from various political institutions, which are immensely important and should not be trivialised in the least, cannot be enough. We have to do more. The reparations project, which was undertaken in South Australia and about which we are talking today, as I understand it, was the result of a recommendation from one of our own parliamentary standing committees, the Aboriginal Lands Parliamentary Standing Committee. This project has done something to make a material attempt at amends as well as a very sincere verbal attempt at amends, and I think that it is highly significant that that has taken place. We have had a former member of his house, John Hill, undertake an audit and we now have the report that we are receiving today.

The real question for all of us in this chamber and all of us in South Australia and Australia is: where next? As much as we have collectively accepted what happened, and the Aboriginal community has done its best to move beyond what happened, and the reparations and the apologies have made some contribution to their willingness and capacity to do that, as much as all of that is enormously important we nonetheless have a huge task ahead of us, collectively, if we are truly to be a reconciled nation and if a child born into an Aboriginal family is truly to have all the opportunities that an Australian child should have available to them.

In many ways, it is a blessed child who is born into an Aboriginal family, not least because of the amount of love and care that they will receive but also because they are heir to the oldest living culture in the world. Everywhere I go overseas, I tell family and friends in far-flung places that we have something that no-one else has: this extraordinary Aboriginal culture. Unfortunately, for too many Aboriginal children, their life expectancy is not that of a non-Aboriginal Australian. Their chances of education attainment and completion, of work and of staying out of the criminal justice system are not what they should be.

There are many extremely successful Aboriginal people, and to talk about a statistic does not doom any individual child, but we have to be honest about the experiences that we still perpetuate on the Aboriginal community and on Aboriginal children and collectively be absolutely resolved that we will improve outcomes. We have seen with the new SACE, some years ago, a dramatic increase in the number of Aboriginal students who complete high school each year. It is still not enough, though. It is wonderful that there are more, but we must not think that there are enough.

We need to improve the health outcomes. We need to improve the capacity of Aboriginal children to know truly that they are Aboriginal, to truly understand their language and their culture, yet be equipped to walk in two worlds so that they can have every choice available to them. Having been to the APY lands several times as minister for education, I know how hard the community there

works to allow their children to have every opportunity, and we need to be truly partners with them in that.

I think if we bring the energy and commitment that we show when we talk in sorrow about the past to an optimism about the future and a willingness to be truly partners, then we may see increased improvements. I am very pleased that this has always been and continues to be a bipartisan view. I am very pleased that it is a government motion that we are supporting today because I think it is important that, as much as we enjoy our partisan debates—and some of them are extremely serious and extremely real—we demonstrate a shared commitment for the sake of our Aboriginal culture, communities and particularly individual children.

I will finish on a particular note. One of the greatest joys I have when going to events is, if they are sufficiently large events, hearing a Welcome to Country. Otherwise, we have the acknowledgement of country from a non-Aboriginal person or a person who is maybe an Aboriginal person but not from the area. When we have the Welcome to Country, it is wonderful to have elders like Uncle Lewis O'Brien give us a little story, a little joke or a little lesson in Aboriginal culture, or just in humour, and at the other end to have some very young Aboriginal people who get up and not only welcome us to their land but do so in their language, a language in Adelaide that was almost lost.

It gives me a huge degree of hope and pride that that is something that is becoming almost unremarkable now and becoming a feature of the way in which we open serious events and serious meetings. With that, I commend the government on this motion and support it.

Parliamentary Procedure

VISITORS

The DEPUTY SPEAKER: Before I call the next speaker, I welcome the Christian Brothers College year 11 legal studies class. Welcome to the parliament today. You are guests of the member for Adelaide, the Minister for Child Protection.

Motions

SOUTH AUSTRALIAN STOLEN GENERATIONS REPARATIONS SCHEME

Debate resumed.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (12:16): It is a great pleasure to be able to speak on this motion and support the words that were led by the Premier and the Deputy Leader of the Opposition. I think it is terrific when we have a bipartisan opportunity to express the positive directions in which our state is going. It has sometimes taken us a long time to reach a point of view. The opportunity identified by previous speakers—to turn fine words into actions to deliver on our commitments and the sentiment behind them—is one that this government certainly takes very seriously.

Broadly, our Aboriginal Affairs Action Plan, identifying 32 specific items with performance measures and deliverables, is an early marker of the very sincere methodology that this government is taking to this part of public policy. There was an announcement earlier this week that the support given to those more than 300 South Australians identified by the assessor as being part of the stolen generations would increase from \$20,000 to \$30,000. This is not as much as some other jurisdictions but is certainly a substantially increased figure. It was a result of community consultation as to how best to spend the unused funds, at that point in time, from the community program. I think this is a sign of our sincere commitment to ensuring that those people have the best opportunity in life that we can deliver to make up for some of the past wrongs.

As the motion identifies, and as the Premier said in his speech, we absolutely encourage people to read the report by the Independent Assessor, John Hill, on the South Australian Stolen Generations Reparations Scheme. It makes for sobering reading and it makes for serious reading, but I think any South Australian who has an interest in public policy, in our history and in supporting the best outcomes for our entire community would benefit from reading it. It is entirely readable.

I will go to the general observations, where I particularly want to draw to the members' attention a couple of things on pages 39 and 40. I encourage all members and observers to go on

and do their own reading. In describing the way that he went about compiling this report, John Hill writes:

It became clear to me...how an applicant was treated after removal bore no relationship at all to the reasons for or method of removal. Children were removed as early as a few days old through to the teens; they were removed with court orders, without court orders, by adoption or by informal fostering arrangements. None of these pathways seem to have produced, in and of themselves, better outcomes. Children were variously placed in (usually) church-run institutions, either on reserves or in the city, placed in foster care or on occasions, adopted.

If they were lucky, they would experience kindness, security and love, regardless of where they were placed or why they were placed there. But, even these lucky ones usually were denied access to family, forbidden to speak language and sometimes were not even aware of their Aboriginality.

The unlucky—the majority—had horrible, even barbaric experiences. The care at best was often indifferent, perfunctory and authoritarian—within both institutions and families. Many children were told that they had been abandoned or that their parents were dead; many in family care were treated as little more than domestic servants; if there were other children in the family they were often the second class citizens, made to eat later with smaller portions, given few new clothes and toys. There is no doubt that some foster carers exploited the welfare payments for Aboriginal foster children to support their own lifestyle.

John Hill concludes that statement by saying:

Just as our returned soldiers are recognised, the Stolen Generations need to be shown continued care and understanding by the community generally, and by government in particular.

I do not think there is a member in this chamber who would disagree with those sentiments or be appalled. I do not think there is a person in our community who would be anything but appalled by the descriptions of the treatments of children. The consequential effects on community, alienation from culture and understanding of place in the world amongst young Aboriginal men and women today has had significant and profound effects, and there are steps that we can take, must take and are taking to address some of those issues.

We said sorry in this chamber 22 years ago and we had the national apology halfway since, 11 years ago. It does do to remind ourselves sometimes of the appalling treatment that has led to individual suffering, individual pain for those people who have been particularly affected as individuals, but I suppose it is more community suffering, such as the loss of language.

The deputy leader talked about leaders, such as Uncle Lewis. I was talking with Uncle Lewis and his son Micky recently about the impact of language in schools and the challenges as we support the teaching of the Kurna language to people who are eager to learn it, but of course there are so few people who have the capacity to teach it. That is a significant challenge for us and one that we are eager to address.

I asked the question: if we are talking about Aboriginal language, then where is our starting point? And, of course, the first starting point suggested was to start with the land that the school is on. Of course, 70 per cent of our schools in South Australia are on Kurna land, so that has a particular resonance with the Kurna language.

I was very pleased when we announced the government's Innovative Language Program Grants late last year. However, of the five primary schools that got those Innovative Language Program Grants—assessed on merit as to the capability of the school to deliver a program that was innovative, that would enrich student and benefit language studies—one was indeed Adnyamathanha in the member for Stuart's electorate, and I know it is working with the University of Adelaide. I think it was Leigh Creek from memory.

The work that is being done in education is critical to addressing this over the longer term, helping to reduce that alienation from culture and increase an understanding of pride in culture, a pride in history and position in the world amongst young people. One of the things that was described by Professor Peter Buckskin—who is the chair of our reference school and who is developing our Aboriginal Education Strategy 2019 to 2029—is that it is not enough for us to do what we can to help a student get ready for school: we also must do what we can to ensure that the school is ready for the student.

There are cultural challenges in that. Sometimes it is challenging for somebody who has had no experience in culture to be able to make that connection, but we as a government, we as an

education department—and I am sure the opposition supports this—are working very hard to fulfil our Aboriginal Education Strategy. We have funded support to ensure that that cultural support is there and for our staff to be ready to give those students the support they need.

I commend the government's Aboriginal Action Plan to all those in the chamber, and not only the 32 actions there but also the Aboriginal Education Strategy. We have a 10-year set of goals with some very ambitious targets. We want to see young Aboriginal people in our community have the same educational outcomes as a proportion of the rest of the population.

It is heart-wrenching to even say the words that that is an ambitious goal. It should not be an ambitious goal, yet it is understandably so. But how can our aspiration be anything less for our Aboriginal young people and for South Australia as a community? So that is our goal. We have shorter term targets and a road map to supporting those students to have that achievement.

We are investing significantly in identifying challenged groups to get extra support. We are investing in the South Australian Aboriginal Sports Training Academy (SAASTA). Indeed, they are extending their remit. I understand that they desire now to call themselves the secondary training academy, as we are extending beyond just sports training to STEM education and other forms of education.

We are supporting the Clontarf Foundation, which has enabled us to engage extra resources from the federal government and from the private sector for a group of students—young boys in particular—who would not be eligible for the support that SAASTA provides, to get them back into school and back into education using the opportunity created by some of their heroes in the football field. They have access to football training, but to get it you have to be working at school.

There is a lot of work to do here, but in December, of course, we had the appointment of South Australia's first ever Commissioner for Aboriginal Children and Young People. At a personal level, I am particularly pleased that April Lawrie did well and got the role because, of course, we have been working with her all year on the development of the Aboriginal Education Strategy, as the former director of Aboriginal education in the education department. April has been in place for a couple of months now. She has a significant body of work ahead of her, and I have great confidence in her capacity to impact real change in the way that government does its business. I think that there is a strong body of work ahead there.

I commend the motion to the house. I thank all those people who, at potentially significant personal challenge to themselves, contributed to the assessor's report, shared their stories with the assessor and continue to engage with government to ensure that the next generations have a better time of it and a better life, and we as a government are committed to supporting that.

Mr HUGHES (Giles) (12:27): I rise today to add a few words and to acknowledge the strong bipartisan support for this motion. Not only do we have the tabling of the report of the South Australian Stolen Generations Reparations Scheme but also yesterday was the 11th anniversary of the national apology by the then prime minister, Kevin Rudd, reflecting the views of many people in our community. I do not want to reflect upon the resistance at the time by some to that apology in our national parliament. The important thing is that the apology was made and the sentiments expressed did have widespread support across the major political parties and some of the smaller political parties.

South Australia is at its best when it does lead, and it is worthwhile reminding ourselves that it is 22 years, as the member for Morialta pointed out, since this parliament made an apology to the stolen generations. The report and the actions that are going to be taken are a practical manifestation of both that apology and the words in this chamber. It is worthwhile reflecting on the words of the Hon. John Hill in the introduction to the report. He said:

There is much for government and society, in general, to reflect on and learn in relation to the policies and practices that produced the Stolen Generations—the Apology, the Bringing Them Home Report and the establishment of the Stolen Generations Reparations Scheme were all important steps; but they are but small steps on the road to Reconciliation; the intergenerational impacts are profound and need sustained and culturally sensitive attention.

For far too many years the trauma arising as a result of children being taken away from their families was not addressed, and when trauma is not addressed it cascades down through the generations in all sorts of forms. One of the most disturbing things—and there were a lot of disturbing things—was

to hear a woman who was taken as a young child. As a result, she found it incredibly difficult to love. She said that she lacked the capacity to love and so, when she had children, that impact was there: it impacted on her children. That shows one way in which this trauma, this injustice, has cascaded down the generations.

The breakfast yesterday in honour of the 11th anniversary was attended by a lot of people, as these breakfasts always are. Probably 1,500-plus people were there and, as has been said, it was good to see students from a number of schools attend the breakfast and maybe get some insight into what happened.

Those opposite have acknowledged the Welcome to Country from Suzanne Russell on that day, and it was a moving, powerful Welcome to Country. We often say that a picture can paint a thousand words, but music often goes beyond words and touches something incredibly deep. To listen to the music yesterday from Vonda was deeply moving and deeply touching.

In the question and answer session was a man I consider a bit of a legend, Uncle Jack Charles. He was taken away from his family at a young age to the point where early on in his life he did not know that he was Aboriginal. He is a man who has clearly been through a lot, including homelessness and being a user of heroin until the age of 60. He talked about how he was a cat-burglar, amongst other things. His was the story of a life shaped by much that had happened in the early part of his life when he had absolutely no control.

He did not deny agency or deny choices he had made, but those choices were made in a particular context at a particular time. To see someone who came through that, there was obviously a resilience there. I thought the humour, self-deprecation and his capacity to reach out in an extremely open and honest way in telling his story was incredibly important. If you have not seen the short documentary about his life, I would encourage you to do so. He is now a man who makes a contribution in so many ways by going back to the prisons in which he served, amongst other prisons, and various centres where juveniles are held to tell his story in a way that hopefully people can understand and respond to.

I think the words of the apology 11 years ago are worth reflecting upon. I am not a particularly articulate person. You can make of prime minister Rudd whatever you want, but the point is that he did make that apology and that government did make that apology. I know at the time it would have been supported by a significant number of people on the other side of the chamber. His words were:

The time has now come for the nation to turn a new page in Australia's history by righting the wrongs of the past and so moving forward with confidence to the future.

We apologise for the laws and policies of successive parliaments and governments that have inflicted profound grief, suffering and loss on these our fellow Australians.

We apologise especially for the removal of Aboriginal and Torres Strait Islander children from their families, their communities and their country.

For the pain, suffering and hurt of these Stolen Generations, their descendants and for their families left behind, we say sorry.

To the mothers and the fathers, the brothers and the sisters, for the breaking up of families and communities, we say sorry.

And for the indignity and degradation thus inflicted on a proud people and a proud culture, we say sorry.

These are incredibly important words. I would just like to finish by mentioning the Hon. John Hill and the work, the effort and the sensitivity with which he approached the task he was given. He spoke to a lot of people during this process. I think there were 449 applicants of whom he spoke directly to 352, and just a small number of those stories are reflected in the report. The member for Morialta and others have indicated that it would pay people to read the report and some of those personal stories.

I would like to commend the Hon. John Hill but, as he said, the people who should really be commended are those who came forward and all those who suffered as a result of those past policies. We do need to learn from what has happened because we have a tendency to repeat transgressions in different forms as we go on. I commend the motion and the strong bipartisan support for the motion.

Mr DULUK (Waite) (12:36): I also rise to say a few words on the Premier's motion before the house in relation to the report by the Independent Assessor, the Hon. John Hill, in terms of the South Australian Stolen Generations Reparations Scheme. I am glad, as I think are all sides of the house, that this has now become a bipartisan issue.

For much of the last parliament, the then government did not want to take serious steps in terms of appropriate reparations on this matter. The original bill was introduced in the upper house back in 2014 as a result of the work of the Aboriginal Lands Parliamentary Standing Committee, which I now serve on. I recall saying back in 2015 that the bill was about righting the historical wrong of forcibly removing children from their parents solely on the basis of the colour of their skin.

As the Premier and the Minister for Education remarked in their contributions, I urge members to take the opportunity to get their hands on the report and read the applicants' submissions, their experiences and what they went through. One of the important lessons that we have perhaps learned from the wrongs of the past is around the taking away of language, the importance of language to people and what language means. The more we can do to preserve language for this nation—any language but, in this context, Indigenous language—is so important for the identity of so many people.

As a government, we have talked so much about the wrongs of the past, and it is important. I give full credit to the Premier as the minister responsible for the balance of funds in the reparations scheme. Some additional \$10,000 will be given to the 312 successful applicants under the scheme as part of the residual tail in funding. What is important is what we can do, in terms of practical steps going forward, to further walk down the path of reconciliation. It is not just a statement of acknowledgement, which is so important, but a statement of what more needs to be done.

We must also acknowledge that there is dysfunction in many Indigenous communities. There are standards of living, standards of crime and standards of health outcomes that we just would not accept in any other community in Australia. It is our job, in government and in those communities, to collectively, practically and hastily correct a lot of those social ills. It is important to do so. Bearing in mind that we have recognised the sins of the past, it is the responsibility of us all to ensure that Australians, no matter where they live, have the best possible outcomes going forward.

Going back to the language component, the teaching and continuation of language and culture is so important to so many of us, no matter where we come from. That plays an important role in terms of reconciliation.

The Prime Minister is today speaking about Closing the Gap, which addresses some of the recommendations that came out of the national apology 11 years ago. The 11th Closing the Gap report is being handed down today and reveals a decade-long failure to meet so many of the targets that were set 11 years ago in relation to health, education, employment and life expectancy outcomes for Indigenous communities. These targets have not been met, and that is a failing of federal, state and local governments and a failing of our Australian community more broadly.

As part of the Closing the Gap initiatives announced by Prime Minister Morrison today, a huge injection of education funding—\$200 million—is to be implemented into 300 schools across the nation in order to keep Indigenous children in school and to design our whole education system. One thing I always talk about in this chamber is how providing the right education to all Australians is a great way of lifting people out of poverty and other circumstances and empowering individuals to make the right choices. In his contribution, the member for Giles referred to Uncle Jack and making the right choices in people's lives.

I commend the work of Reconciliation SA in promoting reconciliation and healing the rift between Indigenous and non-Indigenous communities. I am proud to be a board member and parliamentary representative, along with the member for Giles. Reconciliation SA also looks at practical ways in which we can raise recognition, and the need for our communities to work together and stand together.

I commend the recent work of this government, and specifically the Premier for his whole-of-government approach to reconciliation. This side of the house believes it should no longer be a symbolic term and gesture, or a politically correct echo chamber platitude, but a practical component, which is so important. Having a whole-of-government approach and ensuring that government

departments in their entirety have an Indigenous focus is so important. As I said at the beginning of my contribution, an important part of reconciliation is recognition of stolen generations and additional funding by way of reparations.

Governments cannot solve all the problems in this policy area, and nor should they be seen as the sole body that can do so. In the past year, the Aboriginal Lands Parliamentary Standing Committee received a lot of evidence from Aboriginal communities all around South Australia, including from your communities, Deputy Speaker. In the evidence presented to our committee, in terms of the operational review of the Aboriginal Lands Trust Act, one of the overwhelming views was the right to autonomy and the right to the responsibility to make decisions for themselves. I think it is so important that we as the state government ensure that every single South Australian is treated equally and given the rights and responsibilities they need to make the correct choices in their own lives.

In closing, I encourage members to obtain a copy of the Report of the South Australian Stolen Generations Reparations Scheme. I thank the Independent Assessor, the Hon. John Hill, for his work. More importantly, I thank those individuals—I think there were some 400-odd individuals who applied under the scheme and 312 successful applicants—for coming forward, for sharing their stories and for allowing themselves to be in some way acknowledged for the hurt caused to them and their families for no reason other than where, when and why they were born.

Mr PATTERSON (Morphett) (12:45): I also rise to make a short contribution to note that the Stolen Generations Reparations Scheme report has been received. It is a small step on the road to reconciliation but a critical part of the healing process for our First Nation people who have been here for many generations going back 65,000 years. It has been a massive disruption in that time line for so many, so it is an important step that has been brought to us by the Independent Assessor, the Hon. John Hill.

I commend Mr Hill for the thoroughness of his work and the content of the report itself. I note in the report that, to satisfy the need for accountability and transparency, he had to outline the processes undertaken, but that would really be an injustice to the stories of so many people that are part of that. So, rather than being just a bland document, it does outline many of the stories of people who were affected by this, to ensure that it is a real account.

In regard to how this report came to be received in this parliament here in South Australia, it goes back many years but, in terms of the path to reconciliation, one of the first steps was in the federal parliament with the Bringing Them Home report tabled in 1995. That was an inquiry into the stolen generations and the separation of Aboriginal and Torres Strait Islander children from their families. The report itself made many recommendations, including recording testimonies of people and about how important it is that people's stories are heard, acknowledging that, and an apology, a commemoration, and education for the wider Australian community about the hurt and suffering experienced, including assisting Aboriginal people to learn their language again.

We heard the member for Waite saying that one of the real disruptive elements of this is the loss of language. I have certainly noticed in my time in public office, first as mayor and now as the member for Morphett, the growing awareness around the Kurna language in the area we are living in on the Kurna plains, and how there is a significant effort made by Indigenous people to relearn their language and hear it spoken as well. It certainly tries to reinstitute that link.

Finally, getting back to the Bringing Them Home report, another recommendation was that compensation, as a lump sum, be considered. While you can never use money as a way to try to recompense for the hurt and suffering people have gone through, the main rationale for this national compensation was so that they did not have to go to court to be compensated. Significantly, two days later in May 1997, after that report was tabled here in the South Australian parliament, an apology was given by the then South Australian minister for Aboriginal affairs, Dean Brown, who was later to become premier. It stated:

...to the children who were taken from their mothers and fathers, to the mothers and fathers who watched in pain as their babies and children were taken from their side or from their schools. To those people, we apologise.

That was an important next step for people but, while apologies are certainly important, continuing action is also required. Out of that, public education is obviously required. Further to that, in 2010 the

Hon. Tammy Franks introduced the Stolen Generations Reparations Tribunal Bill in an attempt to take up one of the recommendations from the Bringing Them Home report. This led to a parliamentary inquiry into the reparations scheme, which was initially taken up in a bipartisan fashion, certainly by this side of the house. Ultimately, the former government established the reparations scheme, which has now become the responsibility of our government to complete. Originally, a \$20,000 ex gratia payment was envisaged to those affected, having South Australia as their origin. This is a very important next step.

The other part to this report that I think is important is that it also documents the statements of many of the applicants. In fact, there were 449 applicants to this scheme and the Independent Assessor met with over 300 of them. Reading some of the stories in the report really was a tale of sadness. The stories that were put onto paper were harrowing. The Hon. John Hill stressed that it is important to see them as survivors, not as victims. Also, he noted that it was important to acknowledge their generosity of spirit. Again, as the Hon. John Hill said, rather than trying to tell their story, it is best to let some of the worst affected of this stolen generation tell their own story.

One lady was taken from her mother whilst very young. The unfortunate thing about this was that she was given to adoptive parents and those adoptive parents divorced, and this led to the child being put into an orphanage. It just beggars belief what benefits the authorities could have ever expected from of a child being taken away from its birth mother and then left in an orphanage. I will tell her story in her words:

[In this orphanage] Every week new children turned up, fresh from the desert—

They were told they were there for an education—

...but us children, young as we were, we knew that the only education they wanted was hunting and gathering.

