

## HOUSE OF ASSEMBLY

Thursday, 2 May 2019

The **SPEAKER** (Hon. V.A. Tarzia) took the chair at 11:01 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.

### *Motions*

#### **PRIVILEGES COMMITTEE**

**The Hon. A. KOUTSANTONIS (West Torrens) (11:02):** Mr Speaker, good of you to join us today.

**The SPEAKER:** Happy to be here.

**The Hon. A. KOUTSANTONIS:** I move:

That this house establish a privileges committee to examine the allegations set out in *Hansard* by the member for West Torrens on 12 February in this house regarding the Premier and investigate whether the Premier deliberately misled the house as therein alleged.

I believe that on 12 February the Premier of South Australia deliberately misled the parliament. I am moving a motion in this place to establish a privileges committee to investigate the Premier's wilful and reckless action. I suspect that members opposite will not allow that to occur. I suspect that members will use their majority to stop it, but I am going to lay out an argument that I think proves without question that the Premier deliberately and intentionally misled the parliament. Why? To make a cheap political point.

The question we have to ask ourselves as parliamentarians is: does it matter what is said in this place? Does it matter if something is said in this place in error? If it is said in error without malice and not deliberately, without the intent of misleading the parliament and interrupting the business of the house, then the appropriate and cordial thing to do is to come into the parliament and correct the record by saying, 'I said this in error, and I apologise to the house,' because—as you would know, Mr Speaker, when you claimed our ancient rights and privileges from Her Majesty The Queen—this parliament is supreme and no-one is above it.

On 12 February, the member for Croydon, the Leader of the Opposition, asked this of the Premier in a supplementary question:

...given the Premier's previous answer, will the Premier rule out reversing the deal his minister agreed with the upstream states, as called for by the royal commissioner Bret Walker SC. With your leave, Mr Speaker, and that of the house I will explain.

Leave was granted. The member for Croydon goes on to say:

The royal commissioner states, on pages 414 and 415 of his report, and I quote:

'...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.'

In response to that supplementary question from the Leader of the Opposition to the Premier, this was the honourable Premier of South Australia's response to the House of Assembly—not to the member for Croydon, not to the opposition, but to all of us combined, the parliament, which is supreme in this land. The Premier says: 'There was, sir, and most of it incorrect because,' and then there are interjections, probably from me. I go on to quote the Premier: 'If there's just some chance I might be able to answer the question,' probably again because I was interjecting. The Premier goes on to say:

...I can explain to those opposite. The Leader of the Opposition said, 'Will you rule out the recommendation of the royal commissioner?'

The Premier then says: 'This was not a recommendation of the royal commissioner.' This is the *Hansard*. The Premier then goes on to say about the Leader of the Opposition:

And now the guy who wants to be the leader thinks it was a finding...the reality was...I know those opposite, busy with those by-elections—

this is what he said—

had no chance to actually read a report that was so critical to our state...

These are the Premier's words about us asking the Premier a question about a recommendation. He goes on to say 'nor the Australian Productivity Commission report'. Then he claims, 'We did.' Meaning probably the royal 'we', as in himself. He goes on to say, 'The reality is that there are 111 findings.' The Premier says, 'We have read it: 111 findings; none of them related to that issue.' Then he says, 'There were dozens of recommendations; none of them related to that issue.' Then he bellowed out to the parliament, 'Read the report.'

There is a slight problem for the Premier. On page 62 of the royal commission report, under Key Findings, Chapter 9: Efficiency Measures & the 450 GL, finding 9.10 states:

The recent criteria agreed at the Murray-Darling Basin Ministerial Council meeting on 14 December 2018, at the behest of the Victorian and New South Wales Governments, is another example of the lack of commitment by the Commonwealth, New South Wales and Victoria to delivering the 450 GL. The South Australian Government's agreement to changes to the socio-economic criteria for efficiency measures is antipathetic to the interests of South Australia, and the South Australian environment. It is doubtful that much of the 450 GL of upwater will ever be actually recovered for the environment through efficiency measures, and especially under the new criteria agreed.

That is Key Findings. Further, at page 73, under Responses to Terms of Reference, Key Findings and Recommendations, the royal commission makes recommendation number 11, and I quote:

If efficiency measures are retained as a means of recovering water for the environment, including the 450 GL, no changes should be made to the test for determining neutral or improved socio-economic outcomes in sec 7.17(2)(b) of the Basin Plan. Insofar as the criteria agreed at the Murray-Darling Basin Ministerial Council meeting on 14 December 2018 alter that test, they should be abandoned as they will likely result in the failure to recover that water.

Well, so much for the Premier's statement to the parliament. In the royal commission report, that is there in black and white, but the Premier told the parliament, 'Never happened. Fake news.'

Mr Speaker, as I told the parliament on the day—and I asked you—I believe that the Premier has deliberately and intentionally misled the parliament and that a prima facie case does exist for the establishment of a privileges committee. I asked the Speaker to give a ruling on that matter and I believe he felt, if I can paraphrase his advice, that he could not give a prima facie case on the basis of the precedent set previously in the parliament but he left it for the house to decide.

It is always very difficult for a Speaker who is attempting to maintain order in the house, retaining our ancient rights and privileges, but who is also a loyal member of the Liberal Party—not that that takes precedence over his role here. I think he attempts as best he can to maintain his independence but, ultimately, finding a prima facie case against the Premier would have been big news—big news—and I do not think the Speaker was prepared to do that without the support of his colleagues.

The question now is whether it is okay for the Premier to get up to make a cheap political point on something that is not true and not accurate and, if it is not, is it a hanging offence? It is not a hanging offence if he comes in afterwards and says, 'Actually, Mr Speaker, I got that wrong. Actually, Mr Speaker, I should correct that.' I also go on to say that this is not the only time the traditions of the parliament have been trampled by this Premier. We had another example where the Premier wanted to have a debate in the parliament on a matter, I think because the Premier was attempting to cover for his Minister for Water—

**The Hon. J.A.W. GARDNER:** Point of order: the member is straying from relevance in relation to the matter of privilege that is currently before the house.

**The SPEAKER:** I think, for context, I will allow the member for West Torrens some scope here to compare and contrast what is before us, but I appreciate the minister's point of order and I will be listening very carefully.

**The Hon. A. KOUTSANTONIS:** The point I am attempting to make is that the pairing system has been established in the parliament since its inception. It is an important process. It has been abandoned because the Premier broke a pair, with his Government Whip and his Manager of Government Business complicit, for three hours of benefit for the government.

Now, misleading the parliament, 'Oh, well, it was good in a debate in a question time to fire up the troops. What does it matter if I don't tell the truth? What does it matter if I say it wasn't a recommendation when it was? Does it really matter?' Yes, it does. Why? Because he is the Premier and when the Premier speaks to the House of Assembly we expect it to be with authority.

These are the two options the Premier has: either he deliberately misled the parliament or he is incompetent. I am happy for him to choose either one. I prefer the first one, I prefer that he lied, I prefer that he misled the parliament deliberately to win a debating point rather than being so incompetent that he has not read one of the most important royal commission reports delivered to the parliament. If the second is true, that he has not read the report, then that is a dereliction of duty.

I just point out that the clock has stopped, Mr Speaker. Thank you very much to the Clerk; I will enjoy the extra minute or so in the debate, but I am happy to take a minute off if you like, sir, to be fair.

It really begs the question now of what we do as a parliament, what we do as an opposition when this occurs. Let's face it, when we asked this question the Premier was well within his rights to say, 'Look, I'm not responding ad hoc to recommendations or findings of the royal commission. I will do this in an orderly way. I will respond to all the recommendations of the royal commission in due time after a cabinet process, after a consultation process, after consulting with my colleagues, with the irrigators, with the entire South Australian community, and I will make a decision.' End of story. Instead, the Premier chose a path to attempt to win a debating point with the Leader of the Opposition and fell flat on his face.

So we as an opposition are left with two options: do we raise it, hoping that perhaps members opposite will put some pressure on the Premier to get things right, hoping that perhaps the parliament will have some self-respect and say that we cannot have anyone mislead us in this parliament, or do we allow the majority of the parliament to allow anyone in the majority to do and say as they please?

Premiers have lost their job for less in this place and the reason they have, fairly or unfairly, is because of where it is said. If the Premier had said this in a press conference, there would have perhaps been one day of embarrassment, perhaps one radio article of a journalist pointing out that the Premier got that wrong, but in here words matter. In here, responses to questions matter. Without trying to labour the point, question time is one of the key aspects of our representative democracy.

The Westminster system is the only system of government in the world that has its executive as part of its elected legislature that is required to attend and answer questions of the people. As a head of state, the President of the United States does not have to walk into any elected chamber and answer any questions. Here, our executive representing the Crown is required to answer questions and, moreover, they are required to answer truthfully. If you cannot answer truthfully you do not say anything at all. So did the Premier do it deliberately and does it matter?

Let's look at the precedents set out by the Speaker. Did it disrupt the management of the house? Yes. Her Majesty's Loyal Opposition was told by Her Majesty's government that the royal commissioner made no such finding when plainly it is true. How can we possibly act when there is conflict between the executive and the royal commissioner on a finding in the royal commission report? Who do we believe? The Crown or the royal commission? Of course, we have to believe the royal commissioner because the royal commissioner has published his report, the government has tabled it in the parliament and it is there in black and white.

However, the Premier tells us the opposite. I can only assume that it was deliberately said to attempt to misguide the house, misguide the opposition and disrupt question time to win a cheap political point. Members opposite will not support my motion because they will protect their Premier. They will put their own political interests ahead of the parliament. They will put their own political interests of not embarrassing the Premier ahead of what should have occurred.

**Mr TEAGUE:** Point of order, Mr Speaker.

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** There is a point of order, member for West Torrens.

**Mr TEAGUE:** Standing order 127(2): I heard the member for West Torrens reflecting earlier on the motives of you, Mr Speaker, and I hesitated to get my feet. He has now reflected on numerous occasions, most recently a moment ago, imputing improper motives—

**The SPEAKER:** Imputing improper motives to members.

**Mr TEAGUE:** —to members on this side of the house.

**The SPEAKER:** Thank you, member for Heysen. I have the point of order and I thank you for raising it; however, given the type of motion that this is, I am prepared to give the member for West Torrens a little bit of scope. Thank you.

**The Hon. A. KOUTSANTONIS:** Sir, for the good order of the house I withdraw that imputation.

**The SPEAKER:** Thank you.

**The Hon. A. KOUTSANTONIS:** Perhaps members opposite will vote for this privileges motion and participate in it. We can call the Premier before the committee and ask him questions about why he said it and whether he had briefing notes that said—

**Mr Brown:** It could have been a mistake.

**The Hon. A. KOUTSANTONIS:** It could have been an honest mistake. He could have had a parliamentary briefing note that said it was not a recommendation perhaps, or it was wilful misleading.

Of course, the government will not allow the Premier to appear before a committee. We cannot call him before an upper house committee, nor should we. No member of this house should ever appear before an upper house committee because, well, why should they? It would be outrageous. But he is answerable to this house, and the question is: do we let the tyranny of the majority impose their tyranny on the minority? The answer to that is no.

**Mr Brown:** It's democracy.

**The Hon. A. KOUTSANTONIS:** It is democracy, the rule of law. *Hansard* has stated that clearly, as has the Magna Carta. In the end, we have all taken an oath. The question then becomes: what do we say about the Premier saying that there was not such a recommendation when there clearly was? How does anyone reconcile those two opposing statements, other than it being wilfully misleading?