She goes on to say:

On one occasion I came across two tiny children two and three years of age who had just arrived from the desert. They were cowering and sobbing in the corner of the huge dominating foyer with a massive staircase and balustrade. I was only young myself, 11 or 12. I got down on my hands and knees and stretched out my hand to them to try and coax them out of the corner...seeing them cowering there, terrified, has haunted me my whole life...I sobbed myself to sleep—yet again.

These are tales of sadness. Unfortunately, when she found her original birth mother, she was informed that she was of the Narungga people of Point Pearce.

...I have documentation which traces my family back four generations and I have been told that I am the fourth generation to be stolen. So my mother, my mother's mother and her mother were all forcibly removed.

As I have said, there was massive disruption of this proud culture. Young children, 11 and 12 years old, were taking the place of mothers for even younger children. It is very hard to comprehend how this could be seen as beneficial to them. She further states:

NO ONE IN MY ENTIRE CHILDHOOD EVER SAID 'I LOVE YOU'...NO ONE EVER GAVE ME A HUG.

NO ONE EVER ASKED ME 'HOW WAS SCHOOL TODAY?'

BECAUSE NO ONE CARED!

These are harrowing stories and there are further stories. Just to bring home this story of sadness, two young sisters were brought into another orphanage and separated. If I could just highlight a statement within the report:

The children so strong, so versatile in times of adversity playing and working throughout the days, at night the muffled sounds of crying for home, scared and alone with no hope no voice.

Children grieving, waiting for scheduled family visits. Some lucky, some not. Sadness prevailed, hope diminished each time.

Putting the stories of people into this report really brings home the disruption and dislocation experienced by the stolen generations. Hopefully, this reparation is a step. I will finish by acknowledging what the Hon. John Hill said, and I quote:

There is much for government and society, in general, to reflect on and learn in relation to the policies and practices that produced the Stolen Generations [and the steps that have been taken now] are but small steps on the

road to Reconciliation; the intergenerational impacts are profound and need sustained and culturally sensitive attention.

It really is important that this government continues with that in mind. I note that the Premier is very involved. He is the first Premier to take on the responsibility of the Aboriginal Affairs and Reconciliation portfolio, and it is an important portfolio. He has done this to ensure that it is front of mind across all government agencies. If all in this house could continue to keep it front of mind, it can only be beneficial and will help in the road to reconciliation.

Mr TEAGUE (Heysen) (12:56): I rise also to support the motion and to commend the Premier and Minister for Aboriginal Affairs in this place, as the member for Morphett has observed, on his motion today to note the report of the South Australian Stolen Generations Reparations Scheme by the Hon. John Hill.

I have listened carefully to the debate this morning and this afternoon on the motion, and I wholeheartedly endorse and amplify all the observations of honourable members to date. I do not propose to repeat them, but I encourage all of us here, and all South Australians, to read and to absorb some of the personal stories expressed in the report. There are so many.

We must take the important step to go about the process of implementing the reparations scheme and that we do so fairly and diligently as a government. I commend the government for its work in that direction so far. I will say a few words later in my remarks about the Aboriginal Affairs Action Plan that was launched by the Premier at the end of last year, which will take this forward.

I propose to make some remarks about the history of Indigenous relations in this state, including some of its very positive aspects dating back to the beginning of the colony and also some of the more shameful episodes we have unfortunately encountered. It is true that the history of South Australia is a history that differs in some ways from that of the federated Australia post 1901. It is important to note that our endeavours to relate, to engage, to understand and ultimately to reconcile have followed a journey in this state that is its own journey. 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 Premier (Hon. S.S. Marshall)—

Capital City Committee—

Annual Report 2016-17

Annual Report 2017-18

Remuneration Tribunal—

No. 13 of 2018—Salary Sacrifice Arrangements for Judges, Court Officers and Statutory Officers Determination

No. 13 of 2018—Salary Sacrifice Arrangements for Judges, Court Officers and Statutory Officers Report

No. 14 of 2018—Accommodation and Meal Allowances—Judges, Court Officers and Statutory Officers Determination

- No. 14 of 2018—Accommodation and Meal Allowances—Judges, Court Officers and Statutory Officers Report
- No. 15 of 2018—Conveyance Allowance—Judges, Court Officers and Statutory Officers Determination
- No. 15 of 2018—Conveyance Allowance—Judges, Court Officers and Statutory Officers Report
- No. 16 of 2018—2018 Review of Judicial Security Allowance Report

STANDING AND SESSIONAL ORDERS SUSPENSION

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:04): I move:

That standing and sessional orders be so far suspended as to enable me to move a motion without notice forthwith.

Motion carried.

No-confidence Motion

MINISTER FOR ENVIRONMENT AND WATER

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:04): I move:

That the house has no confidence in the Minister for Environment and Water and that this house calls on him to resign for acting contrary to the interests of South Australians.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:04): I move:

That the debate be limited to one hour in lieu of question time.

The SPEAKER: I also note that convention has been 30 minutes for each side.

Motion carried.

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:05): I thank the chamber for the opportunity to be able to debate this important motion. This state has a proud history. This state has a particularly proud history when it comes to standing up for our Murray, for our water. I think all South Australians have a high degree of consciousness that, as a small state at the bottom end of the river, it has always been our responsibility to stand up and fight for what is ours, to stand up and fight for what is right, to stand up and fight for the environmental flows that our river so desperately needs. And, Mr Speaker—

Mr Duluk interjecting:

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

Mr MALINAUSKAS: —the truth is that our state and this parliament across both sides of the aisle have a very profound and proud history of doing exactly that. Our history for 170 years of post Federation debate has always fought for its water rights.

In 1902, the South Australian attorney-general John Gordon stood firm on the banks of the Murray at the Corowa Conference insisting on greater allocation for our state. In 1944, Tom Playford built and opened the pipeline that delivered River Murray water to Adelaide, and then in 1957, when Playford learned that New South Wales and Victoria were to share all their water diverted from the Snowy River into the Murray, he stood firm by invoking the River Murray Waters Agreement of 1915. He secured his state a fair share of the water.

Premier Steele Hall put his government on the line in 1970 over River Murray water storage. In 1969, he famously said, 'I will fight for the future regardless of the political consequences.' Premier Don Dunstan negotiated with New South Wales and Victoria for allocations from the Dartmouth Dam that were greater—

Members interjecting:

The SPEAKER: Order, members on my right!

Mr MALINAUSKAS: —than the total storage of the proposed Chowilla Dam. Premier David Tonkin always fought for the Murray in his term, and he in turn merged the portfolios of water and environment into one—a significant statement of government policy at the time that stands true today.

Premier Dean Brown advocated for South Australia's rights and repeated that effort in 2010, when he retired, when he made submissions to the federal parliament on the proposed Murray-Darling Basin plan. Premier Mike Rann always fought for the state and our water and, most recently, premier Weatherill and his minister Ian Hunter stood up for South Australia's rights, particularly in negotiating the extra 450 gigalitres of environmental flows.

Mr Patterson interjecting:

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

The Hon. V.A. Chapman interjecting:

The SPEAKER: The Deputy Premier, please!

Mr MALINAUSKAS: It is a profound list and it is a bipartisan list. All of us in this parliament stand on the shoulders of giants when it comes to fighting the upstream states for our water. It has been an issue where traditionally there has always barely been daylight between the two sides of the aisle in this place to tackle the upstream states because we know that, as a small state, we always stand a better chance of winning the fight when we stand together.

However, unfortunately, since the election of this new Marshall conservative government that bipartisanship has broken down. The history of those giants before us, the history of this state, the profound responsibility of standing up for what is ours, that privilege was bestowed on a new water minister. At the election, we saw a change of heart. We saw a government that decided that, rather than standing together, rather than standing by the evidence and the expert advice, they were going to prove everybody else wrong. They were going to prove that they were smarter than everybody else who came before them.

The Minister for Water wanted to prove the protestations of a Marshall government that they were brilliant negotiators who would get a deal done. Before the minister even started the negotiations, he had essentially declared his hand. This minister was going to be pragmatic. This minister was going to do a deal, and the upstream states of New South Wales and Victoria saw him coming like their own little buddy. Having declared they are doing deals, the upstream states knew that this minister had politically locked himself into doing a deal, and a deal he did. He grabbed the Coorong cash like a fig leaf and declared victory. It turns out—

Mr Duluk interjecting:

The SPEAKER: The member for Waite is warned.

Mr MALINAUSKAS: —that all of the upstream states were declaring—

Mr Cowdrey interjecting:

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

Mr MALINAUSKAS: —victory, too. On our side of the house, we knew that the alarm bells were ringing.

Mr Duluk interjecting:

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

Mr MALINAUSKAS: We knew that, as is always the case with any announcement made late at a Friday night press conference two weeks before Christmas, the alarm bells should ring. No matter how intelligent the Premier might say the Minister for Water is, it always seemed implausible that, after 100 years of doing everything they could to deny our state the water we are entitled to, Victoria and New South Wales all of a sudden had a change of heart and had fallen victim to the charm—

Mr Murray interjecting:

The SPEAKER: Member for Davenport!

Mr MALINAUSKAS: —and the intelligence of the new water minister. It was simple. All they—

Members interjecting:

The SPEAKER: Order!

Mr MALINAUSKAS: —had to do—

Members interjecting:

The SPEAKER: Settle down!

Mr MALINAUSKAS: —was hold the line and this minister would acquiesce. This minister would sell us up the river. The minister argues, as does the Premier, that they have done the pragmatic thing, they have done the right thing, they have been able to secure water for our state. So here we are with a dispute on the facts. Here we have us, on this side of the chamber, saying that the fight should have persisted and that the water was coming eventually once we had a federal government that would actually do something about it. The minister argues that everyone is wrong and they are right.

Mr Cowdrey interjecting:

The SPEAKER: The member for Colton is warned.

Mr MALINAUSKAS: The previous government was wrong in 2017.

The Hon. S.K. Knoll interjecting:

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

Mr MALINAUSKAS: His own department was wrong in June 2018. His water scientists are wrong now. On the dispute of the facts—

Members interjecting:

The SPEAKER: Order!

Mr MALINAUSKAS: —who should the people of South Australia turn to for an impartial and accurate account of what actually has occurred? What independent umpire could be relied upon to establish the truth? Well, none other than the highest form of inquiry in the land, the most authoritative body that this parliament can establish. It has the same standing as the Supreme Court but a lot more investigative powers. It is none other than a royal commission, a royal commission presided over by one of the most pre-eminent legal minds in the nation, who cannot be accused of being partisan. You only have to look at him representing Barnaby Joyce. What did the royal commission say about the minister's actions?

Mr Teague interjecting:

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

Mr MALINAUSKAS: 'Antipathetic.' The royal commissioner said he capitulated to the upstream states.

Members interjecting:

The SPEAKER: Order!

Mr MALINAUSKAS: The royal commission found, and I quote:

...no Minister acting [responsibly] could consider these changes to the criteria to be anything but totally antipathetic to the interests of South Australia, and the South Australian environment. South Australia's agreement [on this matter] should be immediately reversed.

He also found that the minister had acted so contrary to the interests of South Australia that he almost certainly breached section 2.5, at least, of the Ministerial Code of Conduct. These words are

unequivocal. They are not open to interpretation. They are there in black and white, recorded in perpetuity—an eternal record that is now synonymous with this water minister. The actions—

The Hon. J.A.W. Gardner interjecting:

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

Mr MALINAUSKAS: —of this water minister leave the state compromised in more ways than one. Firstly, there is the water—450 billion litres of water that we all collectively fought for now stands the test of not being met. In regard to the Marshall government's December deal—

Mr Pederick interjecting:

The SPEAKER: The member for Hammond is warned.

Mr MALINAUSKAS: —the royal commission has found, and I quote:

...that these far more onerous and expansive criteria signal the death of any reasonable prospects of recovering probably any of the extra 450 GL of...upwater.

If you do not believe the royal commission, what about the inaugural commonwealth environmental water holder, Mr David Papps? He said, and I quote, 'I would put my house on it that there won't be 450 gigalitres.'

The minister sold out our water, he sold out an environment and he sold out our state. What is left of this state's negotiating position within the commonwealth? What of its standing within our federation? The message to the federation from the Marshall government is clear. The message to the east coast states is simple: you behave badly, you treat the law with impunity, you take what is ours, you hold the line and, eventually, they will capitulate. That is the message to the federation.

Members interjecting:

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

Mr MALINAUSKAS: The giants on whose shoulders they stand would be ashamed. Since the royal commission handed down its findings, what have we seen? We have seen one of the most extraordinary acts that this parliament has ever seen since its creation. We have seen a Premier who has decided to vacate the field when it comes to leadership.

Given the opportunity to respond to the royal commission, what was the Premier's initial response? The initial response of the Premier was somewhat reasonable. He said, 'This royal commission should be taken seriously. The findings should be considered in a thorough and considered way.' Not 48 hours later, the Premier who said we should consider all the recommendations, what was he doing? He was ruling out one of the recommendations: the recommendation to overturn the fact that this government had decided to sell our water down the river.

That was just the beginning. What we have since seen is a Premier so desperate to run cover for his minister that he has decided to breach a whole range of different conventions, not least of which was deciding to pay respect to a royal commission. This Premier decided to show leadership by walking into this chamber and denouncing a royal commission behind the veil of parliamentary privilege. Hardly the actions becoming of a premier. If that was not enough—

Mr Picton interjecting:

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

Mr MALINAUSKAS: —in order to be able to do that, what did he do? He threw out one of the most sacred, important principles that this parliament has when it comes to pairs. They decided to take the advantage of a sick man in order to be able to provide an opportunity to stand up and denounce a royal commission.

Members interjecting:

The SPEAKER: Order!

Mr MALINAUSKAS: Why was he doing that? Why would the Premier do that?

The Hon. V.A. Chapman interjecting:

The SPEAKER: The Deputy Premier is called to order.

Mr MALINAUSKAS: All to protect a minister who was busy going interstate, selling out what we all collectively fought for.

Members interjecting:

The SPEAKER: Order!

Mr MALINAUSKAS: I think the people of South Australia, I think the people of this state, are right to ask the question: who is leading us? Someone who is willing to erode the basic principles of this parliament?

Ms Stinson interjecting:

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

Mr MALINAUSKAS: Someone who is willing to undermine the integrity of a royal commission, all to achieve a political end while meanwhile selling our water out.

Mr Cregan interjecting:

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

Mr MALINAUSKAS: This chamber should be willing to do what the Premier will not, and this chamber should be willing to do what the Premier cannot, and that is show leadership on the Murray, and that is to make sure that this parliament shows no confidence in this minister.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18): That performance was a little bit like—

Mr Boyer interjecting:

The SPEAKER: The member for Wright is warned.

The Hon. S.S. MARSHALL: —the pathetic trickle of water that the former Labor government secured for South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: You look at it and you think, 'Was that it?' Half the time he was talking about pairs.

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

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

The Hon. S.S. MARSHALL: He could not even address the subject of the motion that the opposition moved—more empty rhetoric from a hollow, vacuous opposition here in this place, an opposition not prepared to do what they need to do to represent the people of South Australia. Can I say this—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —I think the Leader of the Opposition had a week that sort of reminds me of the final line from *The Hollow Men*. I am not referring to—

The Hon. Z.L. Bettison interjecting:

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

The Hon. S.S. MARSHALL: —that documentary that I think pretty much describes your government. I am talking about the T.S. Eliot poem, *The Hollow Men*: 'Not with a bang but a whimper.'

This is the culmination of the week. They came in with all this bravado that they were going to unpack this royal commission report and destroy—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —the environment and water minister. They ran out of questions after day one. Yesterday, they were moving on to budget measures. But, of course, he had promised the caucus this big return to parliament.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: What a pathetic effort we have seen in this parliament today. Let me tell you, sir, what the opposition has relied upon.

Members interjecting:

The SPEAKER: Order! The Premier has the call.

Mr Picton interjecting:

The SPEAKER: Member for Kurna!

The Hon. S.S. MARSHALL: The royal commission has—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

The Hon. S.S. MARSHALL: —based their entire criticism on suggesting that the Minister for Environment and Water has breached the Ministerial Code of Conduct. Let's take a look at what the Ministerial Code of Conduct says.

Members interjecting:

The SPEAKER: Order!

Mr Brown interjecting:

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

The Hon. S.S. MARSHALL: The Leader of the Opposition helpfully points out that I should be looking at point 2.5.

Mr Boyer interjecting:

The SPEAKER: The member for Wright is warned.

The Hon. S.S. MARSHALL: Mr Speaker, if you do not mind, I might read this into *Hansard*.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Are you ready for this?

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: It states:

Ministers should not make an official decision without first giving due consideration to the merits of the matter at hand and the impact the decision is likely to have on the rights and interests of the people involved and the citizens of South Australia.

The Hon. S.C. Mullighan interjecting:

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

The Hon. S.S. MARSHALL: Any reading of that—

Members interjecting:

The SPEAKER: The member for Giles is called to order, as is the member for Elizabeth.

The Hon. S.S. MARSHALL: —would suggest that there has been no breach whatsoever of the Ministerial Code of Conduct. What is asserted by those opposite is that somehow the Minister for Environment and Water—

Mr Boyer interjecting:

The SPEAKER: The member for Wright can leave for half an hour under 137A. Thank you.

The honourable member for Wright having withdrawn from the chamber:

The Hon. S.S. MARSHALL: —without any consideration whatsoever, turned up at a meeting and sold out the state. That is what those opposite have asserted. We completely and utterly reject that. If you had been paying attention to the debates this week, we have already gone through this, but I am going to go through it again and I will try to do it as slowly and deliberately as possible so that maybe you might be able to get your mind around it.

The reality is that the Minister for Environment and Water considered the situation that we had, considered the mess that we inherited from those opposite, who presided over the stagnation of negotiations for an extended period of time, he listened to his department and he listened to stakeholders. More than that, more than making a kneejerk reaction, he consulted his cabinet colleagues. He not only consulted and laid out the cause—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —but he sought and received unanimous support from the cabinet and my strong endorsement. So, far from this being—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: —a kneejerk reaction, this was a carefully—

The Hon. C.L. Wingard interjecting:

The SPEAKER: Minister for Police, do not taunt the opposition.

The Hon. S.S. MARSHALL: —considered decision and, I might say, a decision we would make again. If it were tomorrow, we would make exactly and precisely the same decision.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: I will tell you the reason why. Because, unlike the vacuous arguments put forward by those opposite, we care about the people of South Australia. It is a statement of fact that those upstream jurisdictions had vacated the field. The negotiation, which was, by the way, originally presided over by a state Labor government and a federal Labor government to determine the Murray-Darling Basin Plan and return 2,750 gigalitres of water from irrigators back into the river and then an additional 450 gigalitres of what they call 'upwater' was negotiated by the Labor Party, who asserted, time and time again—

Mr Malinauskas interjecting:

The SPEAKER: The leader is called to order.

The Hon. S.S. MARSHALL: —that the 450 gigalitres of upwater—

Dr Close interjecting:

The SPEAKER: The deputy leader is called to order.

The Hon. S.S. MARSHALL: —was locked in and guaranteed. Did the royal commissioner find that it was locked in and guaranteed? No way. He said there was no such guarantee. I did not hear anyone from the opposition say—

Members interjecting:

The SPEAKER: Order! I would like to hear the Premier.

The Hon. S.S. MARSHALL: —'Oops, got that one wrong.' It was not locked in. This Murray-Darling Basin Agreement struck in 2012, to go through to 2024, was all carrot and no stick. There was no way of making those states, if they did not want to return the water, do so. The only way—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

The Hon. S.S. MARSHALL: —to do that was to get cooperation. What did those opposite achieve in their time in government in terms of that 450 gigalitres?

Members interjecting:

The Hon. S.S. MARSHALL: One.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Did it come from New South Wales?

Honourable members: No.

The Hon. S.S. MARSHALL: Or Queensland?

Honourable members: No.

The Hon. S.S. MARSHALL: Victoria?

Honourable members: No.

The Hon. S.S. MARSHALL: It must have come from the ACT?

Honourable members: No.

The Hon. S.S. MARSHALL: Oh, no, they took it off of South Australia. These brilliant negotiators—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —took more water from our river communities in South Australia. But for some reason they were doing a great job.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: I tell you what, we will not be taking any—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.S. MARSHALL: —lessons or advice from those opposite on how to act in the best interests of the people of South Australia. This is a complex arrangement. People have been bickering and fighting over the River Murray and the Murray-Darling Basin for more than a hundred years.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is warned.

The Hon. S.S. MARSHALL: It was the Howard federal government back in 2007 that passed the Water Act here in Australia. It took some time then until the Murray-Darling Basin Plan was arrived at. Some want us to rip up that agreement. Well, I just say to you that we are not going to be ripping up that agreement: we are going to be fighting for every single drop of water that we are entitled to.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: You had your turn. The Leader of the Opposition had his turn. He came in here and read the speech that Kevin wrote for him—nothing from the heart whatsoever—

The SPEAKER: Premier, please!

The Hon. S.S. MARSHALL: —more vacuous nonsense from the opposition. We speak from the heart over here. We know what we are talking about. We have an excellent minister who is putting the people of South Australia first.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Your flimsy argument relies on one single issue, which is the Ministerial Code of Conduct, suggesting that there was no consultation or no consideration, and we have just outlined very clearly that there was. We are very happy with the decision that we have made.

Members interjecting:

The SPEAKER: The member for Giles is warned.

The Hon. S.S. MARSHALL: As we consider this issue of ministerial accountability—and we reject the claim made by those opposite that there has been some breach of the Ministerial Code of Conduct—it is probably useful—

Members interjecting:

The SPEAKER: The member for Badcoe is warned.

The Hon. S.S. MARSHALL: —to reflect on what a breach of a Ministerial Code of Conduct might be.

Members interjecting:

The Hon. S.S. MARSHALL: Sir, I have been encouraged by my team to perhaps provide some encouragement. For context, I could maybe reflect on this: if a minister kept vital information from the public about our broken health system in the lead-up to an election, would that be a breach?

Members interjecting:

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

The Hon. S.S. MARSHALL: If a government or a minister failed our most vulnerable younger citizens, I think that would be a breach of the Ministerial Code of Conduct and there should be a recognition. Or, if a minister had comprehensively failed in terms of TAFE in South Australia, out they would go. Or, if they failed our most vulnerable older citizens, it is time to walk the plank. Or, if there were constant verbal abuse and swearing at senior members of the Public Service, surely that would be a breach—

Members interjecting:

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

The Hon. S.S. MARSHALL: —of the Ministerial Code of Conduct, requiring—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: —the chamber to pass—

Members interjecting:

The SPEAKER: The member for Lee is warned.

The Hon. S.S. MARSHALL: —a successful no-confidence motion in that minister. But I did not see any of those opposite voting in those instances to get rid of a minister or supporting a no-confidence motion.

I would, however, ask the chamber to consider where there had been successful no-confidence motions in the past. In fact, there were two—not one but two—successful no-confidence motions passed on the former Labor government's water minister, the Hon. Ian Hunter, in the last session of parliament.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: The question is: after he had two successful no-confidence motions passed on him, did he resign?