**The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (11:19):** I thank the member for West Torrens for his contribution. It started out as Charles 'Bud' Tingwell and then descended to Dennis Denuto at the end, but it was something to listen to.

**The SPEAKER:** It was on last night, too.

**The Hon. J.A.W. GARDNER:** All members may be interested to know that there was indeed a personal explanation by the Premier on 13 February. The member for West Torrens argues that the Premier deliberately and intentionally misled the parliament to make a cheap political point and suggests that there was a clear statement by the Premier. He paraphrased the Premier to suggest and characterise what that statement was and then identified findings and recommendations in the royal commission that might lead to a contradiction, if indeed his characterisation of what the Premier said was accurate. I would characterise his characterisation as potentially, characteristically, wrong.

The fact is that when the Premier made an explanation of his references to our recommendations and findings, what he was referring to was not necessarily what the member for West Torrens would, conveniently for his argument, suggest it was. There was indeed a lengthy explanation to the Leader of the Opposition's questions, as there was for a time, to a number of members' questions.

The member for West Torrens talked at length; in fact, he quoted. He talked about the interjections that were being made at the time. The possibility that he can see inside the Premier's mind to know that he was definitely talking about the specific thing that would be convenient to his arguments is completely fallacious.

*The Hon. A. Koutsantonis interjecting:*

**The Hon. J.A.W. GARDNER:** The question was broad. The question, indeed, contained an explanation as well, and the member for West Torrens admitted before that he himself was guilty—guilty, I tell you—of interjecting during the Premier's response. Unparliamentary as it is to respond to interjections, it sometimes happens. It is not the foundation on which to build a case for an alleged breach of privilege, which indeed has not happened here.

The member for West Torrens provided context about the pairing disagreement between the government and the opposition. I rejoin only briefly in that unfortunate disagreement to remind the house of the clear record from Don Dunstan onwards, which the Opposition Whip described as 'fairy stories', where the idea that—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —absolute majority votes do not indeed—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** —and as relating to constitutional matters, absolute majority votes do not indeed get treated in the same way. Last year, I acknowledge, the member for Playford found one occasion, and I think there were a couple of others, where pairs were acknowledged on those occasions but they did not need to be. That is my point. It was not brought to anyone's attention because the matter had not arisen.

*Members interjecting:*

**The SPEAKER:** Order!

**An honourable member:** You make it up as you go along.

**The Hon. J.A.W. GARDNER:** That is just not true, but we will move on because the point the member for West Torrens sought to make by bringing that into the matter, which they claimed was relevant for the sake of context—

**The Hon. S.C. Mullighan:** You made it relevant in your claim to the house.

**The SPEAKER:** Order! Member for Lee, please.

**The Hon. J.A.W. GARDNER:** Sorry, I do not know what the member for Lee is talking about.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. J.A.W. GARDNER:** The member for Lee has distracted me from the course, which was to remind the house that the member for West Torrens' purpose, as claimed, in bringing this matter into his speech was to suggest that there was a context of misleading going on related to the Premier's statements on the Murray-Darling Basin.

The very fact that the member for West Torrens felt that that was relevant I think underlines the weakness in his case for a breach of privilege. The opposition can make their claims. Oppositions are sometimes wont to do so. Sometimes opposition is a frustrating time for members of parliament. I am sorry that you have not found the joy in your job that maybe you once did and that you are filling your days with this instead, but you are not assisting the house in a genuine way by bringing this motion. You are entitled to do so.

The reflection on the Speaker, indeed, in suggesting that it was a matter for the house and something unique to this finding in relation to privilege, was also possibly disingenuous because every Speaker's finding that I have ever seen on a question of privilege has always reminded the house that it is the entitlement of the house for any member to bring a motion and, indeed, for the house to make a finding such as the member for West Torrens seeks to do today. The member for West Torrens is entitled to seek time on the *Notice Paper* to make the speech he has this morning and to ask the parliament the question, and the parliament is entitled to say no.

**The Hon. S.C. MULLIGHAN (Lee) (11:25):** Thank you, Mr Speaker, for the opportunity to make a contribution on this most grave of matters. Mr Speaker, as you well know, unfortunately this is not an isolated incident, where a member of the house has had to draw the attention of the house to another member—indeed, a minister of the Crown—who has provided incorrect information to the house. There have not been one or two examples, or even three or four. In fact, if one is to cast their eye across the front bench of those sitting opposite, one sees every single member who has been—

**The Hon. J.A.W. GARDNER:** Point of order: the member is completely straying from debate about the specific matter of privilege that is before the house today.

**The SPEAKER:** I gave the member for West Torrens some scope, in that Barcelona beat Liverpool 3-0 this morning, but I do take the point of order of the Minister for Education that, if the member for Lee starts outlining individual members and what they may have done or not done, that arguably deviates a little bit too far, so I ask him to return to the substance of the debate.

**The Hon. S.C. MULLIGHAN:** Thank you, Mr Speaker. That is not my intention and certainly not what I will be providing to the house, but it is, as you ruled previously on the contribution by the member for West Torrens, important context for the substance of this matter and the substance of my comments to the house about the conduct of the member for Dunstan. We have seen seven of those opposite with this same allegation made against them. As the member for West Torrens has pointed out, there can be no more important responsibility—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** —to this house than for any member to ensure the fidelity of the information they provide to this house.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.C. MULLIGHAN:** Our job is one of two.

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

**The SPEAKER:** The Minister for Education is warned—no, is called to order first.

**The Hon. S.C. MULLIGHAN:** One is to represent the interests of our constituencies as best we can, which often requires the provision of information to the house about what is going on outside this place, and the accurate information that is provided to this house is important for this house to consider the matters that are raised by those members.

There are a number of members who have additional responsibilities and they, not exclusively but in particular, are those ministers of the Crown who have broader responsibilities than the rest of us. They are responsible to this place for answering for their own actions in the conduct of their duties as ministers, as well as the conduct for those areas of government to which they are responsible in this place.

When we see what can only be regarded, certainly by members on this side, as a relatively casual relationship with these responsibilities by some of those opposite, which leads members, like the member for West Torrens, like me and like the member for Playford to have to draw the attention of the house to the sort of behaviour that we see the Premier, the member for Dunstan, engage in, it is deeply troubling for this place to understand whether we are able to conduct the business of this place as far as is intended.

This goes to the heart of what a breach of privilege means for the conduct of the business of this house. You, sir, have ruled time and again, when presented with information from members raising matters of privilege, and presumably when provided information from those against whom those allegations have been made, that in your view you could, for example, see that there is a genuine difference of opinion or that you do not quite agree with the point being made by those raising the issue.

But the context here cannot be disputed. We have a royal commission report that has been tabled in the house. The royal commissioner makes both a finding and a recommendation about the conduct of a minister of the Crown. He makes a recommendation about what amelioration should occur by that minister or by the government to remedy what has been done by that minister.

In the one hour of the parliamentary sitting day that is allotted to all members to ask questions, principally of ministers of the Crown, about how they have been discharging their duties, the Premier, the first and foremost amongst ministers, stands up and provides incorrect information to this place.

If the assertion is that there was no such finding made—which is what the member for Dunstan, the Premier, said—and we know that the finding has been directly about the conduct of the Minister for Water, that is not only clearly misleading but also serves to obstruct every other member of this place from being able to fully interrogate the issue raised in the report of the royal commission. That is an obstruction of the house. There can be no question about it.

I would put to those opposite, particularly those sitting one row back, what this means for them. If they cannot rely on the information that their colleagues are providing to this place while they have a grave expectation of the fidelity of the information they have to provide to this parliament, if they cannot rely on their colleagues to do the right thing when it is ultimately expected of them in the parliament, how on earth can they rely on them outside of the parliament?

That is why this matter is important to all those members who are sitting one row back or more from the front bench. It should not just be a matter of saying, 'I can understand some of the issues that have been raised by the members for West Torrens and Lee but, you know, he's our Premier.' I think that he probably did not do it deliberately, but the context of this cannot be disputed.

We had a government seeking to protect the actions of the Minister for Water, who was found by a royal commissioner to have sold this state out with regard to its water entitlement, and when the member for Dunstan, the Premier, was asked a question about it he tried to tell this place that there was no such finding. We know there was a finding. We know there was a finding because it was there in black and white. That is a clear attempt to obstruct the business of this house.

It is not as if the member for West Torrens, or even I, had come in here and raised a matter of privilege because in the last sitting week, when I asked the member for Dunstan a question about employment figures, he got the wrong participation rate. We have not sought to trip him up on some technicality, that he said 60-something and it was actually 60-something else. It was not just a figure that he inadvertently got wrong. This is a serious attempt to disrupt the business of the house.

There can be no better reason for this parliament to establish a privileges committee to further investigate this, to understand what the Premier actually did know before he came into this place and gave that advice to the house, whether he had actually read the report and whether he had received briefing material, either from his own department or from the Minister for Water's department or indeed from the Minister for Water, about what was in the report.

As the member for West Torrens said, maybe this is just an accident caused through ignorance. If that is the case, then perhaps the privileges committee established by the house would show some mercy to the Premier. However, if it turns out, for example, that the Premier had been provided a full briefing on the findings and recommendations of the royal commissioner, if it turns out that the cabinet submission to which the Premier referred in his other responses to this house, where cabinet discussed and considered the matter and made a particular decision, had canvassed all these matters and that he was fully cognisant of what was in the royal commission's report and what the findings and recommendations were, that is a most serious offence against the house, and that is the context in which a privileges committee should be established.

I would urge all those opposite to think very, very carefully before they make a decision on how they vote on this matter because if a privileges committee is not worthy of being formed on this sort of matter, well, just how grave does the offence to the house have to be for one to be established? Just how much more badly do the rights and obligations of this place need to be trampled on by the first and foremost amongst us, the Premier of this state? I would urge all those opposite to support the establishment of this committee.

**Mr BROWN (Playford) (11:35):** It is a pleasure to rise on this very important motion put by my colleague the member for West Torrens. When we all entered into this place, we all made an oath right there. This is not merely—

**The SPEAKER:** For some, an affirmation.

**Mr BROWN:** Sorry, or an affirmation, depending on people's particular bent. This is not merely a room in which a bunch of people who represent one political party or another gather to debate things. This is the Parliament of South Australia. We all have an obligation not only to our own parties and those people who have put us here but also to each other and to the parliament as an institution, and there can be no greater breach of the obligations we have to each other than to give wilfully incorrect information to this chamber.

*Members interjecting:*

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

*Mr Cregan interjecting:*

**The SPEAKER:** The member for Kavel has been doing it all morning, and he is called to order.

**Mr BROWN:** The member for Kavel might think it is a funny, laughing matter, but I can assure you that I do not.

*Members interjecting:*

**The SPEAKER:** Order!

**Mr BROWN:** Thank you, Mr Speaker. Whether the Premier has presented incorrect information to this house is without doubt; I am sure my colleagues have very forcefully and correctly put this view. What we need to determine is whether it was wilful or whether it was accidental.

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

**The SPEAKER:** Minister for Education, please.

**Mr BROWN:** Are you quite finished? Thank you. Whether it was wilful or whether it was accidental can only be established by a privileges committee of this parliament examining the issue.

*An honourable member interjecting:*

**The SPEAKER:** Order!

**Mr BROWN:** For us to gather here and just accept the standard that says, 'Well, if you're the government you can do what you like,' is the height of arrogance and is exemplified not only by the attitude of the minister to this particular motion but also by his casual reference to the pairs arrangements earlier in his speech, when he said, 'Actually, you know what? You might have had some examples that showed that I was wrong, but anyway, we're the government; we do what we want.'