Members interjecting:

The Hon. S.S. MARSHALL: Goodness gracious me, that is a little bit embarrassing.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: That is a little bit embarrassing.

Members interjecting:

The SPEAKER: Order! The member for Kaurana and the member for Lee are on two warnings. The member for Playford is warned.

The Hon. S.S. MARSHALL: The reality is that the people elected a new government. They wanted a government that was going to move away from petty politicking. They wanted a government that was going to act in the best interests of the people of South Australia to deliver outcomes for the people of South Australia. That is why, at the very first opportunity when the parliament resumed, I came into this house and we moved a motion seeking the support of those opposite, and it was not political. Unlike what we have seen from those opposite this week, it was not political.

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. S.S. MARSHALL: It sought to note two important documents for consideration by the parliament: the Australian Productivity Commission report and the royal commission.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: The reality is that those opposite did not support the motion to note those documents. Then we asked the parliament to support our call for the Prime Minister to call a meeting of first ministers along the basin. Did they come in here and support that? No. Then we said that we needed to get all those jurisdictions back to the table and work in a bipartisan way, and they did not support that. They did not even speak on it. They could not be bothered. Such was their interest in the real outcomes for the people of South Australia that they could not even get Kevin to write a speech on that.

The reality is that this is a very important issue. It is a complex issue. We would do well as a state to work in a bipartisan way—no more petty politicking, no more clinging to seven sentences in a 746-page report where there was no finding, there was no recommendation—

Members interjecting:

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

The Hon. S.S. MARSHALL: —against the Minister for Environment and Water. We believe he is doing an excellent job, and I ask this house to completely and utterly reject the proposal put forward by the opposition.

Parliamentary Procedure

VISITORS

The SPEAKER: Before I call the deputy leader, I am informed that in the gallery is recently retired Speaker of the National Assembly of Quebec, Jacques Chagnon, who served for 33 years. He is accompanied by his wife, Sylvie, and is a guest of the member for Torrens. Welcome.

The Hon. S.C. Mullighan interjecting:

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

No-confidence Motion

MINISTER FOR ENVIRONMENT AND WATER

Debate resumed.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:30): I rise to speak on this motion of no confidence because I am furious that we are in the hands of a government that has taken its hands off the wheel approach to the extreme of allowing the Eastern States to decide what will happen to our water supply, to our river mouth and to our Lower Lakes and our irrigators.

Mr Duluk interjecting:

The SPEAKER: The member for Waite can leave for half an hour under 137A. Thank you.

The honourable member for Waite having withdrawn from the chamber:

Dr CLOSE: The general theory the government tried to cultivate last week is that it is the adult in the room, that while the last government would fight for no reason it would be mature and sensible. Would that that were true. Really being the adult requires experience, it requires judgement and understanding, and it requires knowing who to take advice from and who might know more than you do about an issue. None of those traits was on display when this minister sold our state out in December.

The Eastern States have never been interested in ensuring that the Murray is healthy all the way down its flow. Their interests have always been in maximising what they can take from the river, not what will flow down to the river mouth. This has been demonstrated—

The Hon. D.C. van Holst Pellekaan: You're so furious you're reading it word for word.

Dr CLOSE: My words. This has been demonstrated yet again in today's report from the Wentworth group of scientists detailing the New South Wales government's policy of water pumping to avoid sending river water over the border. Someone going into those negotiations needs to understand that and needs to act on it.

The amount required for a healthy river has always been a source of hot debate. This royal commission is going to be very useful in guiding that in the future, but it is safe to say that until today it has been South Australia on both sides of parliament that have insisted and fought for more water to come down the river so that the Lower Lakes and the Coorong remain healthy and so that that salt flows down.

We all know that in 2012 we got that 450 gigalitres inserted, not just because of Jay Weatherill, not just because of the Labor Party, but because the whole community were behind us, with the deafening silence from the then opposition. To get those—

Members interjecting:

Dr CLOSE: You know what? It is a process you have to work hard on, you have to fight for and you have to use the power that you have.

Members interjecting:

The SPEAKER: Premier and Minister for Industry, please!

Dr CLOSE: To get those 450 gigalitres, we need the irrigators upstream to do what irrigators here did here years ago and become efficient in their water use. That is all they have to do—become efficient in their water use. But we know that Victoria and New South Wales, with the complicity of the Liberal-National federal government, have kicked and screamed.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Deputy Premier, please!

Dr CLOSE: Each is terrified that they might be allowing water to go over their borders and they might pay a political price for a benefit here. If one less job was needed because an irrigator changed their processes, this would be a price too high to pay. If they were going to do it through goodwill, they would have done it already. They are going to have to do it because the law requires them.

I think we all understand that farmers and irrigators can do it tough. In a time of climate change and serious drought, they are concerned about what will be asked of them to help protect other parts of the country. For that reason, the Murray-Darling Basin Plan—the law—states that the projects must be socio-economically neutral. It defines that as the participation of an irrigator in the project, so the people who have the land can choose to participate. That is critical. We know that there needs to be neutral or positive socio-economic impact, but we know that it is tested according to the law by the participation of the irrigator.

The difficulty is that the wider communities interstate are so concerned that losing water volume will contribute to the decline of those communities that they are opposed to the implementation of those works under this scheme. We know that it may have a wider impact, but it has to happen if we are to have water come down to South Australia. The submissions that the state government—the minister—signed off that were made to the royal commission and to the Productivity Commission recognise this. They stated:

The legal test is deliberately precise. It was not contemplated as a question of whether the final 450 gigalitres should be pursued, but rather a check and balance before deciding on an adjustment.

That is very sensible. That is what we need to back. But the Victorian and New South Wales governments have been touting these criteria that would further constrain this test of socio-economic neutrality, and that is there for political reasons not for ours. It is not for our water, but to try to bind up the water to make sure that there is no project that can get approved.

In its final report, the Productivity Commission gives us the best description of what those socio-economic criteria, which were agreed to by our minister, were aimed at achieving. It says 'a strict "no impacts" test is unworkable', and:

Any definition of socioeconomic neutrality that requires Governments to demonstrate that an on-farm efficiency measure would have no negative impacts is simply an impossible ideal.

In October, we had these criteria—out they came in October; New South Wales and Victoria pushed them out—and they were all about removing the power of the irrigator to be the decider and setting a test that no project could meet. They were about giving such assurances to their communities that the chance of water became an impossible ideal. That is what they were in October, and that is what they were when they were signed off by this minister.

The fact that they were released early meant that we had an opportunity to critique them, and it meant that the royal commission was able to give advice, thinking that they were agreeing with the South Australian government, because that was the submission they had received from the minister in June. In the final day of hearings, in late October, the senior counsel in his summary said:

...the probable death knell for the 450 gigalitres can be found most recently in comments by the Federal Minister, Minister Littleproud—

one of your political allies—

who has suggested there needs to be changes to the definition in the Basin Plan, and also from what has been released recently by the NSW and Victorian governments, who are contending for a change to [the section about that test].

This minister, therefore, had warning of the consequences, warning from people who better understand water and better understand intrastate and interstate politics. Being a grown-up means knowing when you are being played for a fool. Being a child seeking the approval of others leads you to think that you have had a great victory when the other players are laughing behind your back. You can just imagine the glee—

The Hon. S.S. Marshall: Stick to the script.

The SPEAKER: Premier, please!

Members interjecting:

The SPEAKER: Member for Mawson!

Dr CLOSE: You could imagine the glee when the minister's plane took off from Melbourne, and the Eastern States and the federal government sat around reviewing their utter triumphs.

Members interjecting:

The SPEAKER: Order! The deputy leader has the call.

Dr CLOSE: The truth is that we have a great challenge in getting enough water down the river. We have to face up to that. The Productivity Commission lists two of the challenges to getting that: one is a lack of a work plan to get the 450—that is what the ministerial council should have been doing—and the other was changes to those socio-economic criteria, unduly constraining the program.

Early after the royal commission report came out, I spoke to people in the media, I spoke to people in the environment movement, and they speculated that this was a case of a minister really wanting to get the right result but being bullied out of it through inexperience or lack of knowledge. This cannot be true, because if he really wanted to do the right thing by South Australia he would swallow his embarrassment, swallow the humiliation and the hurtful words from the royal commission, and he would revoke that decision because he would recognise the power of this royal commission.

They are on our side. The words of the royal commission are on the side of South Australians, and we should be grabbing them and using them against the federal government and against the Eastern States, instead of criticising them—

The Hon. D.G. Pisoni interjecting:

The SPEAKER: The Minister for Industry is warned!

Dr CLOSE: —instead of criticising not only the words but the integrity of that royal commissioner.

Members interjecting:

The SPEAKER: Members on my right, please!

Dr CLOSE: I support this motion because I have no confidence that this minister has the political courage to understand that living up to your responsibilities is more important than your hurt feelings. He should resign—

An honourable member: Oh, my goodness.

The SPEAKER: Order!

Dr CLOSE: —and let someone who is stronger do the job.

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:39): I rise to strongly oppose this opposition motion—

Members interjecting:

The SPEAKER: Order! I am struggling to hear the minister. Please, the minister has the call.

The Hon. T.J. WHETSTONE: The Murray-Darling Basin Plan is the most important piece of water reform in Australia's history, 100 years in the making, and it is critical in achieving a sustainable water future for South Australia.

Members interjecting:

The SPEAKER: Member for West Torrens!

The Hon. T.J. WHETSTONE: The Marshall Liberal government has always said we must have a basin plan, delivered and delivered in full. Although the previous government claimed the remaining 450 gigalitres of the 3,200 under the plan were locked in, other states thought otherwise—and, I note, so did the royal commission.

In December 2018, an historic agreement was struck between the basin states and the commonwealth. In a significant moment for South Australia, Victoria and New South Wales finally agreed to participate in a full range of water-saving projects to deliver the 450 gigalitres. The action taken by the Minister for Environment and Water in December should be applauded.

Make no mistake, if action was not taken there would be significant consequences for the people I represent, the environment and all South Australians. In stark contrast, while Labor was swearing at our interstate counterparts—that is what Labor got out of negotiating, they swore—and having fake fights—

Members interjecting:

The SPEAKER: Order!

The Hon. T.J. WHETSTONE: —Victoria and New South Wales had all but walked away from the basin plan—

Members interjecting:

The SPEAKER: The member for Colton is warned.

The Hon. T.J. WHETSTONE: —the single most important piece of water reform in the nation's history, and Labor's continued—

Members interjecting:

The SPEAKER: Order! I am trying to hear the minister.

The Hon. S.S. Marshall interjecting:

The SPEAKER: Premier!

The Hon. T.J. WHETSTONE: —political spin put the plan in jeopardy. Make no mistake, when the minister went to the ministerial council in Melbourne in December the plan was in jeopardy. Representing our state, with the full backing of cabinet and this government, he negotiated a package to break the stalemate that we had inherited from the previous government. Let's be very clear about this: without the agreement negotiated by the minister, with the authority of his cabinet behind him, the plan would not move forward. Who would that hurt?

Mr Brown interjecting:

The SPEAKER: The member for Playford is warned.

The Hon. T.J. WHETSTONE: The food producers, families, our natural environment and all those people who rely on a healthy, working river. The December agreement is an incredible achievement for South Australia and for the people of Chaffey. It saw New South Wales and Victoria agree to fully participate in the commonwealth water infrastructure program and one of the key mechanisms of delivering the final 450 gigalitres required under the plan. Critically, this included on-farm efficiency measures, something Victorian Labor, in particular, have been critically opposed to.

We now have a program to address constraints on the delivery of environmental water, and before the ministerial council meeting there was no pathway forward to turn around the declining condition of our iconic Coorong. The minister secured \$70 million for the Coorong. What did the opposition secure? How did we break the deadlock Labor created? By bringing the states to the table. This government, acting—

Ms Cook interjecting:

The SPEAKER: The member for Hurtle Vale is called to order.

The Hon. T.J. WHETSTONE: —in a responsible fashion with the commonwealth, led the development of this package that will lead to actual water being delivered back to the river while ensuring that regional communities are not ripped apart—consistent with the original plan.

As an irrigator for more than 25 years, and representing the people of Chaffey, I know how critical the basin plan is to the future of the River Murray, the communities, the food producers and key environmental assets in my electorate that rely on a healthy, working river. The royal commission report creates uncertainty for the people of the Riverland and South Australia. A recommendation for the additional water buybacks would devastate the region, and I am not sure how those opposite would propose to get the basin plan that they were letting slide get back on track. Maybe it would be with buybacks. The food producers of the Riverland are the very people—

Members interjecting:

The SPEAKER: Leader and the Premier, please!

The Hon. T.J. WHETSTONE: —who put food on the plates of every person in this chamber—

Members interjecting:

The SPEAKER: Order!

The Hon. T.J. WHETSTONE: —yet reports recommend more—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. T.J. WHETSTONE: —forced buybacks. So where does the South Australian Labor opposition in this state stand on buybacks? We have heard nothing.

Mr Malinauskas interjecting:

The SPEAKER: The Leader of the Opposition is warned.

The Hon. T.J. WHETSTONE: We have heard nothing from state Labor on forced buybacks. Labor always claims to be standing up for South Australia, yet here they are, the shadow minister—

Members interjecting:

The SPEAKER: Leader and the Premier!

The Hon. T.J. WHETSTONE: —completely silent on forced buybacks that would devastate the Riverland and the state's economy, taking more water from the river communities. The Riverland would be the first to feel the impacts if the basin plan did not go ahead as agreed, and that is why this government is working on behalf of my community and South Australian communities to ensure that the plan is delivered in full. The current plan provides many benefits, including critical human needs water, sustainability of water-dependent industries and the communities, improved environmental outcomes and improved water quality. A healthy, working, river is in everyone's long-term best interest.

I remember the Swiss cheese effect of Labor's small block irrigator exit grants in the Riverland. We had dead horticulture blocks on one side of the road, and on the other side of the road there were state-of-the-art efficiency programs in play. The cost of water under the exit program was about \$1,700 per megalitre. Today, the comparison is that water has just tipped \$7,000 a megalitre.

Growers were forced to sell their water and still pay the termination fee. It was completely devastating and we cannot see this happen again.

It is extremely disappointing to see Labor continue to play the political games and the political pointscore that does not give a future to the basin plan. That is all those opposite are doing today. We have seen the benefits of a bipartisan approach on water. The \$265 million South Australian River Murray Sustainability Program is a prime example of that. The plan should be a bipartisan program. Instead, Labor have forfeited \$25 million to South Australia as part of the Murray-Darling Basin Regional Economic Diversification Program. The Treasurer saw fit to see the end of that.

That is just another one of Labor's initiatives. They refused the funding to play pointless political games. This government is proud of how we have brought the basin states to the table and worked to move forward with optimism on the Murray-Darling Basin Plan. The livelihoods of hardworking people in our communities are on the line, and we are getting on with the job in delivering a plan.

The agreement this government negotiated in December is something that the people in my electorate expected, something our environment needed and something that gives all South Australians confidence in the implementation of the plan. Over the course of this parliamentary week, we have seen clearly where the Labor Party really stands on those matters.

On Tuesday, the Premier proposed a motion of great importance to the state regarding the Murray-Darling Basin Plan. On this side of the house, just about every member spoke about the importance of the river. I am proud to be a part of a government that cares about the river and those that rely on it. That is what we heard through that motion, but what do we get from Labor? Nothing. We got silence, no contribution, no consideration—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. T.J. WHETSTONE: We got the same old political pointscore. Today's charade continues with this baseless attack—

The Hon. V.A. Chapman interjecting:

The SPEAKER: Deputy Premier!

The Hon. T.J. WHETSTONE: —on a water minister who did negotiate for the best interests of South Australia. The minister has broken the deadlock that threatened to strangle the 450 gigalitres, meaning that there is now a pathway to real water. To put that number into perspective, that is South Australia's annual consumption allocation for a full annual entitlement. The minister has done the hard work required to keep the basin plan on track, working in a mature, responsible way—

Mr Hughes interjecting:

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

The Hon. T.J. WHETSTONE: —with no other jurisdictions. The minister has the full support of cabinet and this side of the house. He is driving delivery of the Murray-Darling Basin Plan. Labor sold the people in South Australia a lemon. We are working for the river communities. They are relying upon us to deliver the Murray-Darling Basin Plan in full. The plan that has been negotiated will go down in the history books as one of the great achievements in federation. I commend the work of this government.

The Hon. A. KOUTSANTONIS (West Torrens) (14:48): I must admit, I was in two minds regarding a motion of no confidence in the Minister for Environment. Is it in our interests, as an opposition, to have a minister so tarnished with the stench of adverse comments, findings, conclusions, remarks and sentences—call them whatever you like—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —about his personal conduct, his capitulation to Eastern States' interests and his breach of at least one clause of the Ministerial Code of Conduct, to be the torchbearer for the Liberal Party on environmental issues? It is clear from the royal commission that there is a rot in the government. It is clear that it has been caught early: 10 months. It is in the first term of a new government.

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. A. KOUTSANTONIS: The first term, Mr Speaker.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: The question for us is: do we want this stench to go away? Do we want this stench to be cleansed from the government? Do we want the rot to be removed from a government that has made such an appalling decision? But the truth is that our loyalties are not to the Australian Labor Party first but to the people of South Australia.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Yes, yes, alright.

The Hon. A. KOUTSANTONIS: The fake laughter.

Mr Cregan interjecting:

The SPEAKER: Member for Kavel, you can leave for half an hour, please.

The honourable member for Kavel having withdrawn from the chamber:

The SPEAKER: The member for West Torrens has the call.

The Hon. A. KOUTSANTONIS: The royal commission was warranted because of allegations of water theft, corruption, maladministration, probably by upstream states—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —probably by commonwealth bureaucrats, probably by parochial ministers in Victoria and New South Wales, and the commonwealth government did not want this royal commission to proceed. They wanted it to stop—

Members interjecting:

The SPEAKER: Order! The member for West Torrens has the call.

The Hon. A. KOUTSANTONIS: —and they did not have an ally in the former government, but they had an ally in the new government, and no amount of fake laughter will make it different. The commission—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. A. KOUTSANTONIS: —is set in stone.

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Minister for Industry!

The Hon. A. KOUTSANTONIS: The report will stand for generations. What has been said about this minister cannot and will not be unsaid. It will hang around his neck for his entire career.

This inquiry will define his entire political presence in this parliament. Not only that, as the leader said—

Members interjecting:

The SPEAKER: Members on my right, please!

Ms Stinson: Selling us out.

The SPEAKER: Member for Badcoe!

The Hon. A. KOUTSANTONIS: As the Leader of the Opposition said, there is no higher form of inquiry. The commonwealth legislation governing royal commissions makes it an offence to criticise the royal commission—

The Hon. S.S. Marshall interjecting:

The SPEAKER: Premier!

The Hon. A. KOUTSANTONIS: —during its proceedings and post its proceedings. Indeed, it is against our own standing orders to criticise a royal commissioner. Now—

Members interjecting:

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

The Hon. A. KOUTSANTONIS: —we knew that this royal commission was set to be released on a certain date.

The SPEAKER: Six minutes left. Let's settle.

The Hon. A. KOUTSANTONIS: We knew that the commission had asked for an extension of time, not more money—not more money. Why is it the Premier did not want an extension of time? Why is it the Attorney-General did not defend the royal commissioner?

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Minister for Industry!

The Hon. D.G. Pisoni interjecting:

The SPEAKER: The Minister for Industry is warned.

The Hon. A. KOUTSANTONIS: Why is it they did not want—

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Minister for Industry, please!

The Hon. A. KOUTSANTONIS: —the royal commissioner to have another look at what it was minister Speirs did in December? Perhaps these bureaucrats may have given evidence—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. A. KOUTSANTONIS: Perhaps they were seeing the advice he relied on.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Deputy Premier!

The Hon. A. KOUTSANTONIS: Perhaps they were more worried about him giving more evidence. But I have to say that loyalty is a fine attribute. It is a fine attribute—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —and the Premier is showing lots of loyalty today to his minister. I have to say, it is a heroic amount of loyalty that this leader is showing. So loyal—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —broken pairs—he actually had to have a motion on the first day of parliament and then try to blow up proceedings so dramatically to show his support that he made this a bigger story than he thought it was going to be by his own remarks—remarks he read out. He pre-prepared it. Now—

The Hon. S.S. Marshall interjecting:

The SPEAKER: Premier, please!

The Hon. A. KOUTSANTONIS: —imagine every Liberal MP—

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Minister for Industry, please!

The Hon. A. KOUTSANTONIS: —saw this loyalty today, every backbencher seeing the loyalty of this Premier to this minister.

The Hon. C.L. Wingard interjecting:

The SPEAKER: Minister for Police!

The Hon. A. KOUTSANTONIS: So loyal. In fact, it reminds me of a comment about the 1993 election. In that 1993 election, Graham Richardson said of my favourite Liberal leader, John Hewson (of whom the Premier reminds me a great deal), that he was stupid and he was stupid often. This loyalty to this minister will hang around the neck of every Liberal backbencher.

What do the Liberal MPs who want a right of veto on farming land think of the Premier wasting so much time and capital on a minister who has had adverse findings in a royal commission? What does the member for Newland think about a Premier who is prepared to go to the wall for a minister—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —who has had adverse findings in a royal commission while he has to defend TAFE cuts—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —bus route cuts and Service SA cuts?

The Hon. D.G. Pisoni interjecting:

The SPEAKER: Minister for Industry!

The Hon. A. KOUTSANTONIS: What does the member for King think about this piece of loyalty—

Members interjecting:

The SPEAKER: Order! It is almost over.

The Hon. A. KOUTSANTONIS: —by this Premier for that minister when she is out defending Service SA cuts and when she is out defending bus route cuts? What loyalty is shown by the Premier to his ministers but not to his backbenchers?

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Every day this stench remains in the government. It remains on all your heads. As we get closer and closer to the next state election, remember this: when the

ads are running with the captions from the royal commission about the conduct of your water minister, think of all the constituents you have had to defend to this government.

The Hon. V.A. Chapman interjecting:

The SPEAKER: Deputy Premier!

The Hon. A. KOUTSANTONIS: The Premier's man—

The Hon. T.J. Whetstone: What do you think about your conduct with your water minister, Susan? What about Ian Hunter's conduct, Susan? What do you think about Ian Hunter's conduct?

The SPEAKER: The Minister for Primary Industries will cease interjecting.

The Hon. A. KOUTSANTONIS: —is on his expenditure and revenue committee and now he decides on budget measures—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —while you are all out there defending his decisions. The only time the Premier spends capital is to defend him, not Newland, not King, not the regions and not even the member for Adelaide—a minister in the cabinet. That is absolutely—

Members interjecting:

The SPEAKER: Members on my right!

The Hon. A. KOUTSANTONIS: —no defence. This minister's career—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. A. KOUTSANTONIS: The Premier, by defending this minister, thumbs his nose at the royal commission, the people of South Australia and, sadly, the lifeblood of this state, our river. If he will not do what is required of him morally and force this minister to resign, the people of Black will take care of it at the next election. Every day, between now and the next election, we will remind them. Minister Speirs' career is over. It is over before it began. He may win this vote today, but he has lost the only thing that matters in politics: credibility.

Members interjecting:

The SPEAKER: Member for West Torrens, one moment.

Mr Pederick: Coming from you? You have no credibility, Tom. What an outrageous statement. What a clown. How many speeding fines, Tom?

The SPEAKER: The member for Hammond can leave for five minutes and come back and vote if the vote is on.

The honourable member for Hammond having withdrawn from the chamber:

The SPEAKER: Member for West Torrens, I am giving you another 30 seconds.

Members interjecting:

The SPEAKER: Order! Thirty seconds. The member for West Torrens has the call.

The Hon. A. KOUTSANTONIS: The minister's career is over. It is over.

Members interjecting:

The SPEAKER: Members on my right, be quiet!

The Hon. A. KOUTSANTONIS: The house should remove him to save the people of South Australia from him and for their benefit, or leave him there for ours.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (14:57): That was quite an extraordinary performance. It was noteworthy that the member for West Torrens could not even keep a straight face throughout his entire debate—the rot and stench that he puts down with the fig leaf and seven sentences in a 700-page report. The whole basis of a no-confidence—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —motion is set apparently on a failure to uphold the Ministerial Code of Conduct. That Ministerial Code of Conduct has at its centre that ministers should always be focused on the rights and interests of the citizens of South Australia.

Members interjecting:

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

The Hon. J.A.W. GARDNER: So let's talk about the rights and interests of the citizens of South Australia, or indeed the environment of South Australia, or indeed the rights and interests of the communities on the River Murray served in this parliament by members on this side who care deeply about those communities and who are notable in this week—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —having contributed to a motion in this house that calls on this house to speak united as one to the federal government and to other basin states in coming together to work for the interests of the River Murray—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —for which those opposite could not bring themselves to say a word. Indeed, it is two months today—two months it is—since the ministerial council where we came to this agreement backed by the cabinet and backed by this parliament, now noting as we did yesterday in the parliament without dissenting voice, without any voice at all from those opposite, that that agreement was in the best interests of South Australia. That agreement is a pathway to water. That agreement is a necessary compromise that enables us to do better than those opposite did in their 16 years in power.

Let's go back. The Leader of the Opposition spent some time talking about history, more than 100 years of history of discussion about the River Murray and what he characterised as fighting for the River Murray. It is interesting; what does fighting for the River Murray mean? He gave some examples in his speech.

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: But the member for Chaffey reminded the house of the way that the Labor Party's—

Ms Stinson interjecting:

The SPEAKER: The member for Badcoe can leave for 10 minutes and come back for the vote.

The honourable member for Badcoe having withdrawn from the chamber:

The Hon. J.A.W. GARDNER: —legislative councillor who was the water minister at the time had two motions of no confidence in him passed by the Legislative Council. It had no impact on his behaviour. We all remember, and we were reminded again today by the member for Chaffey—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —of the behaviour of that water minister, who conducted his negotiations in restaurants and late-night establishments on Leigh Street by swearing and shouting at interstate ministers. We turned across the chamber—as the Leader of the Opposition said, yes, he was fighting for South Australia—and we asked: is that something the Leader of the Opposition supports?

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: Let him deny it if he did not say absolutely that he was fighting for South Australia. At the time, there were some people on the other side who were embarrassed by the behaviour of the former water minister, the legislative councillor. There were some in the Labor Party who said that that was not an appropriate way of behaving, but now we have an understanding—

Members interjecting:

The SPEAKER: Order, members on my left!

The Hon. J.A.W. GARDNER: —of the standards that we expect. If the Leader of the Opposition stays in that role any longer in the Labor Party or, God forbid, ever gets a ministry again, those are the standards we expect from the Labor Party: ministerial standards as exemplified by the member for West Torrens. It is a matter of record, the way he behaved to public servants during his time as a minister. Now we have a Leader of the Opposition defending the behaviour—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —of former water ministers swearing, using absolutely extraordinary language at dinners, after dinners and before ministerial council meetings to counterparts we needed to get to the table. The Deputy Leader of the Opposition has the extraordinary temerity to talk about the way that adults behave and the way that children behave, yet I have to say that in her two years as an education minister, or in her year since as an education shadow minister—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order, member for West Torrens!

The Hon. J.A.W. GARDNER: —she would not be at all surprised if any adult in any room with children behaved the way that the Labor Party's former water minister did. Let's have a look at another former Labor water minister, though, and what she had to say about the way our current water minister handled the situation in question.

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order, member for West Torrens!

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

The Hon. J.A.W. GARDNER: The entire case made by those opposite hangs on seven sentences in a royal commission with one set of comments. No finding—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: The member for West Torrens is on two warnings. If this continues, you will be leaving.

The Hon. A. Koutsantonis: Did you see the way that they behaved?

The SPEAKER: Yes, I did—three and two; they have had more removed.

The Hon. J.A.W. GARDNER: —that the Minister for Environment deserved sanction, no recommendation that the Minister for Environment should deserve sanction. A comment is a person's

opinion and it is not that of a deity, as has been pointed out. It is worth noting that those opposite and the member for West Torrens seem not to understand that there is a difference between the way—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —that we talk about a royal commissioner during the course of a royal commission and after the report has come. At any rate, the question is: did the Minister for Environment behave in a way that upheld the rights and the interests of the citizens of South Australia? He did. Is the decision that was taken in the best interests of South Australia? Those opposite—

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

The SPEAKER: Member for Mawson, you can even up the ledger and leave for five minutes, thank you.

The honourable member for Mawson having withdrawn from the chamber:

The Hon. J.A.W. GARDNER: —using that one comment, seven sentences in 700 pages, say, 'No, it's not.' They say, instead, that that deal should not have been done, that negotiation should not have been done and that there should have just been continued argument and continued standing up for the people of South Australia, which is what I submit this minister did. The government is not alone in thinking that getting the other states back to the table was indeed exactly what we meant by standing up for the best interests of the people of South Australia. Having a pathway to water is standing up for the best interests of the people of South Australia. We have tested Labor's plan—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —of how to get 450 gigalitres of water. They got one-quarter of 1 per cent of it: one gigalitre out of 450. Is the rest coming? The Leader of the Opposition is next, but he says yes. When? He says 'eventually'. In this debate today, 'eventually' is the best he can come up with. We have a minister who has New South Wales and Victoria and, rather than shouting at them—

Members interjecting:

The SPEAKER: Order, members on my left! Five minutes to go.

The Hon. J.A.W. GARDNER: —and swearing at them and calling them names, he has brought them back to the table and we have a pathway to 450 gigalitres. We have a pathway to water. You know what? Karlene Maywald agrees with him. When asked on the radio—

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. J.A.W. GARDNER: —if the minister's behaviour was such that South Australia will significantly miss out now that this test has been applied to the water, as indeed the royal commissioner suggests and as those opposite suggest, Ms Maywald said, 'I disagree entirely.' She then said later:

...if minister Speirs had gone to the table and said, 'Here's my negotiation position. I'm not changing,' well that's not negotiating and what would have happened is the 450 would have been off the table altogether.

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: Ms Maywald, with whom this side of politics has disagreed extensively over a period of time—

The Hon. S.K. Knoll interjecting:

The SPEAKER: Minister for Transport!

The Hon. J.A.W. GARDNER: —is able to leave her politics at the door and describe dispassionately what she believes is the right course of action. If the minister has negotiated a sensible course of action—

Members interjecting:

The SPEAKER: Order! I am trying to hear the minister.

The Hon. J.A.W. GARDNER: —then why cannot those opposite? The fact is that we contest that Ministerial Code of Conduct by the actions of those opposite over a period of time. We know that they did not live up to it in their personal conduct. But I come back—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —to that first statement: the rights and interests—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

The Hon. J.A.W. GARDNER: —of the citizens of South Australia. This is a government that is focused on meeting the needs, the rights and the interests of the citizens of South Australia, and we will be judged by our outcomes. We have a KPI to meet to ensure that this minister is able to achieve more than all those opposite did in 16 years. Can he do better than one gigalitre?

Mr Malinauskas interjecting:

The SPEAKER: Leader of the Opposition, please!

The Hon. J.A.W. GARDNER: I think he will. I think that he will do better than one gigalitre because that is all—

The Hon. S.S. Marshall interjecting:

The SPEAKER: Premier!

The Hon. J.A.W. GARDNER: —that was able to be achieved.

Dr Close interjecting:

The SPEAKER: Deputy leader! The minister has the call. Three minutes.

The Hon. J.A.W. GARDNER: Let's not forget that at one point, in 2011, the former premier was saying that nothing less than 3,500 to 4,000 gigalitres of water could possibly be acceptable. Then he signed up to an agreement that said 2,750 gigalitres and maybe 450 more. Certainly, the transcripts of the commission do not suggest that there was a lot of expectation that Labor's plan would deliver any more than the one gigalitre it did. What we have in South Australia is a minister who keeps at his heart at all times—as do all our ministers, as do all on this side of the chamber—the rights and interests, the best interests, the best outcomes for the people of South Australia. This is tremendously important.

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: We have had two months since this agreement was reached in December, a day on which there was a press conference. There was no hiding this agreement: there was a press conference. It has taken two months for the shadow minister and the Leader of the Opposition to come into this house and have anything to say. It has taken two months—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —for Kevin Naughton to come up with—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

The Hon. J.A.W. GARDNER: —some talking points on this issue. It has taken an entire parliamentary sitting week for them to come up with talking points, but it is notable. We have a motion of no confidence. It is one of the things about opposition: you have to build up the tenure; you have to build up the pace. Jay Weatherill has talked about this. Pat Conlon has talked about this. They criticised it. They said the thing is that if you are going to have a motion of no confidence on the third day you have to make sure you build up to it. You have to make sure you build up to it—

The Hon. S.S. Marshall interjecting:

The SPEAKER: The Premier will cease taunting the Leader of the Opposition.

The Hon. J.A.W. GARDNER: —while you make sure that you make the case. They had two days of opportunities to start building that case—

Members interjecting:

The SPEAKER: Premier and leader!

The Hon. J.A.W. GARDNER: —as we debated a motion that was critical to the needs of South Australia's future. They said nothing. They had, in fact, two months to talk about this issue, to talk about this, and they said nothing until the findings of the royal commission came out when they latched on to these seven sentences in a 700-page report. That is all they have. This is why they are arguing so hard about—

Mr Hughes interjecting:

The SPEAKER: Member for Giles!

The Hon. J.A.W. GARDNER: —the theological implications of a royal commissioner—

The SPEAKER: Theological?

The Hon. J.A.W. GARDNER: —because if, of course, the royal commissioner is not a deity, as has been suggested, then that is all they have left. That one statement is all they have.

Dr Close interjecting:

The SPEAKER: Deputy leader, please!

The Hon. J.A.W. GARDNER: We have a shadow minister for environment who has informed us today—

Members interjecting:

The SPEAKER: Order!

The Hon. J.A.W. GARDNER: —that she has spoken to some people in the media and she has spoken to some people in the environment movement, and some of them do not think it was a good idea. We have a Minister for Environment who spends his time visiting communities talking with scientists—

Members interjecting:

The SPEAKER: Order, members on my left! Nearly over.

The Hon. J.A.W. GARDNER: —taking advice from his department, taking advice from a range of people, talking to the cabinet, building a position and negotiating with people interstate—doing the job that he is sworn to do. He is an outstanding Minister for Environment. This motion is a joke. The opposition has failed. I urge all members to vote against this stupid motion.

The house divided on the motion:

Ayes	16
Noes	25
Majority.....	9

AYES

Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
Brown, M.E. (teller)	Close, S.E.	Cook, N.F.
Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Mullighan, S.C.	Odenwalder, L.K.
Piccolo, A.	Picton, C.J.	Stinson, J.M.
Wortley, D.		

NOES

Basham, D.K.B.	Bell, T.S.	Chapman, V.A.
Cowdrey, M.J.	Cregan, D.	Duluk, S.
Ellis, F.J.	Gardner, J.A.W.	Harvey, R.M. (teller)
Knoll, S.K.	Luethen, P.	Marshall, S.S.
McBride, N.	Murray, S.	Patterson, S.J.R.
Pederick, A.S.	Pisoni, D.G.	Power, C.
Sanderson, R.	Speirs, D.J.	Teague, J.B.
Treloar, P.A.	van Holst Pellekaan, D.C.	Whetstone, T.J.
Wingard, C.L.		

Motion thus negatived.

*Grievance Debate***MINISTER FOR ENVIRONMENT AND WATER**

Ms HILDYARD (Reynell) (15:14): I rise today deeply concerned about water, as are thousands of South Australians. Without any guarantees about the future of our water, without any ability on that side the house to negotiate, to stand up for South Australia, all that we are guaranteed is that, at the whim of others, we will just have to accept what we are given.

This Liberal minister, the member for Black, is in serious trouble. His has landed himself in deep trouble for putting South Australians' interests last and our water security at risk. According to the royal commissioner, who is not, as the Premier put it, ludicrous, this minister acted so contrary to the interests of South Australians that there is almost certainly a breach of the South Australian Ministerial Code of Conduct. What an incredible declaration, which, as I said, lands this minister, through his own complete and utter lack of ability to negotiate, in serious trouble.

I have had the privilege of representing people in negotiations over decades, of representing individuals and dozens and sometimes hundreds of workers at workplaces. I have the deep privilege of representing thousands to impact change across whole industries. As we all do here, I have the incredible privilege of representing community members in my electorate.

Like all of us, I am far from perfect, but I perfectly understand—as does everyone on this side of the house, as does any effective negotiator, as do people in the electorates of Black and Reynell—what is key to any successful negotiation. Fundamental to any negotiation, at the very core of why you enter a negotiation, is the deep understanding of and commitment to what those people you represent in that negotiation want, what their hopes and aspirations are, how they want to feel and what they want to achieve. It is that which you relentlessly represent. It is that which drives you and it is that which every decision you make is grounded in.

'What is the best outcome for those I represent?' should occupy your every thought and feeling throughout your negotiation. This minister does not understand this basic principle. He is not driven by this. This minister did not think for a second about what was best for the people of South Australia—a thought which should have occupied his every waking moment and shaped his every word and action, every letter he wrote, his every decision. He failed this fundamental core step of representing people in a negotiation.

How glad others must have been to have this new negotiator in the room. How cordial it must have been. It is a wonder we did not hear the backslapping, the pouring of drinks and the lighting of cigarettes from here. I am sure that our South Australian minister was welcomed with open arms. If this was not so terrible for the people of South Australia, we could congratulate those other ministers about how well they delivered for those they represent.

Earlier in the week, the minister mentioned how committed he was to reach consensus. A good negotiator only reaches consensus when the interests of those they represent are fulfilled. The minister says he broke the deadlock. When you capitulate and do not fight for those you represent, the deadlock will indeed be pretty quickly broken. When I was thinking about my words today and the appalling lack of desire by this minister to stand up for South Australians, to reach a consensus that includes their interests, I thought more about the art of negotiation.

I am sure the minister does not want to take my advice, but today is Library Lovers' Day, so I thought I could share some details of publications to seek advice. Perhaps he could go to the parliamentary library and see if they stock these books: the international bestselling *Getting to Yes: Negotiating Agreement Without Giving In*; or perhaps *Negotiating on Behalf of Others*; *Game, Set, Match: Winning the Negotiations Game*; *The Complete Beginner's Guide to Negotiation Skills*; *Principles of Negotiation*; *Never Split the Difference: Negotiating As If Your Life—*or perhaps your ministry or reputation—*Depended on It*; *Getting Past No* might help; or perhaps simply *Negotiation Basics: Concepts, Skills, and Exercises*.

Or, if he really wants to improve, next Tuesday the International Visualisation Centre here in Adelaide is hosting a negotiation course for \$660. I am sure people would be happy to chip in. Subjects include 'Understanding the basis of "principled" negotiation', 'Discovering the difference between interests and positions', 'Exploring the concept of mutual gain', 'Knowing how to bargain and close a negotiation' and 'Understanding challenges in negotiations and how to overcome them'.

This complete lack of negotiation skills and the alliance of this troubled Minister for Environment with a wayward federal government does not get us the result we want. This minister ignores climate change, he ignores the best available science, and he ignores South Australians. Our communities deserve so much better.

The SPEAKER: Someone once bought *Trump: The Art of the Deal* by Donald Trump for me as a youngster. That is another one.

TUNARAMA FESTIVAL

Mr TRELOAR (Flinders) (15:20): Over the January long weekend, I had the privilege of attending Port Lincoln's annual Tunarama Festival. The festival is in its 58th year and was an action-packed weekend full of entertainment, featuring local produce such as seafood, wines and craft beer, talent and events, including the ever-popular sideshows.

The Hon. C.L. Wingard: And fundraising.

Mr TRELOAR: Fundraising, indeed! The minister is well aware of what goes on in Port Lincoln. The weekend was celebrating the success and ongoing value of the Southern Bluefin Tuna Fishery for which Port Lincoln has become so famous.

On the Friday evening, I attended the 2019 Tunarama Ambassador crowning, which saw my new trainee, Damien Burner, crowned the second-ever and youngest male to be crowned ambassador. This year, the Tunarama Quest was made up of seven entrants, and they worked exceptionally well to raise much-needed funds for their chosen not-for-profit charities. Congratulations to them all. Collectively, the Quest entrants raised \$98,000, which was double the amount of last year's entrants, so well done to them.

After the crowning, I was honoured to attend the Best of Eyre dinner with South Australian Tourism Commission Chief Executive, Rodney Harrex, the Hon. Tim Whetstone and the federal member for Grey, Rowan Ramsey. The Best of Eyre dinner showcased Eyre Peninsula's seafood, prepared by local chef Kris Bunder, and was complemented by local wines.

The Port Lincoln Tunarama Festival is the longest running regional festival, celebrating the local fishing industry and its produce. One tradition that attracts festival-goers is the annual Tuna

Toss, which celebrated its 40th year in 2019. The festival includes a street procession, sideshow alley, a watermelon eating competition and much, much more, which makes it a fun and exciting family-friendly event for all. The festival came to a close on the Sunday night with a spectacular fireworks display, which locals said was the best fireworks display ever seen at the festival.

I think it is very important to thank Sharon Humenick and her committee for their tireless efforts. It is a huge task to organise a festival that has become an iconic annual event on the South Australian tourism calendar, and it is certainly the biggest event of its kind in Eyre Peninsula. I acknowledge the tireless efforts of their committee and also the volunteers who help out here, there and everywhere in the lead-up to Tunarama and on the weekend itself.

There were many sponsors, but this year Bendigo Bank had major sponsor's rights, so our thanks to them. Bendigo Bank has established a very successful local branch in Port Lincoln, as well as in Cummins and Tumbly Bay. They came on board and had naming rights. I would of course also like to acknowledge the support of the locals. It is not just visitors who come to town for Tunarama; it is well supported by the local population as well.

I would particularly like to thank the local media for their support, including ABC Local Radio, 5CC, Magic 89.9 and Southern Cross Media. The people who staff these organisations at a local level are media personalities in their own right, and they throw themselves into supporting Tunarama to make sure that all the activities and festivities are compered and carried out in a popular and professional manner. Well done to all involved.

MURRAY-DARLING BASIN ROYAL COMMISSION

Mr PICTON (Kaurna) (15:24): When all of us come into this parliament, when all of us take our oaths or affirmations of office, particularly those people who get to the level of being a minister, it is our duty, it is our responsibility, it is what we are here to do, to stand up for the people of South Australia, stand up for this state and make sure that our state's interests are first and foremost in our mind, make sure that in every aspect of what we are doing in our ministerial responsibilities we are putting this state first. Even if it involves being unpopular sometimes, even it involves upsetting colleagues we might have in the same party in other states or nationally, our job is to stand up for South Australia.

That is what we did when we were in government. We did it repeatedly on issues that mattered for this state: the River Murray, of course, but we also did it on Holden, we also did it on the submarines that were about to go to Japan, and we also did it on the cuts to health services and the cuts to education services that were coming from the federal government. On each of these matters we stood up for South Australia. We campaigned for our state.

When we did that, sometimes we would hear from those opposite that we should not be fighting as hard, that we should not be standing up as much as we did. In fact famously we once heard, in regard to the River Murray, that we should just settle for the Mazda, that we should not be aiming for the Rolls-Royce plan, that we should just settle for what we could get. In terms of the submarines, we were repeatedly told that we should just settle for the frigates, we should not aim for the submarines and get that contract as well because we might lose the frigates. However, we stood up for South Australia and we continued to deliver.

Sadly, we have seen something very different since March last year. What we have seen is an environment minister who is prepared to sell out our state, who is prepared to go interstate, sit around the table and sell out our state from vital water interests in the future. We know we will not get as much water because of the actions of this minister, because of his actions in terms of rubbing the bellies of New South Wales, Victoria and federal government colleagues, making sure that they are happy at the expense of our state.

How do we know this? In particular, we know this because the royal commission has said so. What we have heard today is the government saying, 'Oh, don't worry. It's just seven sentences, just seven sentences in the report.' Well, they are a damning seven sentences; they are an indictment of this minister. In any other government you would expect this minister to be sacked, to resign, to be out the door, but he continues to remain in his job, and every day we will be reminded of what the royal commissioner said. Let me do that right now. The royal commissioner said:

The South Australian Government's agreement to changes to the socio-economic criteria for efficiency measures should not merely be described as ill-advised. It is nothing short of a capitulation to the interests of the current Commonwealth Government, and those of Victoria and New South Wales. It is so contrary to the interests of South Australians that the decision by the minister responsible is almost certainly a breach of at least cl 2.5 of the South Australian Ministerial Code of Conduct in that no minister acting reasonably could consider these changes to the criteria to be anything but totally antipathetic to the interests of South Australians and the South Australian environment. South Australia's agreement to these changes should be immediately reversed.

What did we hear from the Premier immediately after this report came out? Originally, he said, 'We are going to treat the recommendations very seriously and look into them.' However, very quickly after that he has gone to the point of attacking the royal commission, attacking the royal commission's report, all to try to save his minister.

In fact, he has got to the point of saying that his entire cabinet is to blame for this capitulation; they have all signed off on this arrangement to sell out South Australia just to protect his minister. That is a damning indictment of the Premier, the entire cabinet and, of course, this minister. Selling out South Australia is completely antipathetic to our interests, as the royal commissioner said.

We also saw the Attorney-General constantly trying to trip up this royal commission, not giving the royal commissioner what he wanted in extensions of time to complete his report. Then, right before the commission report came out, we saw the government leaking to journalists against the royal commission because they knew how damning the findings were in regard to their minister.

We will remember what has happened and the people of South Australia will remember, and we will be making sure that we remind people in Black, every single day leading up to the next election, what their local member has done. We will be reminding people in Elder, in Newland, in King, in Adelaide what their government has done, what their minister and their Premier have done to sell out South Australia. We will not let people forget it. This minister should have resigned, but we will make sure that result comes at the next election.