*Members interjecting:*

**The SPEAKER:** Order!

**Mr BROWN:** You would know all about that, wouldn't you?

**The SPEAKER:** Let's get on with it, please.

**Mr BROWN:** What we need in this place is a privileges committee to establish whether the Premier deliberately misled the house or not. If you just accept this again as another example of



where ministers say what they want and, if they get it wrong, 'Oh, we got it wrong. Who cares? Let's move on,' then the standards in this place will drop, and that will be a responsibility that this government has to wear.

**The Hon. A. KOUTSANTONIS (West Torrens) (11:38):** I would like to thank everyone for their contribution, especially that of the Manager of Government Business, which I think, quite frankly, was another example of the arrogance that has crept into this government within its first 13 months.

When I was fortunate enough to have a commission to serve as a minister, after every question time the pressure from the premier's office down to correct the record if we made an error, even an inadvertent error, was strong. Why? Because we had been here in this place from 1997 to 2002 when a number of people lost their job because they made remarks in the parliament that were inaccurate.

I have to say, a strong crossbench, a minority parliament, kept this parliament accountable. The deputy premier lost his job and the premier lost his job. Why? Because they said things to this house that were not true. What is said in this house matters. The question is: does it matter to members opposite? I commend the motion to the house.

The house divided on the motion:

Ayes ..... 16  
Noes ..... 24  
Majority ..... 8

**AYES**

Bettison, Z.L.  
Close, S.E.  
Hildyard, K.A.  
Michaels, A.  
Picton, C.J.  
Wortley, D.

Boyer, B.I.  
Cook, N.F.  
Koutsantonis, A. (teller)  
Mullighan, S.C.  
Stinson, J.M.

Brown, M.E.  
Gee, J.P.  
Malinauskas, P.  
Odenwalder, L.K.  
Szakacs, J.K.

**NOES**

Basham, D.K.B.  
Cregan, D.  
Gardner, J.A.W.  
Luethen, P.  
Murray, S.  
Pisoni, D.G.  
Speirs, D.J.  
van Holst Pellekaan, D.C.

Chapman, V.A.  
Duluk, S.  
Harvey, R.M. (teller)  
Marshall, S.S.  
Patterson, S.J.R.  
Power, C.  
Teague, J.B.  
Whetstone, T.J.

Cowdrey, M.J.  
Ellis, F.J.  
Knoll, S.K.  
McBride, N.  
Pederick, A.S.  
Sanderson, R.  
Treloar, P.A.  
Wingard, C.L.

Motion thus negatived.

*Parliamentary Committees*

**PUBLIC WORKS COMMITTEE: CITY SOUTH TRAM LINE REPLACEMENT PROJECT**

**Mr CREGAN (Kavel) (11:44):** I move:

That the 13<sup>th</sup> report of the committee, entitled City South Tram Line Replacement Project, be noted.

The proposed works on the City South tramline aim to improve safety for tram passengers and road users, and reduce tram delays, as well as improve the accessibility of the City South tram stop through achieving compliance with the commonwealth Disability Discrimination Act 1992.

The existing tram track along King William Street, between South Terrace and Victoria Square, is the only remaining tram corridor in Adelaide's central business district shared with motor vehicles and, consequently, experiences tram delays. The proposed works involve replacing a total

of 1.2 kilometres of track. The tram tracks will be realigned to maximise space on King William Street for road users while also providing a dedicated tram corridor.

Creating a dedicated tram corridor in this area is expected to significantly improve the safety for community members using the City South tram stop. This is because the section of track near the tram stop has been identified as a high-risk location for vehicle-tram collisions and near misses. Mr Speaker, as you would know, the upgrade to the City South tram stop will include shelters and platform furniture to improve passenger safety, comfort and accessibility for users of that tram stop.

The estimated total cost of this project is \$17.5 million and the indicative time frame for completion is the third quarter of this year. The Public Works Committee has examined written and oral evidence in relation to this project and the committee has been assured by officials from the Department of Planning, Transport and Infrastructure that acquittals have been received from the departments of Treasury and Finance, and 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.

**The Hon. A. KOUTSANTONIS (West Torrens) (11:46):** I commend our very diligent Chair for the work he did in preparing those remarks and the work he does in chairing the committee. I was at this committee meeting. I have to say that the Public Works Committee operates as a very collegial committee. It is not as partisan as one may think some committees are; we work relatively well together.

This is a project where I think the committee came together on some issues that we were quite concerned about. I think it is fair to paraphrase the view of the committee that we were pleased this was going ahead, we were pleased there would be upgrades, but we were concerned about the impact on businesses on King William Street.

My memory of that meeting, and I stand to be corrected, is that we were assured by DPTI and the government that local traders and the council had been consulted and that everyone was relatively happy about this proposal. On behalf of the opposition, I made some statements on the day it was announced supportive of this upgrade. It is important that we give disability access to our tram stops. It is important that we make sure that our infrastructure that carries public transport and public patrons is fit for purpose.

We were told by the agency that there would be some loss of car parking but that local businesses were being consulted and were quite happy about it. Some were not as happy as they might have been but, by and large, everyone was getting on with it. We were told there would be some right-hand turns and driving on tram tracks that would be taken away but, overwhelmingly, we were told that was supported by all those consulted. That is not the case.

Indeed, the Adelaide city council in media reports had motions from councillors quite concerned about this upgrade. The opposition is not voting against this. We do not want to halt this project; we want this project to go ahead. But if the Liberal Party cannot take into account the concerns of small business, then perhaps their claim as being the party of small business is not warranted.

I refer to a media report by Simeon Thomas-Wilson, City Editor at *The Advertiser*, talking about the axing of right-hand turns for motorists and 50 car park spaces being taken away by the tram being opposed by the Adelaide city council. Worryingly, I understand that one of the people supporting the motion is councillor Knoll, who is the father of the transport minister. That has no merit in itself as an issue. I just point out that I do not understand how the committee can be told one thing by the agencies and then we read the opposite in media reports.