MOUNT GAMBIER DRUG AND ALCOHOL SERVICES

Mr BELL (Mount Gambier) (15:29): Yesterday, a petition was tabled in this house with 3,771 names on it. The petition calls for the state government to provide funding for drug and alcohol rehabilitation facilities in Mount Gambier, something I strongly support. This petition is the strongest indicator yet of how this issue resonates with my electorate. Addiction does not impact just the individual; it impacts families, friends, workplaces, colleagues and the whole community.

The lack of adequate drug and alcohol addiction facilities and services has been an issue for my region for years and years, long before I became an MP. When people approach my office for help, it is often the last resort and they are desperate. The stories I have heard firsthand in my office from people with family members lost to drugs, particularly ice, are heartbreaking. It is even worse when you do not know where to refer them on to.

Ice gets a lot of attention, and deservedly so. National statistics indicate that opiate use, including heroin and prescription drugs such as OxyContin, is on the rise. Alcohol is and always has been a major issue for Australians of all ages. What will the drug of choice be in the future? The fact is that we do not know yet. We need to be proactive, rather than reactive, and put in place facilities, education and tools to equip our community into the future.

Sophie Bouchier, the project coordinator of Substance Misuse Limestone Coast, says, 'This community has an unmet need for drug and alcohol counsellors, education and service delivery.' Sophie told me that there are currently 3.4 full-time equivalent drug and alcohol counsellors to handle the entire Limestone Coast catchment of 70,000 people. That does not include the Victorian side of our border, where people come across.

There used to be a drug and alcohol specific youth worker based in Mount Gambier, but not anymore. The wait time to see a counsellor can be weeks or even months. As Sophie told me, for someone wanting to get help the window of opportunity is very small. In the time they have waited to get in, they have relapsed.

I have looked at several regional communities that have excellent programs and facilities in this space. Across the Victorian border, in Warrnambool, the successful Western Region Alcohol and Drug Centre (WRAD) has been running since 1986. The centre provides a diverse range of services

to meet the multiple needs of people with alcohol and drug problems. The centre is a not-for-profit organisation that operates within a community-based management model, which makes their services highly relevant to their region. WRAD staff work collectively with other health-related professionals and organisations to best meet the needs of clients and their families.

The Riverland region has just begun a trial of the Matrix program, a program which has seen success in its initial trials in Adelaide. Dr Quentin Black and the PsychMed team are delivering this trial, as they are delivering three Matrix recovery programs, all located in Adelaide. This is an intensive outpatient program, which includes supported detoxification, education and opportunities for families and loved ones to be involved in the recovery process. Dr Black works with the community to develop a model of treatment that suits the individual and the region in which they live.

It is clear that there is no one-size-fits-all approach to addressing the problem of addiction. A model that works for regional communities is essential to the success of the program, as every region's needs are different. The programs and models are out there; we just need the financial backing and support of this state government to implement them.

The state government has said that, following a review of the Riverland program, they will consider extending the Matrix program to other identified areas of need in South Australia. I would like to state on record that I am calling on the state government to provide funding for a drug and alcohol rehabilitation model that will address the specific needs of my electorate. Whether this is funding to support a community-based centre or for the city to be the next regional trial site for the Matrix program, I would like to see Mount Gambier be front and centre of the state government's focus in this area. I have the support of 3,771 people in that petition.

This is an issue that transcends politics. We must work together for solutions for our community. Unfortunately, SA-Best showed that it would rather play politics than deliver for my community by deliberately bypassing the local member in tabling the petition yesterday. In a house where that party does not even have a member in this chamber, they chose another Independent purely for political reasons.

MINISTER FOR ENVIRONMENT AND WATER

Mr HUGHES (Giles) (15:36): It is often said that we live in the driest state in the driest inhabited continent, and as a result the fundamental importance of the River Murray cannot be underestimated. It is literally our lifeblood.

I am somebody from a regional community that is almost entirely dependent upon the River Murray—something that often does not get a mention. The river to those regional communities that are not primary-industry based but industrially based is just so fundamental to our way of life and our economic wellbeing. I get up in the morning when I am in Whyalla and have the benefit of drinking a glass of water that has come the whole 379 kilometres from the River Murray.

Not only does Whyalla depends upon the River Murray; so does Port Augusta, so does Port Pirie, so does a whole series of smaller communities. Indeed, to a lesser degree even Eyre Peninsula, as a result of an extension of the pipeline from Iron Knob to Kimba, now has some dependence on the River Murray, so I cannot underestimate its incredible importance.

We heard the Premier refer to T.S. Eliot and *The Hollow Men*. Well, the name of another T.S. Eliot poem comes to mind, and it is the title that is relevant: *The Waste Land*.

The Hon. J.A.W. Gardner: You've been reading Tom Richardson's tweets.

Mr HUGHES: I don't read Tom Richardson. *The Waste Land* comes to mind because, if you do not secure adequate environmental flows, that is what we are going to end up with in parts of our state, and especially in some of the more vulnerable areas dependent upon the river, such as that magnificent environment down at the Coorong and around the mouth of the river. It is incredibly important that we secure those environmental flows.

I know that people have said that they saw the naive minister coming, that Victoria and New South Wales were in a position to get an agreement that will not be to the long-term benefit of our state. Despite all the words said on the other side, as a result of what has been signed up to there is

absolutely nothing that is going to guarantee any additional environmental flow here in South Australia.

It has not been the Labor Party, it has not been the opposition, that has made the attack on the minister: it has been the words of the royal commission. It has been said, 'Well, these are just seven sentences.' Seven sentences—a mere flesh wound for the member for Black, who reminds me of the black knight in that great movie the search for the Holy Grail. The black knight is down on his knees because he has already been chopped off below the legs, the arms have gone and there he was. The black knight wanted to fight on, saying, 'It's only a flesh wound.' Well, that is what the minister has got: he has a flesh wound.

He is seriously the black knight of this parliament. That flesh wound was not given by the state opposition: it was courtesy of a royal commission. It is probably worth repeating yet again, even though the member for Kaurana has repeated these words, the words of the royal commission:

The South Australian Government's agreement to the changes to the socio-economic criteria for efficiency measures should not merely be described as ill-advised. It is nothing short of capitulation to the interests of the current Commonwealth Government, and those of Victoria and New South Wales. It is so contrary to the interests of South Australians that the decision by the Minister responsible is almost certainly a breach of at least cl 2.5 of the South Australian Ministerial Code of Conduct in that no Minister acting reasonably could consider these changes to the criteria to be anything but totally antipathetic to the interests of South Australia, and the South Australian environment. South Australia's agreement to these changes should be immediately reversed.

Once again, these are not our words but the words of the royal commissioner. This minister has sold out regional South Australia and South Australia as a whole.

The words from David Papps were just as interesting when he mentioned that we had been set up by the other states. He called that in relation to the minister. He said the minister was the 'absolute definition of a turkey voting for Christmas'. I am not calling the minister a turkey because that would be unparliamentary language. I would not dream of doing that, but David Papps is, and David Papps is somebody who knows a lot about water, given his previous role as the commonwealth environmental water holder.

MORIALTA CITIZENSHIP AWARDS

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:40): Every year, I have great pleasure in awarding a series of citizenship awards to students within my Morialta electorate who do great work in their school and in their community. After being elected member for Morialta in 2010, I invited all my schools—I think in the following year—to participate in this award. It consists of a book voucher or, for the schools that are not near a bookshop, a cheque; a certificate, and the record of their achievements. I give a speech annually in this chamber to record their achievements.

For the record, I want to start by acknowledging all those students who do great work in the Morialta community and of course across South Australia every day. I particularly acknowledge those who are chosen by their schools for their service. Putting others in front of themselves is a citizenship trademark that we definitely want to encourage all our young people to aspire to. Role modelling behaviour for others is worthy.

I am very appreciative of the opportunity to congratulate these winners, particularly those whose graduations I did not get to last year because, unfortunately, some of the schools had their graduations at the same time as each other. I give special congratulations to those I did not get to last year.

The Morialta Citizenship Award winners for 2018 from Athelstone School are Maryam Al Dabbas and Gary Jones. Both students voluntarily and consistently give their best in so many ways for the school community. They are described as competent, reliable and valued role models.

From Basket Range Primary School, the winner is Jai Taverna. Jai shows great empathy when working with others and is a positive role model for all students with excellent leadership skills. I can tell you he is an outstanding actor as well, having seen him in a couple of school plays.

Birdwood High School's winner is Alexandrina Seager, or Lexi, who has embraced the school values of creativity, opportunity and excellence with her involvement in and outside the school

community. Her involvement with netball, Scouts, tennis and swimming, as well as her creativity, are laudable and noteworthy. At Birdwood Primary School, the Morialta Citizenship Award winner for 2018 is Claudia McCarthy, an outstanding student and a positive role model, as well as a school leader who does an enormous body of work to support all students in their endeavours. From the Domino Servite College, congratulations to Emily Trinkle, an exemplary student with service conduct worthy of recognition. She applied herself to her studies and attitude, serving the school community on a regular basis.

Mr BROWN: Point of order: I draw your attention to the state of the house.

A quorum having been formed:

The Hon. J.A.W. GARDNER: The Gumeracha Primary School awarded two recipients, Mirella Mik and Riley Polmear, the Morialta Citizenship Award in 2018. Both students consistently show maturity and willingness to help others, are highly regarded by their peers and work hard with good standards. Highbury Primary School selected two recipients this year, Stephanie Furler and Ivan Erofeev. Stephanie has had leadership roles during the year and is an enthusiastic student. Both are excellent role models for other students. Ivan's participation in sports and music demonstrated his leadership skills.

Lenswood Primary School selected Jesse Maczkowiack. Jesse is a quiet and confident student who works well with peers and relates well to all in the school community. His helpfulness is a particular talent noted by his teachers. At Lobethal Lutheran School, Elise Rendo is the recipient. The behaviour of a responsible school citizen is identified as her defining characteristic. She is a responsible senior student who has been the voice of good conscience when needed. The Lobethal Primary School selected Corey Hogben and Cameron Tidd as their two citizenship award winners. Corey and Cameron are both known as hard workers inside and outside of the school through their involvement in sports and community activity.

The Norwood Morialta High School has a senior school and a middle school award. Marcello Morena, as school captain, is one of the achievers and a student who displays enthusiasm and diverse interests. I am sure we will be seeing a lot more of Marcello in the years ahead through his significant contribution to the school community and embodiment of the school's motto of enriching humanity. Sevanah Hadgidimitriou is the other achiever. A very community-minded student with extensive involvement in school life, she has demonstrated a mature and dedicated approach to school work and her leadership roles.

The Norton Summit Primary School selected Paige Atkinson as their Morialta Citizenship Award winner. She is a self-motivated student who demonstrates resilience and persistence in all she does and is an outstanding role model for all students with her positive mindset and responsible attitude. I congratulate Angus Honner, who is Rostrevor College's Morialta Citizenship Award winner 2018. He has held leadership roles, participated in cricket and football, has endeavoured to make the college a welcoming community for all and is leader of Webb House.

St Ignatius College selected Gemma Puntillo, an extraordinary young woman whose family has been touched by cancer. For this reason, Gemma cut her long, beautiful hair short in order to donate it to be made into wigs. It was a very personal and generous decision by Gemma and a sign of a worthy winner. There were four winners from Stradbroke Primary School: Rohan Harding, Mikayla Partik, Emily Sargent and Natisha Bruno. All four have demonstrated excellent leadership qualities above and beyond for their school communities and are positive role models.

Thorndon Park Primary School's nominee and winner of the Morialta Citizenship Award is Tara Hurst, a student who has demonstrated her school's vision and values through her contribution to the school as a whole. Finally, Uraidla Primary School's nominee is a young student called Luke Squiers. A responsible role model for all students, his energy and enthusiasm encourage others to be involved in all areas of school and community life. I particularly thank Luke for reaching out through Instagram to get a photo of the occasion. I commend these winners to the house.

*Matter of Privilege***MATTER OF PRIVILEGE, SPEAKER'S STATEMENT**

The SPEAKER (15:47): I rise on a matter of privilege regarding the Premier tabling the Murray-Darling Basin Royal Commission Report. I refer to the matter of privilege raised in the house yesterday by the member for West Torrens. The member for West Torrens alleges that the Premier had wilfully and deliberately misled the house in that the Premier advised the house that, 'We tabled those documents,' referring to the Murray-Darling Basin Royal Commission Report and Australian Productivity Commission report, when in fact the two reports have not been tabled in the house.

Prior to raising the matter, the member for West Torrens sought a point of clarification as to whether the Murray-Darling Basin Royal Commission Report and Australian Productivity Commission report had been tabled. At the time of the point of clarification, the Premier told the house:

Can I just say that I do not know whether I said 'tabled' the report, but I have the motion in front of me that says 'notes the following report,' and that was the subject of the motion.

Following the Premier's comment, I quote the Acting Speaker's advice to the house at the time:

Member for West Torrens, for clarification, the report has not been tabled in the house.

I have had the opportunity to read the *Hansard* and, in the Chair's view, I believe the matter could not 'genuinely be regarded as tending to impede or obstruct the House in the discharge of its duties'. Accordingly, I do not propose to give the precedence which would enable any member to pursue this matter immediately as a matter of privilege. This decision, however, does not prevent the member for West Torrens or any other member, for that matter, from proceeding with a motion on the specific matter by giving notice in the normal way.

*Bills***STATUTES AMENDMENT (LIQUOR LICENSING) BILL***Introduction and First Reading*

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:49): Obtained leave and introduced a bill for an act to amend the Liquor Licensing (Liquor Review) Amendment Act 2017 and the Statutes Amendment (Attorney-General's Portfolio) Act 2018. Read a first time.

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (15:50): I move:

That this bill be now read a second time.

Today, the government introduces the Statutes Amendment (Liquor Licensing) Bill 2019 to make two amendments to legislation to support the ongoing implementation of the review into the Liquor Licensing Act 1997 conducted in 2016 by the Hon. Mr Tim Anderson QC. As members would be aware, in 2017 the former government commenced the Liquor Review Act, giving effect to recommendations of the Anderson review.

Notably, the act, as now passed, makes provision for new licence classes for liquor licensing in an attempt to streamline the current licensing process. These licences will be transitioned in November 2019. The act, as currently stands, makes provision for transitional changes in respect of conditions attached to current licenses.

In undertaking a tidying up review of the current licence classes before the new licences commence, the commissioner for liquor and gambling noted that there are currently irrelevant or obsolete conditions placed upon licences, which realistically are of a planning or environmental consideration rather than a liquor regulation consideration. Such conditions include:

- no garbage or refuse (including empty bottles and cans) is to be moved from inside the premises to outside storage bins between the hours of 11pm and 7am of the following morning;

- this type of condition is usually either copied from a development approval or imposed through conciliations. It is to be removed, as it does not relate to the sale and supply of liquor and is a council matter;
- the licensee shall ensure all rubbish, including broken glass, broken beer bottles/stubbies/cans are removed from the nearby streets adjacent/across the road from the licensed premises;
- this type of condition is almost always imposed as a result of conciliation with adjacent residents. However, it is to be removed, as it does not relate to the sale and supply of liquor and it concerns areas outside of the licensed area (i.e. adjacent streets) and therefore cannot actually be enforced by the Liquor and Gambling Commissioner;
- exit lights, operating from an independent power source, are required above all exits, including the exit at the northern end of foyer two adjacent to the restaurant. The above-mentioned exits are all to be opened without the use of a key while the premises are open to the public;
- this condition is to be removed, as it does not relate to the sale and supply of liquor. Matters such as exit lights are an issue dealt with by local councils at the planning stages;
- the entry/exit points to smoking areas or outdoor licensed areas remain closed, except when in immediate use by patrons entering or leaving the areas;
- this condition is to be removed on the basis that it is a condition for the purpose of reducing noise to adjacent residents. In line with Mr Anderson's comments, those noise issues should be dealt with by councils. These conditions are being removed; and finally
- conditions regarding outlaw bkie gangs: many different versions of this condition exist in pieces of legislation. It is proposed that the conditions be amended so that they are consistent across all licences. This will provide clarity to licensees and to enforcement agencies.

The removal of these conditions through the bill accords with Mr Anderson's recommendations; however, they failed to be included in the current act when passed in 2017. The government understands that this had been the original intention, as Mr Anderson had specifically recommended that the commissioner be provided with the absolute discretion to add, substitute, vary or revoke any existing conditions needed as a result of these reforms. The proposed amendments will ensure that the commissioner is provided with that discretion.

In terms of how this operates legislatively, the bill amends schedule 2 of part 5 of the Liquor Licensing (Liquor Review) Amendment Act 2017. This contains a transitional provision that permits the Liquor and Gambling Commissioner to substitute, vary or revoke a condition of a licence during the transitional period. However, this provision, as drafted, applies only where the condition was imposed under existing part 3, division 2 of the Liquor Licensing Act 1997, whereas a significant number of conditions were imposed outside part 3, division 2, including under section 43 of the Liquor Licensing Act 1997.

The amendment will therefore enable the commissioner to exercise the powers to substitute, vary or revoke any condition to which a liquor licence is subject, not only those imposed under part 3, division 2. Practically, the Liquor and Gambling Commissioner will include a condition on all licences stating that the licensee is required to comply with any development and planning approvals, and any relevant orders of the licensing authority. This will ensure that licensees remain aware of their obligations under planning and local council requirements.

Consequently, the bill also amends the Statutes Amendment (Attorney-General's Portfolio) Act 2018 to commence section 7 of that act immediately, as had been the original intention. Section 7 of the portfolio act amends the proof of age provisions of section 115 of the Liquor Licensing Act 1997. Members may be aware that the portfolio act was assented to on 27 November 2018. Section 7 restores the position that previously existed whereby proof of age could be requested by the occupier or manager of licensed premises, or an agent or employee of the occupier.

Section 7 has been intended to commence immediately on royal assent being given to the portfolio act. However, the commencement of section 7 was inadvertently linked to the commencement of section 22 of the liquor review act, which the government does not propose to commence until November 2019.

This government has prioritised reducing red tape and streamlining government departments. These amendments will no doubt assist in the smooth transition from the former licensing scheme to the new classes in November 2019. Stakeholders in relation to all these matters have been consulted, and I am not aware of any dissent to this proposal. I commend the bill to members and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of Liquor Licensing (Liquor Review) Amendment Act 2017

3—Amendment of Schedule 2—Transitional provisions

This clause makes technical amendments to clause 5 of the transitional provisions set out in Schedule 2 of the *Liquor Licensing (Liquor Review) Amendment Act 2017*. The technical amendments clarify that the provisions of clause 5 apply to all conditions of existing licences whether imposed under a provision of old Part 3 Division 2 of the *Liquor Licensing Act 1997* or any other provision of that Act.

Part 3—Amendment of Statutes Amendment (Attorney-General's Portfolio) Act 2018

4—Amendment of section 2—Commencement

This clause makes a technical amendment to the commencement provision of the *Statutes Amendment (Attorney-General's Portfolio) Act 2018* so that section 7 of that Act is brought into operation on the commencement of this measure.

Debate adjourned on motion of Mr Brown.

RAIL SAFETY NATIONAL LAW (SOUTH AUSTRALIA) (MISCELLANEOUS NO 4) AMENDMENT BILL

Introduction and First Reading

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:58): Mr Trainee Acting Speaker—

Members interjecting:

The ACTING SPEAKER (Mr Duluk): Order!

The Hon. J.A.W. GARDNER: Point of order, sir: it is appropriate for members to use the appropriate parliamentary title.

The ACTING SPEAKER (Mr Duluk): Indeed. The member for Custance.

The Hon. S.K. KNOLL: Obtained leave and introduced a bill for an act to amend the Rail Safety National Law (South Australia) Act 2012. Read a first time.

Second Reading

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (15:59): I move:

That this bill be now read a second time.

I am pleased to introduce the Rail Safety National Law (South Australia) (Miscellaneous No 4) Amendment Bill 2019, which amends the Rail Safety National Law. The national law is contained in a schedule to the Rail Safety National Law (South Australia) Act 2012.

In December 2009, the Council of Australian Governments agreed to implement national rail safety reform that created a single rail safety regulator and to develop a rail safety national law, which a rail regulator would administer. The national rail reform:

- supports a seamless national rail transport system;
- ensures existing levels of rail safety are maintained;
- streamlines regulatory arrangements and reduces the compliance burden for business; and
- improves national productivity and reduces transport costs generally.

The Rail Safety National Law commenced operation on 20 January 2013. The Office of the National Rail Safety Regulator was established as a body corporate under the national law, with its scope now also enacted through legislation in all jurisdictions. The national law was developed by the National Transport Commission, the Office of the National Rail Safety Regulator, together with jurisdictions—

The Hon. S.C. MULLIGHAN: Point of order: unfortunately, our numbers are waning in here. I draw your attention to the state of the house.

Mr TEAGUE: Point of order: standing 137. I note that standing order 131(2) permits the member for Lee to rise to interrupt the speaker on their feet to call attention to the lack of a quorum. However, standing order 137 prevents a member from persistently or wilfully obstructing the business of the house. I note that there are analogies to this in precedent in the federal parliament. On two occasions in 2005 the Speaker refused to continually call attention to the state of the house—

Members interjecting:

The ACTING SPEAKER (Mr Duluk): I am listening to the member for Heysen.

Mr TEAGUE: —where such tactics were deployed in an obvious attempt to obstruct the business of the government. I would invite you, Mr Acting Speaker, to no longer hear the member, or indeed those opposite, on these bogus calls to the state of the house.

The Hon. S.C. Mullighan interjecting:

The ACTING SPEAKER (Mr Duluk): Order! Member for Lee, sit down.

The Hon. S.C. MULLIGHAN: I take offence to that statement. It is my right under standing orders. It is also specified in Blackmore's *Practice of the House of Assembly*, first edition, that—

The ACTING SPEAKER (Mr Duluk): The member for Lee will be seated. Minister, if the member has taken offence and he wants the member for Heysen to withdraw, then I ask for the offending comment to be withdrawn.

The Hon. S.C. MULLIGHAN: It should be withdrawn.

The ACTING SPEAKER (Mr Duluk): Which part?

The Hon. S.C. MULLIGHAN: Claiming that my point of order was a bogus—

The ACTING SPEAKER (Mr Duluk): You cannot be offended by a point of order, member for Lee. That is a bogus point of order.

Members interjecting:

The ACTING SPEAKER (Mr Duluk): Order! It is correct under standing orders that a quorum has to be present at all times. Former deputy speaker Bedford in the previous parliament was right, and constantly corrected me as the member for Davenport for constantly calling attention to the state of the house in a constant and persistent manner as it goes on.

I think that the member for Heysen raises a valid point to the disruption of the house proceedings. I would hate for this to become a constant occurrence for the term of this parliament because the problem is, member for Lee, that the same can apply to your good self when you are

on your feet. I would hate for the house to be disturbed when you are on your feet. In saying that, a quorum is not present. Ring the bells.

A quorum having been formed:

The ACTING SPEAKER (Mr Duluk): The minister is not to respond to interjections.

The Hon. S.K. KNOLL: I would not dream of it.

The ACTING SPEAKER (Mr Duluk): No, you would not.

The Hon. S.K. KNOLL: Certainly not under your watch.

The ACTING SPEAKER (Mr Duluk): Indeed.

The Hon. S.K. KNOLL: Sitting high up, almost like a deity.

Ms Hildyard interjecting:

The ACTING SPEAKER (Mr Duluk): Member for Reynell, the minister will be heard in silence.

The Hon. S.K. KNOLL: The national law was developed by the National Transport Commission, the Office of the National Rail Safety Regulator, together with jurisdictions, and all these entities contribute to identifying legislative amendments. Ministers of the Transport and Infrastructure Council, which consists of commonwealth, state, territory and New Zealand ministers with responsibility for transport and infrastructure issues, approved this rail amendment bill on my birthday: 9 November 2018.

South Australia, as host jurisdiction, is responsible for the passage of the national law and any amendment bills through the South Australian parliament. Once commenced in South Australia, each participating jurisdiction has an application act that automatically adopts the national law and subsequent amendments into its own legislation, except in Western Australia, where its parliament needs to approve all amendments. It is good to see its secessionist elements are still alive and well.

During its first five years of operation, the rail regulator has successfully discharged its obligations under the national law, including facilitating the safe operation of rail transport in Australia. This has been achieved by providing a scheme for national accreditation of rail transport operators and promoting the provision of national policies, procedures and guidance to industry, further progress in the consolidation of national rail safety data information and education and training for safe railway operations.

This rail amendment bill constitutes the fourth amendment package to be considered by the South Australian parliament. The first rail amendment package commenced on 1 July 2015, the second on 1 September 2016 and the third on 1 July 2017.

This rail amendment bill extends the drug and alcohol provisions of section 127 of the national law, which governs the requirement for a rail safety worker to submit to a drug screening test, oral fluid analysis or blood test or a combination of these. For drug and alcohol testing, the rail amendment bill:

- inserts section 122A to define what constitutes a urine test;
- amends section 127 to include urine test as a method of testing;
- inserts section 127A that requires a rail transport operator to do all that is reasonably possible to facilitate an authorised officer in exercising drug and alcohol testing powers;
- inserts sections 128A, 128B and 128C to prescribe offences and penalties for hindering, obstructing, assaulting, threatening or intimidating an authorised person or interfering, tampering or destroying a urine, oral fluid or blood sample; and
- amends section 129 to ensure that urine, together with the existing oral fluid and blood for drug testing cannot be used for any other purpose.

This rail amendment bill also:

- amends section 244 of the national law to provide an additional exception for the release of documents where lawfully provided for under the South Australian Freedom of Information Act 1991;
- allows the rail regulator to access the use of private sector auditing, as approved by the Transport and Infrastructure Council, for the purpose of auditing the rail regulator's annual financial statements;
- amends definitions in section 4 of 'level crossing' and 'rail or road crossing' and deletes the definition of 'railway crossing' to support consistency in the national law;
- creates penalties for public road managers who fail in their risk management duties at a road or rail crossing, consistent with the penalties for a rail infrastructure manager in section 107(1) of the national law for the same offences;
- gives the rail regulator the explicit ability to enter premises for drug and alcohol testing; and
- amends section 200 to substitute 'level crossing' instead of the deleted 'railway crossing'.

Variation regulations that will support the operation of the rail amendment bill will be tabled in this parliament for approval following the parliamentary process. This rail amendment bill has the support of major stakeholders, including the Australasian Railway Association, Australian Local Government Association and the Rail Tram and Bus Union. It is also worthwhile to note that the Office of the National Rail Safety Regulator has its headquarters in South Australia. I commend this bill to members and seek leave to have the explanation of clauses inserted in *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Rail Safety National Law*

4—Amendment of section 4—Interpretation

This clause amends the definition of *level crossing* to address issues of national consistency in relation to the management of road and tram interfaces. The amended definition also clarifies that it includes a pedestrian crossing that crosses a railway (whether or not it is signed) and a pedestrian crossing that crosses a tramway where the crossing has a level crossing sign.

This clause also makes a technical amendment to the definition of *rail or road crossing* to incorporate the current definition of *railway crossing* (which is being deleted as this is no longer required as a separately defined term).

5—Amendment of section 43—Annual report

This clause amends section 43(2) to remove the reference to 'public sector auditor' and inserts a regulation making power to allow for the national regulations to make provision in relation to the preparation and auditing of financial statements. This is to allow for the ability for audits to be conducted by appropriately qualified private sector auditors (in accordance with the prescribed requirements).

6—Amendment of section 107—Interface coordination—rail infrastructure and public roads

This amendment inserts a penalty in relation to the existing obligations of a road manager regarding rail and road interfaces. This is the same penalty that currently applies to rail infrastructure managers to reflect that they have a shared responsibility with respect to interface coordination.

7—Insertion of section 122A

This amendment inserts an interpretation provision for the purposes of the amendments made by other provisions of this measure in relation to urine testing by the Regulator.

122A—Interpretation

The proposed new clause inserts a definition of *urine test* to cover both the screening and analysis of a urine sample for the presence of drugs.

8—Amendment of section 127—Authorised person may require drug screening test, oral fluid analysis, urine test and blood test

Section 127 of the Act provides for the drug and alcohol testing of rail safety workers by the Regulator. This amendment inserts a reference to a urine test to extend Regulator testing to the testing of urine samples.

9—Insertion of section 127A

This clause inserts a new provision to ensure that a person with control or management of railway premises must facilitate an authorised person in the exercise of the powers under the Act in relation to drug and alcohol testing by the Regulator.

127A—Facilitation of testing

The proposed new section provides that the manager of railway premises must give all reasonable assistance to an authorised person to undertake drug and alcohol testing of rail safety workers at the premises. This includes such things as allowing the authorised person to enter the premises, making rail safety workers available for testing and making other persons at the premises available to provide assistance to the authorised person in carrying out the drug and alcohol testing.

10—Insertion of sections 128A to 128C

This clause inserts new offences to support the facilitation of drug and alcohol testing by the Regulator.

128A—Offence to hinder or obstruct authorised person

The proposed clause makes it an offence to intentionally hinder or obstruct an authorised person who is exercising powers under Part 3 Division 9 of the Act which deal with drug and alcohol testing by the Regulator. The maximum penalty for this offence is a fine of \$10,000.

128B—Offence to assault, threaten or intimidate authorised person

This clause makes it an offence for a person to directly or indirectly assault, threaten or intimidate an authorised person or an assistant of the authorised person. The maximum penalty for this offence is \$50,000 or 2 years imprisonment, or both.

128C—Interfering or tampering with, or destroying, samples

This clause inserts an offence of unlawfully interfering or tampering with, or destroying an oral fluid, urine or blood sample provided or taken for the purposes of drug and alcohol testing by the Regulator under Part 3 Division 9. The penalty for this offence is \$10,000.

11—Amendment of section 129—Oral fluid, urine sample or blood sample or results of analysis etc not to be used for other purposes

Section 129 of the Act provides that an oral fluid or blood test or the results of an analysis of an oral fluid or blood sample cannot be used for a purpose that is not contemplated by Part 3 of the Act or an application Act of a participating jurisdiction. This amendment extends the operation of this section to urine samples and urine testing.

12—Amendment of section 200—Temporary closing of level crossings, bridges etc

This amendment is consequential on the proposed changes to the definition of *level crossing* and deletion of the definition of *railway crossing* in section 4 of the Act by this measure. The amendment changes references to a *railway crossing* to references to a *level crossing*.

13—Amendment of section 244—Confidentiality of information

This clause amends section 244(3) of the Act to allow for the disclosure of information made or given in accordance with the *Freedom of Information Act 1991* of this State as applied by the Rail Safety National Law (and as modified by the national regulations).

Debate adjourned on motion of Ms Hildyard.

*Motions***SOUTH AUSTRALIAN STOLEN GENERATIONS REPARATIONS SCHEME**

Adjourned debate on motion of Hon. S.S. Marshall (resumed on motion).

Mr TEAGUE (Heysen) (16:09): Before the adjournment, I had commenced my remarks to commend the Premier's motion this morning in relation to the report of the South Australian Stolen

Generations Reparations Scheme to the house as well as the good work of the Independent Assessor, the Hon. John Hill. I indicated that in South Australia we have a history that is mixed, particularly in comparison with the federal history, in terms of our relationship and efforts to reconcile with our Indigenous history.

At the outset, I would like to note that South Australia has some aspects of history in this regard that it ought to be proud of. In 1856, the initial reforms on separating South Australia's electoral regulations from New South Wales enacted an electoral rule that provided that all men may have the vote. That was notionally a highly progressive state of affairs, and I am quick to note that, notwithstanding that provision, I understand the first Indigenous vote that appears to have been recorded was not until as late as 1896. In this 125th year of women's suffrage in this state, it might also be noted that was not until two years after that significant reform occurred.

As honourable members are aware, in 1901 the federation had, for South Australian Indigenous people, the significant retrograde effect of stripping them of their electoral rights. That was soon followed by what was a further significant retrograde step in this state with the enactment of the Aborigines Act 1911. That commenced what cannot be described in any way other than as a very sorry period in our state's history between at least that time, 1911, and 1962. We now know, not least by the further accounts set out in the report, of the truly horrible experiences of members of the stolen generations during that time.

I also want to highlight some examples in the time I have available to me. The first is somewhat famously described at some length and is the subject of a judgement by the Hon. Justice Gray in the matter of *Trevorrow v State of South Australia* (No. 5). These matters were recorded in [2007] SASC 285 at paragraphs 1 to 4. I want to record the narrative of the history recounted there because Mr Trevorrow's experience was very much that of Indigenous people in that period of our state's history.

As is set out by Justice Gray, on Christmas Day 1957 Mr Trevorrow, as an infant in need of medical treatment, was sent to hospital. He recovered a short time later and was then taken from hospital and placed in long-term foster care. His parents were unaware of the removal or of the fostering. Almost 50 years later, the court was asked to determine the legal consequences that were to flow from that removal, his placement with another family and the circumstances of his return to his own family a long decade later. Those circumstances became the subject of perhaps the most famous and certainly the first judicial treatment of this topic. It is important that this be recognised as part of the process of coming to grips with that horrible chapter in our state's history.

Mr Trevorrow was aged 13 months when he, along with neighbours from Meningie, was sent by his father, Joseph Trevorrow, to the Adelaide children's hospital on Christmas Day in 1957. Joseph had informed neighbours that young Bruce was suffering from stomach trouble. The neighbours drove Bruce to the children's hospital, where he was admitted. The hospital notes recorded that Bruce had no parents. They also recorded that the child was neglected and malnourished. According to the hospital records, Bruce responded to treatment, and by New Year's Eve it was noted that he was going well.

The judgement goes on to say that, at or about that time, it appeared that Martha Davies responded to a newspaper advertisement seeking foster care for Aboriginal babies. On 6 January 1958, she attended with her husband at the children's hospital and was shown the plaintiff. They decided to take the plaintiff home. That was a process authorised and arranged by an officer of the Aborigines department on behalf of the Aborigines protection board. At that time, Martha Davies was yet to be approved or licensed as a foster-parent.

Young Bruce and his father never met again, and Bruce was only much later reunited with his mother. It took more than a decade for this to occur, and by then there had been significant family disruption. Bruce claimed, all that time later, that the circumstances of his removal and his ongoing separation for almost a decade had led to significant injury, loss and damage.

That is the subject of a judgement that I commend to all members. It is the subject of findings that Bruce went on to lead a troubled life marked by loss of family, loss of community identity and cultural identity, depression, alcoholism, poor health, poor domestic relations and an erratic employment history. Those are the opening observations of Justice Gray in the substantive

judgement in Trevorrow. It is one example of so many of those members of the stolen generations. I commend members' reflection on that case and, indeed, so many others.

Another member of the stolen generations who experienced in many ways a similar experience in early childhood is a personal hero of mine and, I would submit to members of this chamber, a hero for all South Australians, and that is Dr Lowitja O'Donoghue AC, CBE, DSG. Dr O'Donoghue was born in 1932 at Indulkana, in the APY lands. She was just two years old when she was taken away from that place and taken from her parents. It is my understanding, and it is well recorded—because, as we all know, Dr O'Donoghue went on and continues to go on living a distinguished public life that is characterised by her advocacy for better outcomes, better conditions, for Indigenous people Australia wide—that it was quite by chance that she was reconciled with her mother many years later.

Unlike Mr Trevorrow, who continued with significant travails in life, Lowitja went on to a life of enormous achievement, so much so that the words that I might say in the time that I have available here this afternoon could do no real justice to her distinguished life story. I do want to reflect, though, on that marvellous portrait of Lowitja that was completed by Robert Hannaford in 2006. It was a portrait that was made possible by a whole number of individuals and institutions across the spectrum of Australian life. It takes pride of place in our National Gallery in Canberra, and very rightly so.

Both Lowitja and Bruce are examples of South Australians significantly affected by that shameful part of our state's history. Indeed, in attempting to right those wrongs, in attempting to respond to the need for justice in this area and in attempting to deliver real reconciliation we have a lot of ground still to cover.

In the context and at the time of this report being completed, I am pleased and proud of the Premier's actions in recent times. That includes, significantly, on 10 December last year the Premier, in his role as the first premier to take the Aboriginal Affairs portfolio, launching the first SA Aboriginal Affairs Action Plan. It is an important series of steps that are the subject of the plan. It has been developed following a real and meaningful engagement with Aboriginal community leaders, and it is a plan that has been coordinated across government.

As we have heard from the Premier and other speakers in support of this motion earlier today, it is a plan that will very much set out the agenda of the new Marshall Liberal government going forward. We know that the South Australian government's commitment in this area will be very much measured by the benchmarks that are the subject of this action plan. They are—and I put them on the record in the context of this report—firstly and importantly, creating opportunities for Aboriginal jobs and businesses; secondly, improving the quality and delivery of services to Aboriginal South Australians; and, thirdly, building strong and capable Aboriginal communities.

While the motion that is before the house today, the Premier's motion in relation to this report, is to be commended, so too is the broad-ranging and long-term commitment in response, which is the subject of the action plan.

I am glad personally to see that reparation payments that are the subject of the reparations scheme, to the extent that there is residual money available, will be distributed in a way that will lead to an increase in the amount of money to those 312 people who are to be in receipt of payments, as well as the initiative in relation to community reparation. The Premier has already recognised the excellent work of Reconciliation SA and, indeed, the recent special occasion to honour and recognise those many survivors of the generations of ordeals, two examples of which I cited briefly this afternoon.

With those words, I express my hope that this government and this parliament will double and renew their efforts, especially via this action plan, to achieve real reconciliation, genuine reparation and a future in this area of which we can all be proud. I commend the motion.

Motion carried.

The Hon. S.C. MULLIGHAN: We are somewhat bereft of numbers. Mr Acting Speaker, I draw your attention to the state of the house.

A quorum having been formed:

*Bills***LABOUR HIRE LICENSING REPEAL BILL***Second Reading*

Adjourned debate on second reading.

(Continued from 13 February 2019.)

Mr TEAGUE (Heysen) (16:29): I rise to support the passage with due haste of the Labour Hire Licensing Repeal Bill 2018 and with a minimum of obstruction to the government's business of the day. There is a very real prospect that we may be able to get on with the substantive business of the government, including the repeal of what has proved to be a substandard piece of counterproductive legislation. I will come to the reasons why in a moment.

The Labour Hire Licensing Act 2017, a piece of legislation that was passed by the former Labor government very late in the piece, prior to the end of that unfortunate era of 16 years of underperformance and stagnation in this state, was a piece of legislation that, if nothing else, suffered from the fact that it clearly did not achieve what it set out to achieve. Quite apart from some of the ideological observations that have been made in the course of the debate about who might need protection, under what circumstances and all the rest of it, a primary observation that ought to be made about this legislation is that it was not terribly well suited to its proposed purpose, nor was it directed to the curing of any identified ill.

Before those opposite—the member for Lee and others—get too steamed up about what an important signal this might be about where those on one side of the house stand ideologically against those on the other, I think it is important to start with the merits of the legislation itself, the problem that was identified and whether or not the legislation was fixing it. I want to step back first to a time just prior to the Labor government's bringing in this legislation.

I understand that in the previous parliament the legislation followed an inquiry that was undertaken into the labour hire industry by the Economic and Finance Committee, the House of Assembly committee now ably chaired by my friend the member for Waite. That committee inquiry had a number of thoughtful submissions put to it and it considered the topic. That all occurred prior to the enacting of the legislation. I note in the context of this debate that, as is sometimes the case, there was a minority report by Liberal members of the committee.

The primary complaint that is set out in the minority report was to make the observation that the report of the committee indeed highlighted illegal behaviour, but it did not identify an area where the law was insufficient. The minority report centred around ways to reduce already illegal behaviour. The minority report went on to say:

Given that the behaviour that this report seeks to reduce is already illegal this minority report merely differs on how to achieve increased compliance. Simply creating more red tape for those who already operate inside the law will not of itself increase compliance.

That is by reference to the Economic and Finance Committee report, entitled Final Report Inquiry into the Labour Hire Industry Minority Report.

We have a piece of legislation that on the face of it has been arrived at following some inquiry and some thought, and it might be borne in mind that a piece of legislation that cites at section 3 some apparently worthy objects. I will note what they are:

3—Objects of Act

- (1) The objects of this Act are to—
 - (a) protect workers from exploitation by providers of labour hire services; and
 - (b) protect licensed labour hire businesses from predatory business practices that may be engaged in by persons unsuitable to be licensed to provide labour hire services; and
 - (c) promote the integrity of the labour hire industry.

The objects go on to say:

- (2) The objects are to be primarily achieved by establishing a licensing scheme to regulate the provision of labour hire services.

We see a range of laudable sounding objectives in some legislation but, as the minority report, it appears, presciently predicted, the legislation was unfortunately somewhat short of the mark in that what appears, and it appears as the result of some robust engagement with stakeholders that has occurred in the early months of the new Marshall government, is that those who are in the industry and who are relying on labour hire services have had a very unfortunate experience in contemplating what would have come into play should the regime, the subject of the act, have come to pass.

For me, it is also important to note, because I listened very carefully to those contributions from time to time of the member for Lee, including his contribution to this debate yesterday, and I observed that it really does not sit well in the mouths of those opposite to say that somehow they are all about protecting employees' or workers' rights or these broader ideals. It does not sit well in their mouths in this context because the record is one of a failure to actually achieve real outcomes. There comes a time, and the people of South Australia know this, because after 16 years—

Members interjecting:

The ACTING SPEAKER (Mr Duluk): Order! The member for Heysen has the right to be heard in silence.

Mr TEAGUE: After 16 years, the people of South Australia decided that they had had enough.

The Hon. S.C. MULLIGHAN: He also deserves to be heard by at least a quorum of the house.

A quorum having been formed:

The ACTING SPEAKER (Mr Duluk): The member for Heysen.

Members interjecting:

The ACTING SPEAKER (Mr Duluk): Order!

Mr TEAGUE: Once again, I recall he did a similar thing—

Members interjecting:

The ACTING SPEAKER (Mr Duluk): Order! I call to order the member for Reynell. There is to be no debate across the chamber. Minister for Energy and Mining, could you please take your seat. It is an absolute rabble today. The member for Heysen.

Mr TEAGUE: The member for Lee drew attention to the importance of the debate yesterday and, indeed, I am very pleased to have the importance of this debate drawn to the attention of the house because there are a number of analogies that bear repeating in this context. The member for Lee referred in his remarks to the former Labor government's response to a *Four Corners* television program in coming to its consideration of the labour hire licensing legislation.

The Hon. S.C. Mullighan: No, I said public attention was drawn to it by a *Four Corners* report.

Mr TEAGUE: There was indeed—

The Hon. S.C. Mullighan: It's on the *Hansard*.

The ACTING SPEAKER (Mr Duluk): Order! The member for Heysen has the right to be heard in silence.

An honourable member: Chuck him out!

The ACTING SPEAKER (Mr Duluk): There is procedure if you believe that to be the case. The member for Heysen has the right to be heard in silence. I call to order the member for Lee, and I will warn and chuck him out if I need to.

Mr TEAGUE: I certainly in no way wish to draw anything other than the attention of this house to the association that the member for Lee drew between this important issue having been

given some attention on a television program and the Labor government's passage of this legislation. It bears some consideration by analogy, because it is not the only time that we have seen this series of events transpire. This is one example.

We have spent a considerable part of this first week back in this house debating another example of where a *Four Corners* television program drew attention to something going on that caused some difficulty to the former Labor government in the form of some serious allegations of practices in relation to the Murray-Darling. It led to a response by the previous Labor government: 'What can we do? We have had a *Four Corners* program. We have to do something. Alright, off we go down the path of ultimately calling for a royal commission.'

It is a series of events that we have seen, and not just from state Labor. We have also seen it from federal Labor—a *Four Corners* program followed by some sort of response. Ultimately, it is not actually going to the core of the problem, is not directed to effective outcomes but, rather, it would appear, is directed towards somehow telegraphing a broader message that is designed to tell those who are still within the ever-diminishing chorus of those on the other side that they are somehow on the side of righteousness, if not on the side of good practical outcomes for the people they purport to represent. As the Minister for Transport (member for Schubert) observed in his contribution yesterday, this labour hire licensing regime, were it to have come into force—

The Hon. S.C. MULLIGHAN: Point of order: I am sure it is not just me, but the clock has indeed stopped. Time does seem to be standing still during the member for Heysen's contribution.

The ACTING SPEAKER (Mr Duluk): Mr Clerk does apologise. Member for Heysen, please continue.

Mr TEAGUE: I thank the member for Lee. He has drawn attention to the importance of the topic, but then he has cut me short. I am not sure what message I am really getting from the member for Lee. I am getting mixed messages, it would appear, from the member for Lee.

What is clear in the context of this debate on a bill to repeal some bad and unnecessary legislation from the former Labor government is that this was legislation that was going to make life harder for the 95 per cent or so of participants in the market who do the right thing. It was going to create a great big burden of red tape in circumstances where what was clearly required, what was observed to be necessary as a result of the committee inquiry that preceded it, was enforcement and compliance rather than this onerous licensing regime.

We have heard further criticism of the fact that this was to have been a state-based regime in an area that is otherwise largely governed by federal law, and we still see that there is a chequered recent history of the introduction of other state-based regimes. It may well be that other states follow the lead of this reforming Marshall Liberal government in repealing their state-based regimes that are similar. It is clear that this would have been a regime that would have had the effect of hurting those in compliance while not necessarily doing anything at all to address or to bring to compliance those who were in any way going to be acting outside the realms of the law.

In the short time that is available to me, I want to bring home the importance of the repeal of this legislation to my electorate of Heysen. I note the Minister for Primary Industries, in his remarks, mentioned the thoroughgoing contribution to this debate provided by the South Australian Wine Industry Association. In that regard, I want to put on the record that in my electorate, there are more than 50 wine producers and 171 registered grape growers.