Does that say that this parliament should slow down this work? No, it should not, but it goes to another point: the Public Works Committee is not a rubber stamp. I can say that I have the confidence in my colleagues on that committee, that they are diligent in the work they do. I say that

about not only the honourable member for Light but other members of the committee as well, including our Chair, the member for the City of Holdfast Bay or whatever it is called. Is it called Holdfast now?

**Mr Patterson:** Morphett.

**The Hon. A. KOUTSANTONIS:** Morphett. Just be happy you are not on our radar. It is good stuff.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** It is not on our radar so do not worry about it—and the members for Davenport and Kavel, who I think are very diligent members who work very hard. But it concerns me when we get these glowing references in the Public Works Committee that when you pick up the paper a few days later it is the opposite. My political instincts are that if you are taking away 50 car park spaces and stopping right-hand turns, you are going to upset someone. There are a number of businesses on that road that rely on those types of parks and they are going to be impacted.

The question for us as a parliament and as a committee is: how much tolerance do we have for this type of mixed messaging from agencies? I think the answer should be: zero tolerance for that type of mixed messaging from agencies. If agencies cannot be forthright with the parliament, then they should be made to be so. There is no grey area here.

All of us parliamentarians, as we speak, are approving the Supply Bill in another debate, which allows agencies to expend money in the public's name from taxes we raise from them. When the committee is told that this piece of infrastructure is ticked by every consumer group and it is not, especially with a stakeholder like the Adelaide city council, that gives me cause for concern. The cause for concern is not so much that the agency may not have done its job, but where was the minister?

I had the privilege of serving for 13 months as transport and infrastructure minister in a previous parliament—not in the last parliament, the parliament before—and I know how difficult it can be to manage a very large agency with lots of projects going on, spending billions of dollars, but I will not countenance committees being given information that is not accurate. I have to say that if the Adelaide city council is not happy that is not a problem in itself.

There is nothing wrong with upsetting a council. Sometimes you need to upset councils to get things done, but do not tell us that everyone is on board when they are not. There is nothing wrong with telling us that the council has grave concerns about what the government is doing. That is appropriate in a democracy. It is okay to have divergent views. It is alright to tell the committee that the council may not be okay with this.

The agency also told the committee that building this in winter is also okay—no problems, weather will not be an issue. It gets down to the point again that, if they are not going to be forthright about the council's views, why are they forthright about everything else? What I think enrages committee members in the parliament is when we are told these things but then we pick up the paper and think, 'Okay, what we were told wasn't accurate.' I would say to the Department of Planning, Transport and Infrastructure: 'Lift your game. Don't tell the Public Works Committee,' and I am paraphrasing here and stand to be corrected, 'that everyone is okay and we are losing 50 car parks and the right-hand turn'.

The member for Davenport raised concerns about the right-hand turn, and rightly so, because he is a man of common sense. If you are driving out of King William Street and you are used to turning right and someone takes it away, you are going to notice. But somehow the department has been able to consult all those people who turn right and has deduced from those consultations that we are all okay about it; we find out, of course, that we are not.

So I will be a lot more doubtful now of the evidence that DPTI give us at Public Works. I will give them the benefit of this doubt: perhaps some councillors, being new to the council, had not been consulted on this matter. Perhaps, hopefully, views had changed from when consultations occurred

and that can explain the divergence between what we were told on the committee and what we read in the papers and the public comments made and the motions moved in the council show.

If that divergence is because of timing, that is perfectly okay. If it is not about timing and it is just to try to rush along a tip by the Public Works Committee, then I know that the committee will not be pleased and that the committee will in future be a lot more demanding of agencies, ask a lot of questions and perhaps even delay some projects until answers are given to the reasonable questions that we ask.

**Mr PATTERSON (Morphett) (11:56):** I rise also to speak on this report of the Public Works Committee on the City South Tram Line Replacement Project. The contributions by the Chair of that committee, the member for Kavel, outlined what was being done in the upgrade. The member for West Torrens is also on that committee, and it is true that we work in a collegial manner and investigate these matters fully. In this case, we did have questions that were asked.

In terms of what was looked at being done, the existing tram tracks along King William Street at the intersection of Gouger and Angas streets, between South Terrace and Victoria Square, are to be upgraded. The committee heard evidence from the Department of Planning, Transport and Infrastructure that these tracks were constructed in the early 1980s and that they were towards the end of their useful life. The members of the committee examined that and were prepared to accept that evidence as given.

Included in this section is the existing City South tram stop on King William Street on the corner of Halifax Street or Sturt Street, depending on whether the trams are travelling in a northbound or southbound direction. This was also constructed in the early 1980s and unfortunately now does not comply with the Disability Discrimination Act 1992 requirements. The current platforms do not have signage, ramps, tactile ground surface indicators or enough space for wheelchair access. Certainly, that was an appealing aspect of this upgrade.

I think all in the Public Works Committee accepted that upgrading this tram stop will allow it to meet the DDA requirements and improve the comfort, capacity, accessibility and safety for passengers using that stop. Mindful of the time, I seek leave to continue my remarks.

Leave granted; debate adjourned.

### *Bills*

## **STATUTES AMENDMENT (SCREENING) BILL**

### *Second Reading*

Adjourned debate on second reading.

(Continued from 1 May 2019.)

**Ms COOK (Hurtle Vale) (12:00):** I rise to speak on the Statutes Amendment (Screening) Bill, and I indicate that I am the lead speaker on the bill for the opposition. I want indicate that the opposition supports the primary intent of the legislation to streamline screening processes and ensure that South Australia adheres to the intergovernmental agreements requiring us to establish appropriate legislative schemes to assist in upholding NDIS standards via the NDIS Quality and Safeguards Commission.

The bill will also ensure that South Australians working with children, supervising people working with children or with access to data relating to children, including those volunteering, will be required to undertake a new DHS working with children check through the new child-related worker screening scheme. This is the next logical evolution of our screening system. It reduces complexity for people applying for screenings and for the department that administers them. These new screenings will also supersede existing screening requirements for allied health professionals and educators and others, moving towards a nationally consistent screening framework.

The bill provides for a transition period so that South Australians affected by these changes, including nurses and teachers, will only be subject to the act the day their existing registration requires renewal. The bill will also include a 12-month grace period for all South Australians currently in possession of what is known as a VOAN (volunteer organisation authority number), commonly

known as a police check. These are the checks that you would commonly undertake if you were in a community organisation assisting as a volunteer to serve sausages at Bunnings or some of those other volunteer activities that you undertake.

Under existing legislation, South Australians employed or volunteering with children in possession of only a VOAN check will be in breach of the act and liable for serious criminal penalties. The bill seeks to give a 12-month leeway for employees and volunteers to transfer to an approved DHS working with children check with a promise from the government of an information campaign as a priority should the bill pass. More than 50,000 South Australians are anticipated to be affected by this 12-month migration from a VOAN check to a DHS working with children check.

Significantly, the bill also introduces the NDIS worker screening national system, pending the passage of commonwealth legislation that is really unlikely to pass until late in 2019. Under this system, the central assessment unit under the prohibited persons act will be responsible for conducting NDIS worker checks in South Australia. This includes a national criminal history check and workplace misconduct information for the NDIS Quality and Safeguards Commission. These sections of the bill have and continue to have absolute, complete bipartisan support.

My feeling is that it is not always as it seems, however. I invite members to cast their minds back to the grand old days of the Weatherill Labor government. The then Liberal opposition made the commitment and there was an enormous announcement and a big song and dance made about the promise to provide free volunteer screenings to our volunteers in the community. They announced that no person applying for a volunteer screening would have to pay for screening. Under these conditions, the government is breaking an election promise.

When the bill was introduced in the Legislative Council, it imposed a requirement on those who obtain a free DHS check as a volunteer to pay the cost of a check if they then require one for employment. They cannot continue to work with a free check, under the bill as presented, in the system. The checks are ostensibly doing the same thing: they are checking for criminal activities and history. We support this streamlining through the checking process, but it was very clear that, once the person sought and gained employment in the sector, they would then pay for the check.

Someone could volunteer in the community for many years, receive this free volunteer screening and continue to volunteer in the community. Some people, such as lifesavers, CFS volunteers and a whole range of really committed mentors and support people in the community who do tens of hours or sometimes more than full-time hours per week as a volunteer, can get free volunteer screening and continue to do this volunteer work.

The estimation of the value of volunteer work can be anywhere between \$25 and upwards of \$60 or \$70 an hour, depending on what they are actually undertaking. The volunteer economy is billions of dollars per year in our state and in our country. Those people continue to do that volunteer work and sometimes, as a consequence of their volunteering and their fantastic work, they may secure work within the sector to provide some assistance to somebody attending court or somebody who needs a little bit of assistance to relearn some skills after perhaps exiting a justice situation. They secure those few hours of paid employment in that sector.

As the bill was presented to us, they would then be expected to pay the \$100 plus; I think it is about \$107.40, I am happy to be corrected but it is between \$105 and \$110 for a screening—to be a paid worker. It is a change that could even affect Santa Claus. After sustained questions and inquiries from the opposition, the community sector and stakeholders, the government announced that it would move an amendment to give people a seven-day grace period where they would be able to work up to seven days in the calendar year before having to hand that \$107-odd over to the minister's department.

The Santa Claus example rings true to me, having known some people who participate in the support of Christmas with those clothes on. I have to be very careful because there might be some children listening, although I doubt it. There are Santa's helpers who only do a few hours of paid Santa Claus in a shopping centre. They may have to pay money for a screening check after having done dozens or hundreds of hours of volunteer work, maybe as a mentor or a volunteer in a school. Santa would have to cough up the \$100-odd out of his few hours of work in a shopping centre supporting the gift of Christmas.

In the committee stage of the bill in the upper house it was confirmed that this seven days over the calendar year is not clearly defined. A day is potentially an hour of that day. In the disability sector, there are people who get paid to do one hour's work to perhaps help someone set up for their lunch or whatever. If they are working seven days in a year, doing their seven hours of hugely paid work on minimum wages—they may take home \$150 or less in a year—they need to cough up the money for the screening.

Of course, we have had a situation where perhaps people only do eight or nine hours of work and for some reason then cannot continue in paid employment and have had to pay for their screening. With the way this legislation is laid out, they now have to pay for a working check. They will then be forking out nearly two-thirds of what they earn to pay for a work screening. So that is the Santa Claus clause.

Here is another hypothetical. Someone could volunteer as a soccer coach for three years. We know they do many, many hours in brutal conditions with wild young kids on the pitch and have all the challenges of the even wilder parents who want their children to get the best deal in terms of the game. The volunteers have their volunteer screening and may then, as a consequence, to support the school or the soccer association, get some refereeing experience. They may get their ticket and they may then go and do some refereeing.

They could be asked to do a game a week, and that could be for eight weeks, being paid whatever it is they are paid these days—anything from \$20 to \$50 a game or thereabouts—before going back to being a full-time, hours-upon-hours volunteer. Along comes the Minister for Human Services and shouts across the pitch, 'Give me \$107.40,' or whatever the amount is. She needs a red card. It is atrocious.

At no time before the election did anybody from the then opposition, now government, including the minister or the Premier, mention that free volunteer screening programs would be amended and that free volunteer screenings would only be available for people who are unemployed. Nowhere was it said that that commitment was only free if you did not have or did not get a job. That is why we moved amendments to this very tricky set of legislative procedures.

The first preferred option was to enshrine free volunteer screenings in legislation. The amendment said that if you get a free volunteer screening because you are volunteer and not in paid employment you would not have to pay that money to the government once you do get employment, just because now the unexpected consequence for the government is that it will blow a big hole in the budget. The government has voted this amendment down.