It will surprise no-one on this side of the house that these businesses generate local jobs directly in their winery operations, vineyard and cellar-door sales and also attract visitors and tourists to the region who shop and eat locally and therefore support other businesses. Should the act have come into force and become fully operational, it would have placed a completely unnecessary and undue burden on these businesses and this kind of enterprise. For wineries and grape growers, particularly in my own electorate, this repeal will be a welcome step indeed.

In fact, this will be a very welcome repeal to so many businesses around our great state, especially those engaged in seasonal industries involving seasonal crops. In a way, to return to the broader dividing lines in the early days of the Marshall Liberal government and how it starkly contrasts with all that had become rotten after 16 years of Labor on the other side, it illustrates an approach

on this side of the house that is driven by seeking practical outcomes, driven by engagement with enterprise. It also shows that when we legislate we do so for a purpose and effectively with a view to righting a wrong.

I hope and trust that over the journey ahead of us, we will see just that: greater cooperation and sharing of information and intelligence between state and federal agencies. These include SafeWork SA, ReturnToWorkSA, RevenueSA and federal agencies, including the Fair Work Ombudsman and the Department of Home Affairs. We will see a confidence that real information sharing among and throughout these agencies will lead to positive outcomes.

I lend my wholehearted support to the repeal of this legislation. I recognise those in the wine industry, particularly in the Heysen hills, and the thoughtful and thoroughgoing engagement in this debate that leads to a positive outcome and reform, particularly by the South Australian Wine Industry Association, and also other industry stakeholders who have been actively engaged in this debate. With those brief words, I commend the repeal of the Labor Hire Licensing Act, through the Labour Hire Licensing Repeal Bill, to the house.

Ms HILDYARD (Reynell) (16:55): I rise today to voice my grave concerns about this government's appalling and disgraceful plans to remove important protections for vulnerable South Australian workers engaged in employment through labour hire firms—contrary to what the member for Heysen has just asserted, these are protections arrived at in legislation through a majority vote of both this house and the Legislative Council, despite whatever anti-worker sentiment was contained in some minority report put before this house—labour hire firms that were licensed by our former government for good reason, and Liberal plans that speak to their utter disregard for South Australian workers.

Our South Australian community expects that their government will act on their behalf, in their interests, safeguarding them from mistreatment and exploitation. On this side of the house, we believe that every worker deserves a fair go, that every worker should be treated with dignity and respect, and the provisions we introduced provided this protection, these rights, this dignity and this respect.

I had the privilege, over many years, of working with, and for, and representing many people engaged by labour hire firms. A very few had a positive experience that genuinely encapsulated a short-term period of engagement with a labour hire firm to undertake a particular task or set of tasks for a defined period. However, I also worked with and represented many who had experienced ongoing, inferior conditions to those they worked alongside, sometimes doing exactly same job, and to other workers in their industries—a lack of access to any form of leave, paid or otherwise; serious health, safety and welfare issues; a lack of basic rights; and a complete lack of job security.

These are things that must be positively addressed for working people to be able to meet the cost of living, to be able to have balance in their life for themselves and their families and to ensure that they arrive home from work each day or night to their loved ones safe and healthy.

I distinctly remember around eight or so years ago representing a woman who was engaged for years by a labour hire firm to work in a call centre here in the city. Throughout the course of her employment, despite the ongoing and regular nature of her work, her engagement was on a casual basis. For years she went without any paid leave whatsoever—no paid sick leave, no annual leave, no carer's leave—despite repeated requests to be treated as a permanent worker based on her length of service and consistency of hours.

Members interjecting:

Ms HILDYARD: She was employed by a labour hire firm, as I just stated. At a particular point—

Members interjecting:

The SPEAKER: Order!

Ms HILDYARD: —she broke her arm. Without access to paid sick leave, and with the ongoing and pressing need to look after her children and pay her bills, she simply continued to work, despite clearly needing time off to recover and seek further treatment. She did so because she had

to. This story is not an isolated one. This story speaks to what we should be doing, as community leaders, to keep vulnerable workers safe and to ensure that every worker accesses the—

An honourable member interjecting:

Ms HILDYARD: Absolutely—the basic rights and conditions that enable them to live good lives.

An honourable member interjecting:

The SPEAKER: Order!

Ms HILDYARD: This government does not want to hear those stories. They do not want to ensure that South Australian workers and their families have access to basic rights and basic expectations about their working lives, because they do not care about them. Please forgive me for being a little bit cynical about this government.

Members interjecting:

The SPEAKER: Minister for Primary Industries and the member for Lee, if you are going to continue this way, I ask you to do it outside, please.

Ms HILDYARD: Please forgive me for being a little bit cynical about this government, but the Liberal Party time and time again keep trying to tell people that they are on the side of hardworking individuals, yet here we are again. This government continues to advocate for powerful interests at the expense of hardworking South Australian people. They have a disgraceful, out-of-touch agenda. Those opposite introduced the bill last year before even holding a briefing on this repeal bill. We welcomed the briefing finally, some 10 weeks later. Better late than never, but I think we are starting to—

The Hon. J.A.W. Gardner interjecting:

The SPEAKER: Is the Minister for Education interjecting out of his chair?

Ms HILDYARD: —see a pattern with the Attorney-General. It would be normal practice—

Members interjecting:

The SPEAKER: Order!

Ms HILDYARD: —to hold the briefing before debating the legislation.

The Hon. S.K. Knoll interjecting:

The SPEAKER: Minister for Transport!

Ms HILDYARD: What you have here is a situation where the right hand does not know what the other far right hand is doing. This is a government—

Mr Duluk interjecting:

The SPEAKER: Member for Waite, be quiet!

Ms HILDYARD: —that is without a legislative agenda but with a will to entertain the interest groups and donors of the Liberal Party at the expense of working South Australians. At the same time that parents and Father Christmas were asking children what they wanted for Christmas, on North Terrace late last year the government was busily doing the same with special interest Liberal donors and big business. Weakening or destroying labour hire laws was clearly top of the wish list.

The repeal of this bill does not hurt just workers; it hurts businesses that operate in industries with cowboys who drag down wages, conditions and safety and other standards—

Members interjecting:

The SPEAKER: Order, member for Lee and Minister for Primary Industries!

Ms HILDYARD: —across whole industries, the same cowboys who undercut legitimate South Australian businesses trying to do the right thing. If this repeal is successful, we will have our own version of *Back to the Future Part III*—back to the labour hire Wild West.

We must ask why the government is trying to push this through. It is further evidence of the all too familiar 'nothing to see here' approach to running this state. Maybe the email sent to honourable members offering the briefing should have read 'debrief after the fact'.

We have heard often from this government, the Attorney-General and the Liberal Party generally the term 'red-tape reduction'. In this case, and in many others, we should be highly alarmed when we hear this from those opposite. It is simply code for reducing workers' rights, conditions and benefits. That is what this government want to do, and that is what they are all about: they always want to reduce workers' rights. They want to reduce working conditions and they want to reduce the pay packets of hardworking South Australians. This has nothing to do with reducing red tape.

Mr Ellis interjecting:

The SPEAKER: Order, member for Narungga! Restrain yourself.

Ms HILDYARD: Using the Attorney-General's logic, this is the equivalent of—

Mr Duluk interjecting:

The SPEAKER: Order, member for Waite!

Ms HILDYARD: —abolishing licences for drivers.

Mr Duluk interjecting:

The SPEAKER: Member for Waite!

Ms HILDYARD: Sure, it may reduce—

Mr Duluk interjecting:

The SPEAKER: Member for Waite! The member for Waite will calm himself down.

Ms HILDYARD: —the regulatory burden on drivers, but does it make South Australians safer? No, it absolutely would not. Regulations and licensing keep the public safe. This absolutely does not. Queensland, Victoria and South Australia have all passed legislation—

Mr Duluk interjecting:

The SPEAKER: Member for Waite, please!

Ms HILDYARD: —to regulate and license labour hire companies, but this government is scrapping the requirement for licensing. This is not a grand strategy for justice. This is not a strategy for good process. In fact, it is not a strategy at all. It is an ad hoc action that will hack into the rights of vulnerable people. It is a return to the same situation we had before those on this side of the house took action to make things fairer and better for working people.

Members interjecting:

The SPEAKER: Order!

Ms HILDYARD: Should this bill pass, workers will be less protected. Unfortunately, it appears very clear to me, as I have seen time and time again, that exploitation will be the only outcome of this bill, with disastrous effects on people's lives, their families and their communities. They will be the ones to face the consequences of these decisions.

When we were in government we introduced these regulations to call out the dodgy operators, who were subsequently investigated by the Fair Work Ombudsman, and to make sure that people, like the woman I spoke about before, did not have to go to work with an injury because for years she had no access to paid leave. In relation to one meatworks site where workers were engaged by a labour hire firm, the Fair Work Ombudsman has explicitly mentioned, quote:

The inquiry encountered difficulties in locating and contacting representatives of certain contractors in the supply chain

And as reported in the *Murray Valley Standard*—

The Hon. S.K. Knoll interjecting:

The SPEAKER: Order, Minister for Transport!

Ms HILDYARD: —quote:

On repeated occasions fair work investigators attended registered business offices only to discover no business—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee, please!

Ms HILDYARD: —was being conducted at those premises.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee, I am trying to listen to the member for Reynell.

Ms HILDYARD: So where are these contractors?

The Hon. T.J. Whetstone interjecting:

The SPEAKER: Minister!

Ms HILDYARD: Where are these businesses? Who is working for them? For what wages and conditions? The Ombudsman does not seem too concerned—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: The member for Lee, please!

The Hon. T.J. Whetstone interjecting:

The SPEAKER: Minister!

Ms HILDYARD: —about the burden for these so-called 'registered businesses'.

The Hon. T.J. Whetstone interjecting:

The SPEAKER: Minister, please!

Ms HILDYARD: It is shocking, I know. They rightly seem much more interested in the lack of transparency and the risk of workers' exploitation.

The Hon. T.J. Whetstone interjecting:

The SPEAKER: Minister for Primary Industries, please!

Ms HILDYARD: Yet I stand across from a government willing to be on the other side of the argument—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

Ms HILDYARD: — to be on the side of potentially—

Members interjecting:

The SPEAKER: Could the member for Reynell be seated for one moment. I would hate to have to eject the members for Lee and the Minister for Primary Industries so late in the day and in the week, but if I have to in order to retain the decorum of this house I will. I would like to listen to the member for Reynell. Thank you.

Ms HILDYARD: Thank you, Mr Speaker. The Ombudsman does not seem too concerned about the burden for these so-called 'registered businesses'. They rightly seem much more interested in the lack of transparency and the risk of workers' exploitation, yet I stand across from a government willing to be on the other side of the argument, willing to be on the side of potentially a dubious business with a dubious practice, with an unclear history that cannot even be found over that of a disenfranchised and vulnerable person in precarious employment trying to get ahead in life.

The Attorney-General has spoken in this place that it is the government's hope that a collaborative approach and compliance and enforcement activities under existing legislation will address the relevant labour hire issues and concerns about protecting vulnerable workers. They hope that all of a sudden the sharing of data will more effectively identify and potentially prosecute those unscrupulous operators who are seeking to take advantage of workers. It absolutely will not.

Why can this government not license a business that provides labour hire in South Australia? We would then know who they were, and we would rightly have an improved ability to deal with issues with and for workers when they arise. South Australians deserve rules that keep them safer at work and that mean they have the best opportunity to live a decent life with decent wages and conditions with basic job security.

Far too many workers are engaged in insecure work, and the negative ramifications of this for them and their families are taking their toll. South Australians deserve so much better than this.

Mr BASHAM (Finniss) (17:08): I rise to support this bill to repeal the Labour Hire Licensing Act—

Members interjecting:

The SPEAKER: Order! The member for Finniss has the call.

Mr BASHAM: Thank you, Mr Speaker. This bill meets the government's commitment to repeal the Labour Hire Licensing Act 2017 following work undertaken with other agencies on their current legislation and the submissions from stakeholder groups. This is an important thing to do.

As a business owner and an employer, I understand what putting extra burdens on businesses does to the ability to actually run the business and to employ. To have those extra costs within a business does make it difficult to go the next step of employing that next person. As we talk here, many of the businesses that take advantage of these labour hire businesses are very much agricultural based or horticulturally based.

Particularly as it is 14 February, I would like to mention the horticulture space. It being St Valentine's Day, there are many people who would have been hired from a hire company to pick the red roses that are being sold today. It is important that those roses are picked so that people can give them to their valentines. Happy Valentine's Day to my wife. It is very important to recognise on a day like today the support we have from our spouses, so thank you very much.

The Hon. S.K. Knoll: Someone is putting a few chips in the bank. You forgot to buy a present, didn't you?

Mr BASHAM: I may need to stop and buy those roses on the way home. Thank you, Attorney-General, for bringing the bill forward to repeal this piece of legislation. We need to understand that it is important that we do not put these heavy burdens on our businesses. We need to make sure that business can operate in a free and fair way.

There are many pieces of federal legislation, as well as state legislation, that protect workers' rights, and deservedly so, but we do not need to have extra pieces that just force other businesses that have been doing the right thing to comply with those laws. There were some people who were not complying with the laws that were already there and putting another piece in place does not make them do so.

It is very important that we look after the businesses of South Australia by making sure that they have the right atmosphere and circumstances in which to operate. The problem with agriculture, in particular, is that, as businesses, we are very much price-takers. As soon as you add the extra burden of an extra cost through regulation, the place where that most often hits in agriculture is the farmers themselves. They do not have the ability to pass that on to the consumer or business they are selling to. They are the ones who have to accept that extra cost.

If they have to accept the extra cost, the only way they can do anything about it is trying to cut costs within their businesses to cover those extra costs. Sadly, that can mean not employing as many people and the farmers themselves having to do more of the labour, so we must always consider the cost of the regulation when introducing these things.

The wine industry is a very particular industry that has very great seasonal labour needs. It is almost impossible for those vineyards to employ labour in that lumpy timing. They need significant labour at harvest and significant labour at pruning, but they do not need that labour throughout the year.

These businesses are very much in need of the labour hire service to meet the needs of the vineyard operation to be able to find staff at the time, but also to allow those people wanting to work in this space to find a more stable employment platform to operate in so that they can work for several different vineyards and spread their working time over a period of time. It makes it much easier to manage the structure for both the employee and the employers. I think it is a very worthwhile structure to have, but we just cannot put that extra burden on.

We need to make sure that we also stay competitive with our interstate bodies to make sure that we do not have an extra cost that forces others to consider moving to get employment elsewhere interstate because of the regulation not being there. Once again, the Marshall government has been forced to step in and unwind another red-tape nightmare for South Australian businesses. The tourism and agriculture industries, key drivers in the Finnis electorate and across regional South Australia, rely on strong labour hire companies to source their workers where there are significant shortages.

This is by no means the end of the battle. The federal ALP is flagging the dramatic changes to working holiday visas, which threaten to destroy our nation's image as a place that welcomes working holiday-makers. Australia is currently the second most popular destination for backpackers in the world. Tourist businesses rely on them not only for custom but also for short term labour in areas such as hospitality. Backpackers are crucial for fruit-picking industries as well. Horticulturalists in South Australia are adamant that without backpackers they will not be able to have their crops harvested.

But the federal ALP has bowed to the union puppetmasters yet again to attack farming and tourism businesses in South Australia and rob them of much-needed workforce by placing unnecessary restrictions on the first year of the working holiday-maker visa and abolishing the second year altogether. Those opposite are clearly not interested in helping key South Australian regional industries. They must immediately act to ensure their federal colleagues abandon this disastrous policy. With those short remarks, I highly support the repeal bill to remove this piece of unnecessary legislation.

The SPEAKER: Member for Playford.

Members interjecting:

The SPEAKER: Order, members on my right! I have never seen such anticipation. The member for Playford has the call.

Mr BROWN (Playford) (17:16): They might learn something. I rise to make a characteristically short contribution on this bill.

The Hon. V.A. Chapman: 'I draw attention to the state of the house.'

Mr BROWN: Sorry, Mr Speaker, was that a call?

The Hon. V.A. Chapman: No, it was a short speech.

The SPEAKER: If there is a quorum present and someone calls for a quorum, that can be a naming offence.

Mr BROWN: I rise to speak on the bill. The act that the bill seeks to repeal came about because widespread abuses were exposed in the labour hire industry. Numerous examples were given of those who were employed by labour hire companies and who were often foreign workers being intimidated, blackmailed, underpaid, sexually harassed and generally treated as legal slaves. Following this, the Economic and Finance Committee produced a report recommending the industry be further regulated and legislation pass this parliament.

Despite the regulations being proclaimed in early 2018, the scheme has not been implemented or enforced by the current government. This bill now seeks to repeal the act before the

scheme can even take effect. I am confident that there are a great number of employers in the labour hire industry who would be appalled at some of the practices that have been documented to have occurred in their industry. It may well be the case, as some in this chamber have asserted, that it is only a small number of rogue operators who are giving the industry a bad name. If that is so, then let us make sure that they are forced to do the right thing.

Let's make this legislation work. If amendments are needed, then let the government produce them. Some of my colleagues have suggested that the bill may be nothing more than an attempt by this government to assist its mates in big business—

The Hon. S.K. Knoll: Sorry; I sat on this committee. I heard the evidence. I have talked to the businesses in my electorate they are affecting. There are two sides to this.

The SPEAKER: Minister for Transport, I also sat on the committee.

The Hon. S.K. Knoll: You did. You signed the minority report, too.

The SPEAKER: Be quiet, please. The member for Playford has the call.

Mr BROWN: Thank you, Mr Speaker, for your protection. I am more of the view that they have decided that it is simply too hard to properly balance the need to protect working people from exploitation and to help employers struggling to increase our state's currently pathetic level of jobs growth. I say that they are too modest on the other side. Although, granted, there are a number of 'bunyips', to borrow the term from the member for Davenport, in the cabinet, this house has enough competence to deliver a scheme that properly weighs up those competing interests. If they still think it is too hard, then we would be happy to give them some advice from this side of the chamber.

As many members on both sides have acknowledged, exploitation exists in this industry. For me to vote in favour of simply giving up on fixing it without us even properly trying would be doing a great disservice to my constituents. I cannot support the bill.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (17:19): I am very pleased to be able to speak on the Labour Hire Licensing Repeal Bill, which of course meets the government's commitment to do just that. The current act requires anyone who provides labour hire in South Australia to be licensed. The government is committed to ensuring that the employees of labour hire companies receive their correct legal entitlements, but it believes that adequate protections already existed in federal and state legislation.

This is an unnecessary layer of red tape that a range of businesses within my electorate of Morialta have contacted me about and asked me to ensure that their views are put on the record as well. Like the member for Playford, I will be brief. Unlike the member for Playford, I will argue for the correct side of the debate.

The Attorney-General has already established the labour hire task force. This will continue to operate, utilising existing legislative provisions, to effectively address and prosecute unscrupulous labour hire providers in South Australia. The task force includes representatives from CBS, ReturnToWork, SafeWork, RevenueSA and the Small Business Commissioner and they have undertaken a review of existing laws to determine that these are sufficient to deal with issues that have been raised in relation to the labour hire sector—serious issues included, but existing laws being sufficient.

Labour hire is, of course, a legitimate form of employment and a legitimate form of hiring labour. It is often an essential tool for businesses to supplement their workforce on a temporary basis. It is often the case in regional areas that they need to supplement their workforce at harvest time. In my electorate of Morialta, where we have cherries, pears, apples and grapes, this is a significant concern to a range of growers.

These businesses, including wineries and the growers, create local jobs, significant jobs. They attract visitors to our regions who shop and eat locally, supporting other local businesses. They attract tourism and they are part of what makes the Adelaide Hills region spectacular. In fact, the Morialta region—which is, of course, the best part of the Adelaide Hills region, which is, of course, the best region in South Australia—is the most spectacular region in South Australia and therefore the most spectacular region in the world.

The Labour Hire Licensing Act, when fully operational and enforced, would have placed—assuming this bill is unable to get through; I very much hope that it does get through—an unfair burden on wineries, wine grape growers and pack houses through additional red tape and compliance costs, without having any positive impact on compliance. It is so critical for those packing houses as well. There are already substantial compliance measures and legislative provisions in place that govern the industry: the Fair Work Act, the Work Health and Safety Act and the ReturnToWork Act. Financial penalties are also available to the Fair Work Ombudsman and the courts under the federal Fair Work Act 2009.

The existence of the Labour Hire Licensing Act, as introduced by the former government, implies that the labour hire industry is beyond the capacity of existing legislation to appropriately regulate. This is not the case. The Labour Hire Licensing Repeal Bill that we are debating today will remove labour hire specific legislation that resulted in increased costs and regulations and unnecessary increased costs and regulations, and labour hire companies will continue to be covered by ample existing legislation.

The Marshall Liberal government is committed to supporting business. Additional regulatory requirements, when previous existing laws could simply be better utilised to deliver a better response to issues with the labour hire industry, are therefore counterproductive to job creation and economic growth. The Labour Hire Licensing Repeal Bill will remove an unnecessary layer of red tape and the task force will focus on cross-agency and departmental collaboration to ensure that existing legislation is effectively applied to address the number and impact of unscrupulous labour hire providers in South Australia. I thank, in particular, the primary producers, the pack houses, the wineries and other constituents in the Morialta electorate who drew their concerns to my attention. I commend the bill to the house.

The Hon. D.G. PISONI (Unley—Minister for Industry and Skills) (17:23): Thank you very much for the opportunity to speak. The debate from the Labor Party certainly illustrates the difference in what we on this side of the house believe in and what those on the other side of the house believe in. We believe in empowerment of the individual and people getting the best out of their life and being independent. On the other side of the house, they believe in controlling people. That is why they favour compulsory unionism: they do not want people to have a choice.

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: That is why right at this very moment they are fighting the bill. They are moving amendments to the Education Act bill that the education minister has put together to try to stop others, who are not members of their club, from being involved in different committees that the education system needs. Instead of it being exclusively for AEU members, the minister's bill will enable any teacher to put their name forward to participate in the education process. They want to keep it in the club. That is what this is all about. This is all about controlling workers, not enabling workers, not giving workers the ability—

Members interjecting:

The Hon. D.G. PISONI: They have the protection. The fact is that, if this bill goes through—

Members interjecting:

The SPEAKER: Order, member for Wright!

The Hon. D.G. PISONI: —nothing will change because the bill has not been enacted. They passed the bill and then they got lazy. They got their headline, they responded to the *Four Corners* report, they did their Economic and Finance Committee review, they put the legislation through the parliament, they got all the media they wanted and then they went home. They did not do the regulations. So nothing will change—nothing will change. The member for Reynell is telling everybody how everyone is being exploited in South Australia—

Members interjecting:

The SPEAKER: Order!

The Hon. D.G. PISONI: —and that this bill will stop it from happening. Well, guess what? Nothing has changed because they did not finish the job they were doing. It is extraordinary. It is fearmongering, and that is how they get their union members.

Look at the shoppies union. They have done a deal with the big fast-food companies and the big supermarket companies to get half an hour on the three-hour induction night. Half an hour they get. They force 16 year olds to sit together in a room and then out comes the burly union rep who says, 'Look at me. I'm vulnerable on my own. Look at this stick.' They break the stick. Then they get a whole lot of sticks together and they say, 'Look, with all of us together the stick won't break. Join the shoppies union and the stick won't break!' That is what they do. It is amazing. It is terrific.

Of course, what they will not tell their members is that they will be charged 10 per cent more for their membership because they give that in a commission to Woolworths and Coles, so they take it from their salaries. They deduct it from their salaries. So every single member of the shoppies union is paying 10 per cent more than it actually costs to provide the services so that they can give a commission to Coles and Woolworths. It is extraordinary. The lowest paying workers in South Australia are subsidising some of the biggest multinational companies that operate here in South Australia. What else happens?

The SPEAKER: The minister will be seated for one moment.

Ms HILDYARD: Point of order: relevance.

Members interjecting:

The SPEAKER: Order! We are having so much fun, though. I uphold the point of order. I have given the minister great rein. He has had a good crack. I ask him to come back to the bill. Thank you.

The Hon. D.G. PISONI: Sir, I do admit to the irrelevance. The union movement is irrelevant. Only 9 per cent of the private sector is in a union movement, yet they want to tell South Australians what to do. It is extraordinary. It is for those reasons that we are supporting this bill today.

Mr PEDERICK (Hammond) (17:28): It is good to see a bit of joy in this house after the last couple of days. I speak to the Labour Hire Repeal Bill, which is interesting. This is being repealed for a very good reason—because the former act has never been enacted. Not one business has been licensed. It has not been implemented and not one business has been registered under the scheme—not one business.

We have the union thugs from the other side and the union hacks, and the member for Reynell supports these people. I am not sure how she supports the member for Torrens when he comes in here with his boorish behaviour and does all he can to put people off from ever entering politics, especially women, with the way he acts in this house.

Ms Hildyard interjecting:

Mr PEDERICK: You have had your go. You have the member for Lee and then the member for Croydon, the leader, who I think is auditioning to try to keep his job. You have the member for West Torrens, who sadly feels irrelevant because no-one will accept him as the leader of the Labor Party in this state, and then you have the member for Lee, who gave a great audition yesterday to be the leader. There is this internal bunfight in the Labor Party, this internal tension going on. It is not as if—

Ms Hildyard interjecting:

Mr PEDERICK: You had your go.

The SPEAKER: Order! Yes, member for Reynell, please!

Mr PEDERICK: It is not as if the leader, the member for Croydon, is not used to throwing the knife. He used the knife with his mate Jack and they knifed the former member for Ramsay, Mike Rann—not that he lived anywhere there; I think he lived in our Premier's electorate.

The SPEAKER: I doorknocked him when I was a councillor. He was very polite.

Mr PEDERICK: There you go. What I say to the member for Croydon, the leader of the Labor Party, is that he might need to watch his back. He will not have to worry about the member for West Torrens because he is not palatable to the public. The member for Lee was putting on such a show and, to give him credit, he shows great promise.

An honourable member interjecting:

Mr PEDERICK: That's it. We have the member for Reynell happily backing up these people who like to complain about Coles, Woolworths, McDonald's and these other big companies of the world, but guess what? These same union hacks negotiated enterprise bargaining agreements below the award wage.

The Hon. D.G. Pisoni: And they signed off on it.

Mr PEDERICK: And they signed off on it. We have had all this bleating from the other side about protecting workers, about protecting wages, and what have these union hacks done? They have sold them out.

The Hon. D.G. Pisoni: Put it in their pockets.

Mr PEDERICK: They have sold them out and they have put it their pockets. Guess what happens? I know this for the fact: when 16 year olds sign up at Big W—

Mr BROWN: Point of order: unfortunately, I have to point out that this does not relate to the bill.

The SPEAKER: There is a point of order on the point of order.

The Hon. D.G. PISONI: It is the Labor Party that has raised workers' exploitation. This is exactly what we're hearing at the moment from that mob over there.

The SPEAKER: I have the point of order. Minister, please be seated. Member for Playford, I have the point of order. The Minister for Transport should go back to whatever else he is doing. I have given the member for Hammond a bit of a warm-up. Let's bring it back to the substance of the bill, thank you.

Mr PEDERICK: Just to finish off that point—

The SPEAKER: Finish quickly and come back to the bill, please.

Mr PEDERICK: Yes, it is directly related to the bill and labour licensing and how Labor comes and engages with these companies and how the unions have got so deeply embroiled. If these young people at 16 do not want to be a member of the union, they have to go to the default position of signing themselves out because they are automatically signed up to the very unions that have killed their wages and signed them up for under the award.

I am never going to listen to the preaching from these union hacks on the other side about looking after workers in this state because the facts are the facts and they actually destroy the rights of kids and workers in this state. I just want to reflect on the wine industry in my electorate and how this will—

An honourable member: Talk about the meatworks.

Mr PEDERICK: The meatworks do a great job.

An honourable member interjecting:

Mr PEDERICK: Absolutely. I want to talk about the South Australian Wine Industry Association.

Ms Hildyard interjecting:

Mr PEDERICK: You had your go. Hang on, what is that I can hear in the wilderness?

The SPEAKER: I am trying to listen to the member for Hammond.

Mr PEDERICK: The South Australian Wine Industry Association are absolutely certain that it is superfluous to the needs of the industry. The legislation did not look like it was even going to pick

up the people it was targeted at picking up. It has been deemed not useful. As I indicated before, it is draconian legislation. We hear from the other side about how they supposedly look after the rights of the workers, when the actual facts are that they do the exact opposite. They want to preach to us about supposedly being in the pockets of business. I just hope the union hands back every business donation they get.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (17:34): I wish to thank members for their contributions to this debate. Some were lively, some entertaining, some less helpful, some significant and some that I thought were going to cause some health problems for some of the contributors. Nevertheless, I am pleased to see that those sitting immediately adjacent to me are still alive.

There are a couple of matters I wish to raise. Firstly, there was a statement made by the member for Lee in his contribution. As members know, this is a bill to repeal the act, and he referred to the question of whether the bill could be, should be or was intended to be amended. As I think I have previously explained to the house, that issue was considered by the government and was seen to be an inadequate resolution of this matter. Therefore, we have proposed that the whole of the act be repealed. In his contribution, the member for Lee says:

It is funny I should raise that because I am advised that when the opposition was briefed on this bill the officers who provided that briefing admitted that there were amendments that had been drafted in order to make sure that this regime was doing exactly what was intended and nothing more...

I want to point out that the briefing offered was with the Hon. Mr Maher (Leader of the Opposition in the Legislative Council, spokesperson on consumer matters and shadow attorney-general), his adviser, my adviser and Mr Dini Soulio, who is the Commissioner for Consumer and Business Services. I do not know what other officers he is referring to, but I am advised that Mr Soulio confirmed that, in the event that the bill was not repealed, in his opinion it would need a lot of amendment. That is not what the member has said: namely, that there was some kind of secret preparation of amendments for the purpose of progressing this bill.

Members interjecting:

The Hon. V.A. CHAPMAN: No, I am just correcting the record on what I have been informed by the commissioner, and I just want to confirm to the house that no amendments have been prepared or considered by the government in respect of this bill. We categorically reject that this bill is amendable.

We have had a flurry of contributions on the philosophical basis upon which anyone is better at providing for the protection, safety and rights of workers. For the purpose of this debate, I accept that however inadequate some might present as a proposed regime of protection for workers, I do not think anyone here would accept that workers should be exploited, especially if they are in a vulnerable circumstance. They deserve to have protection of their wages, their entitlements, accommodation provisions and their leave, and they are entitled to work in a safe workplace.

I am not going to sit here and give a litany of cases where I think the former Labor government oversaw disgracefully unsafe workplaces in this state, including the much-publicised death of Mr Castillo-Riffo at the Royal Adelaide Hospital, or detail my conversations with Mr Cartledge, head of the CFMEU, about my concern that his union had failed to provide adequate, safe working conditions for that person.

What I will say is that we on this side of the house are keen to ensure that there is provision for those protections. We clearly say that this piece of legislation, passed under the previous government, does not do that. Whilst there has been some comment about the implementation of this from the member for Reynell—Reynell or Kurna?

Members interjecting:

The SPEAKER: Member for Mawson!

The Hon. V.A. CHAPMAN: I know where you are, and I know who I am working to get rid of.

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

The SPEAKER: Member for Mawson!

The Hon. V.A. CHAPMAN: The member for Reynell represented in her—

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

The SPEAKER: The member for Mawson will cease interjecting.

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

The SPEAKER: Member for Mawson, cease interjecting please.

The Hon. V.A. CHAPMAN: —I think quite passionate and probably well-intentioned speech that the act has actually provided some panacea of protection—

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —some blanket of security—

An honourable member interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: —for those in the labour hire industry. The fact is, though, in this state—although the bill was proclaimed and indeed regulations followed—not one single person has been registered under this new regime. I want to bring this important point to the attention of the house because whilst the commissioner received 121 applications immediately upon the commencement of the act from people who felt, even though they had raised concerns about being captured under this legislation, that they were obliged to put in their information, not one single person has been processed or registered.

Indeed, when the government made the announcement that it would be progressing this repeal bill, the commissioner indicated to the industry generally that he would not be accepting any further applications, and made a commitment that if the bill were repealed he would ensure that applicants were refunded their application fee. So there has not been any actual implementation in the establishment of a register that has therefore attracted the protections.

Under this legislation, the protections so offensive to those on this side of the house and to which we have attempted to move amendments were, in particular, the imprisonment clauses for labour hire operators. We see that as a backdoor attempt to deal with things such as industrial manslaughter. These are failed attempts that have been presented to this parliament many times before and they may be again. They will never have my support, and I still say that this attempt to place serious and significant imprisonment terms on employers in relation to these is completely unacceptable.

However, let us go to what the current protections are because I think it is important that the house is aware of them. First, there is the Work Health and Safety Act 2012 under SafeWork SA. Obviously, if a worker is at risk in any way there is a whole agency to provide investigative and prosecution actions in that regard. I realise that SafeWork SA has had a few problems, so much so that the Independent Commissioner Against Corruption conducted a review into it and highlighted very significant failings in relation to that agency.

I was responsible for it at the time of the change of government—it is now with the Hon. Mr Lucas—and I am pleased to say there have been very significant reforms. However, suffice to say that it had a lot of people who were clearly not up to the job. They were either inadequately skilled or unskilled people who failed utterly in what should have been successful prosecutions.

Secondly, there is the Return To Work Act 2014. Anyone caught providing false information can be fined up to \$50,000 and, in that regard, imprisoned for two years already. We know that the South Australian Employment Tribunal and the many commissioners down there, in particular, are regularly processing applications for people who have been underpaid, who have not had their superannuation paid as well as other entitlements they have been unfairly, illegally denied and for which they have sought redress—as they should.

There is the Payroll Tax Act 2009 under RevenueSA. Obviously labour hire companies are liable to pay payroll tax relating to wages of all workers, and there are consequences if they do not. Importantly, there is also the Fair Work Act 2009 in the commonwealth under the Fair Work Ombudsman as well as, of course, the court structure to deal with, in particular, the Fair Work Act 2009.

When people talk about there being a lot of other laws, it is important to remember what those laws are, that they are there and that they are working now and are in fact providing protections to many people from many of the circumstances that have been raised in cases and even in stories contributed by the other side. I think the member for Reynell pointed out a case of obvious exploitation of a person who was employed in a host worker situation. I think she indicated that she advocated for this person, and I expect she would have been successful, I hope, in recovering whatever entitlement she had been unlawfully deprived of.

That is the purpose of ensuring that we have a court, an ombudsman and a structure: to ensure that we do protect workers in those circumstances. That is what is occurring. Regarding the task force that has been referred to by a member, I confirm that that task force was set up last year. I have referred to it. It comprises a number of the representatives of these agencies and it continues to sit and work.

One of the contributors suggested, rather dismissively I think, that all it does is share data. However, the reason why this is very important is that, if a particular employer fails to adequately pay somebody their wage, or does not pay the payroll tax they are obliged to pay, or does not provide for the safety, supervision or accommodation for a worker in those circumstances, it seems—and I think this is quite logical—that quite often they do not do multiple things.

So if they are treating an employee badly in relation to not giving them their correct wage, there is every possibility that they are also failing in their obligation under these other areas. It is important that those agencies work together, particularly if they identify an employer who is showing up as having alleged impropriety or misconduct in relation to multiple areas, and that that information be exchanged, because it assists them, for example, in a case where there are multiple exploitation claims (and if SafeWork SA are not already involved), to be able to attend the workplace and actually follow that through.

That is an important task force and it is continuing. It met again earlier this month, and under our proposal it will continue to operate. I am satisfied that that is an important initiative of the government, and we are committed to continuing it. I thank Mr Soulio for his work in undertaking the work to date. Can I also say that, during the course of consultation, I had the opportunity to receive advice from Mr Joe Szakacs, who I think is the chief secretary of SA Unions, now recently elected.

Members interjecting:

The SPEAKER: Order!

The Hon. V.A. CHAPMAN: However he wants it pronounced, I am happy to do it because shortly we are to welcome him to this chamber. He may not be sworn in yet because the postal votes are not all in; nevertheless, there is every expectation that he will be the new member for Cheltenham. At the next week of sitting we will of course be welcoming both new members to the seats, for the full complement of the house.

He and one of his senior advisers in SA Unions came to see me about this bill, as I would expect they would. It is part of their responsibility to ensure that whoever is in government and those who are making the decisions in these matters keep abreast of what their view is and what their member unions' view is in relation to these matters. So it did not surprise me, at first blush, that he would say, 'Our position is that we are opposing the government's bill to repeal this. We feel that the registration and licensing regime that is proposed under the act should prevail. It is necessary for the protection of itinerant workers,' etc. All of this is what I would expect. That is fine, and I think it is reasonable that he would present that.

I did ask him whether there were any examples in South Australia that had been brought to his attention of exploitation of the nature that is intended to be protected by this bill. One would expect

either him or one of his member unions to have a body of examples where there needed to be extra protection that would be granted by this umbrella legislation.

He immediately referred to the *Four Corners* program, which many contributors have commented on, and some of the appalling abuse, I would suggest, of workers that was recorded in that film, which I think was filmed three years ago. As I understand it, no-one was ever prosecuted, but it seemed, at first blush, an appalling treatment of workers.

I said, 'I am not aware of any of those cases being in South Australia.' 'No, they weren't.' The question was asked, 'Were there any others in South Australia that you are aware of?' After a number of minutes, it was clear that there was not one single case that had come to his attention as the head of SA Unions, which has multiple unions in its membership in South Australia, where there had been a breach in respect of itinerant and host employees that were intended to be covered under the labour hire legislation.

At that stage, having recently handed over part of my electorate to the member for Heysen and the member for Morialta, I explained to him that there were cherry growers, pear growers and apple growers and so on who were represented very proudly over a number of years, and I know continue to do so. When I said that the cherry season was coming up, he said, 'Oh, yes, that's it. There is a case. I have heard of it. There is an exploitation of cherry pickers.' I said, 'What, this year?' He said, 'Yes.' I said, 'To the best of my knowledge, and I am not a cherry picker expert, the season for cherry picking doesn't open for another 10 weeks.' He was unusually silent.

Nevertheless, I said to him, 'I think it is important, though, that if any single case of exploitation comes to your attention that you think this legislation would cover but, more importantly, where there had been a failing of the existing legislation to provide protection or prosecutions, please let me know.' We concluded the meeting and I thanked him for his representations. That was about three months ago.

Obviously, he has been busy doing a by-election. I accept that. I am not being critical of him not presenting any cases to us, but I just make this point. Every one of us could stand here and give stories of the exploitation of people. Every one of us could probably give multiple stories historically of cases where there has been, in our view, unacceptable conduct by an employer. But I do not know of anyone so far who has come up with any case in South Australia in the last 12 months that has not been dealt with by the existing agencies—any of those four agencies I have referred to. We now have the extra watchful eye of the task force to ensure that, where there has been misconduct in multiple areas, it has been followed up.

As the Minister for Consumer and Business Services, I make it very clear that I will continue to ensure that reports of any offences or misbehaviour in this regard are followed up. They need to be investigated. We need to ensure that good employers are recognised, that good workers are properly paid and that we do not have exploitation, especially where the worker is either young or on a temporary visa arrangement in Australia. I think they are even more vulnerable because of there being less likelihood of there being a critical number of people who might individually work in an individual industry on a seasonal basis. These are potential areas of exploitation.

We say on this side of the house that they should be protected. We say they are protected and we say this legislation does no service to us or them, other than to place a blanket of extra regulatory obligation on industry and employers that we are seeking to relieve them of. If we are not able to conclude this matter in the next few minutes, I hope we will be able to conclude it in the following week when we return.

The house divided on the second reading:

Ayes 23
 Noes 16
 Majority 7

AYES

Basham, D.K.B.
 Cregan, D.

Chapman, V.A.
 Duluk, S.

Cowdrey, M.J.
 Ellis, F.J.

AYES

Gardner, J.A.W.	Harvey, R.M. (teller)	Knoll, S.K.
Luethen, P.	McBride, N.	Murray, S.
Patterson, S.J.R.	Pederick, A.S.	Pisoni, D.G.
Power, C.	Sanderson, R.	Speirs, D.J.
Teague, J.B.	Treloar, P.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Wingard, C.L.	

NOES

Bettison, Z.L.	Bignell, L.W.K.	Boyer, B.I.
Brown, M.E. (teller)	Close, S.E.	Cook, N.F.
Hildyard, K.A.	Hughes, E.J.	Koutsantonis, A.
Malinauskas, P.	Mullighan, S.C.	Odenwalder, L.K.
Piccolo, A.	Picton, C.J.	Stinson, J.M.
Wortley, D.		

Second reading thus carried.

Sitting extended beyond 18:00 on motion of Hon. J.A.W. Gardner.

Personal Explanation

MINISTER'S REMARKS

Ms COOK (Hurtle Vale) (17:59): I seek leave to make a personal explanation.

Leave granted.

Ms COOK: It is a privilege to hear people's stories and to be entrusted with their cries for help. In 1989, I first registered as a nurse here in South Australia, and my first paid job was working with people with severe disabilities at the Julia Farr Centre, now known as Highgate Park. Over three decades I have been trusted by people who are vulnerable to do my very best to keep them safe, to protect them and ensure that they get the best possible outcomes at what is often the worst time of their lives.

Now, as a member of parliament, as a shadow member for disabilities, every day I receive calls from people who are in crisis. The reasons are not always the same, the stories are often heartbreaking and the solutions are complex and challenging. We as parliamentarians must do our best to get solutions fast, but sometimes the victims are scared and the families are worried. We do all we can to protect both them and their stories.

The SPEAKER: Member for Hurtle Vale, are you claiming to be misrepresented?

Ms COOK: I am telling you right now.

The SPEAKER: You are getting to that?

Ms COOK: Right now. I was made aware of serious allegations regarding a sexual assault of a disabled person in care. I wrote directly to the Minister for Human Services on 18 October 2018. The minister responded specifically to this letter on 15 November. I have done everything I can to protect this person and her family's dignity and identity and to make sure that those concerns would be investigated promptly. Every step of the way, I made sure that they knew that this was being followed up by not just the minister but by the Health and Community Services Complaints Commissioner, which is the appropriate pathway.

Today, in the Legislative Council, the minister told the council that I had not given her any client names, when, contrary to that, not only was this done but I gave full details of the incident, with information about what had happened since, with the consent of the next of kin. Having raised that also with the Health and Community Complaints Commissioner, this information has been passed

on. Today, the minister was asked about this and she denied having any information. Not only is that misleading but it is unfair and untrue.

Bills

LABOUR HIRE LICENSING REPEAL BILL

Committee Stage

In committee.

Clause 1.

Progress reported; committee to sit again.

At 18:04 the house adjourned until Tuesday 26 February 2019 at 11:00.

*Answers to Questions***AUDITOR-GENERAL'S REPORT**

In reply to **Mr MALINAUSKAS (Croydon—Leader of the Opposition)** (28 November 2018).

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

The increase in the Urban Renewal Authority's core debt facility was approved by the Minister for Transport, Infrastructure and Local Government and the Treasurer.

Section 21(4) of the Urban Renewal Act 1995 requires that increases in the core debt limit by the Urban Renewal Authority are approved by the minister responsible for the Urban Renewal Authority, not a minister responsible for any particular project the Urban Renewal Authority may undertake.

AUDITOR-GENERAL'S REPORT

In reply to **Mr MALINAUSKAS (Croydon—Leader of the Opposition)** (28 November 2018).

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

A Goods and Services Agreement was established with Mr Wayne Eagleson commencing on 11 June 2018 and expiring on 10 November 2018. The agreement was for specialist consultancy advice required by the Department of the Premier and Cabinet to provide support with the transition to the new government of South Australia.

There was a need for the ongoing receipt of this specialist consultancy advice. Therefore, a new Goods and Services Agreement was entered into with Mr Eagleson commencing on 11 November 2018 and expiring on 11 January 2019.

The terms and conditions of the engagement remain the same: A daily rate of NZ\$2,400 for a maximum of six days per month with an expectation that for at least three days per month, Mr Eagleson will be physically located in Adelaide. Additionally, Mr Eagleson's reasonable travel, accommodation and incidental costs will be reimbursed.

AUDITOR-GENERAL'S REPORT

In reply to **the Hon. S.C. MULLIGHAN (Lee)** (28 November 2018).

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

Renewal SA provides a regular written and verbal report to myself on potential tenancies under commercial negotiation, as well as the confirmed tenancy schedule at Lot Fourteen, as provided to them by their commercial leasing agent Colliers International. This same information is provided to the Office of the Chief Entrepreneur.

There are currently six committed tenants at Lot Fourteen—Chamonix IT Consulting, Myriota, Daitum, Core Energy and Resources, the Office of the SA Chief Entrepreneur and the Australian Institute of Machine Learning (noting that the Australian Institute of Machine Learning has executed an Agreement for Lease and will move into Lot Fourteen on completion of refurbishment works to the Women's Health Centre). Additional tenants confirmed to move in during 2019 are – FIXE@Lot Fourteen Start-up Hub, Defence Landing Pad and the Australian Space Agency.

Renewal SA also provides an updated tenancy schedule and pipeline of tenant leads on a regular basis. This reporting includes number of leads, available area under negotiation, spatial requirement per tenant and number of employees, lease term, anticipated lease commencement and status of negotiation.

The specific details of tenant lease arrangements are commercial in confidence, but I can advise that the rents paid by tenants are benchmarked and equivalent with commercial rental rates in the Adelaide CBD for similar building classifications. There are no tenants or occupants currently at Lot Fourteen on rent-free deals.

KORDAMENTHA

In reply to **Mr PICTON (Kaurua)** (5 December 2018).

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

No.

KORDAMENTHA

In reply to **Mr PICTON (Kaurua)** (5 December 2018).

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

As SA Health employees on executive contracts, they are employed under and in accordance with the *Health Care Act 2008* and the *Public Sector Act 2009* and are subject to all relevant legislative requirements.