We also attempted to put up an amendment whereby volunteers who subsequently secure work would have to have 150 hours of work to trigger the payment being required. That is around four weeks of full-time work, which is reasonably secure. It is eight weeks of part-time or half-time work before having to pay that amount or, as people who came to me said, repay the system. They voted that down as well. They did not want a 150-hour minimum set. They wanted to keep to their seven days. The reason was that it is much too complex to monitor or flag 150 hours versus seven days. That was voted down, and we really could not get a clear answer on that. The Greens supported our amendments and SA-Best asked lots of questions about this.

**The Hon. V.A. Chapman:** But they supported us.

**Ms COOK:** Yes, I will get there. You do not want to come into the conversation too early. SA-Best asked lots of questions as well, and I congratulate them on their diligence around that. However, they also did not receive any clear answers about the triggers and what the difference is between seven days and 150 hours.

*The Hon. V.A. Chapman interjecting:*

**Ms COOK:** I hear the Attorney-General going on and on over there, clearly feeling very guilty about this whole thing. Anyway, if we had had this spelt out clearly in briefings very early in the piece, instead of just being given the legislation on face value, it potentially would have made life a lot easier. We found this situation when we went to consultation. We found that people in the sector had not been proactively spoken to about this and had to seek further information about it.

Come out and say that the pre-election costings were not done. Come out and say that, suddenly, this is going to cost you a big whack of cash and that you have to get some money back for the screening. Come out and be absolutely honest. Sure, we are still going to call you out on it, but to be deceptive like that is pretty poor, to be honest. At the end of the day, the government should have just tabled the legislation that did not break their commitment, made amendments across the portfolio and made it so that volunteers continue to use that screening whether they are working or not. Volunteers would then continue to get free screenings. But that is not the bill we have.

Our amendments were not supported, and we are disappointed. We now have this pathetic situation where a person potentially works seven hours in seven days across a calendar year. Is this really simple to flag compared with 150 hours? I have heard of a whole range of electronic time sheet systems where, 'Ding! You have done this many hours,' or, 'Ding! You have done that many hours,' and then, 'You are entitled to overtime.' Why can an alert not be set in the system for 150 hours if it can be set for seven days?

It is just another cut that you will have to justify as a government to your constituents in your marginal seats and in the regional areas, saying, 'No, not everybody is able to have the free screening.' You can explain it to your sporting clubs. You can explain it to your mentoring groups. I have had significant correspondence from peak bodies, organisations and individuals regarding the lack of consultation. They think that it is not on and that you need to lift your game. The feedback is pretty consistent: do not break an election promise then fail to consult the community.

Notwithstanding this, the bill at its heart protects vulnerable adults and children. As somebody who feels that that is the heart of social justice in our community, I support the heart of the bill to do that for us. It brings us in line with the agreements for national frameworks and NDIS worker checks so that people will be better equipped to undertake their tasks working with children, supporting people working with children, volunteering with children and supporting people volunteering with children. It enshrines volunteers in the legislation inadequately, in our view. We will have to agree to disagree and predicate our arguments to vulnerable South Australians who may have to cough up two-thirds of their \$150 of pay in order to pay for the Liberals' election promise.

**Ms STINSON (Badcoe) (12:18):** I rise to speak on the Statutes Amendment (Screening) Bill 2019. As the member for Hurtle Vale has so eloquently said, we on this side support the bill; however, we do have one significant concern, which the member for Hurtle Vale has talked about and which I will touch on as well. Obviously, I have a keen interest in this piece of legislation, particularly from the perspective of child protection although, of course, it protects vulnerable adults as well as children.

I think it is commendable that this bill and what it is trying to achieve has come forward. It builds on a lot of the great work done under the previous Labor government to try to create a better system of screening checks to ensure that it is a system with integrity and also that it can be more easily used by people who wish to give their time, both volunteers working to improve the lives of vulnerable adults or young people and people who work in this area and require these checks for their employment. We certainly do not want to see people being disadvantaged in their employment or their career aspirations by a system that is too cumbersome and does not work well for people who seek to be in the sector and, of course, for those we seek to protect.

I would like to put on the record my congratulations to the previous minister, Zoe Bettison, who did a lot of that work and spearheaded a lot of the changes that we are now seeing come through the system, which are making a real difference, particularly in the area of catching out people who do not deserve to have one of these checks and should absolutely be kept as far away as possible from vulnerable children and young people.

The government's bill obviously seeks to standardise and streamline screening requirements through South Australia, which we agree with. The approved screenings will now last five years rather than three years. Previously, that might have been some cause for alarm but, as I mentioned, there were some reforms made by the previous government, one of which was to start the process—and that process is continuing—to implement continuous monitoring, or what some in the media have called 'real-time monitoring'.

This means that when there is a red flag—whether that is something quite formal like a charge or a conviction—that would eliminate someone from being able to have the entitlement of a working with children check or, indeed, if allegations or concerns are raised that is flagged immediately. We then get a much closer to real-time reaction from the system to make sure that those people have their working with children checks withdrawn. They are notified but, most importantly, their employer or the groups that they are registered as volunteering with are notified as well that this person should not be around vulnerable adults or children who require our care and protection.

This is a great reform and I think it is already making a huge difference. Disturbingly, though, in the first 12 months of the operation of this system more than 100 people were identified as no longer meeting the necessary criteria, and some of it was actually pretty shocking. Offences including murder, serious sexual offences, including rape, and even charges of terrorism were detected and people had their working with children checks taken off them. Under the previous system, people only had to apply every three years. That meant that those charges might not have been picked up—unless they were self-reported—for several years.

Of course, that presents a dire risk to those who rely on people with working with children checks and other screening checks. That is what happened previously, which is not a great situation. With the upgrade of technology and new legislation that was passed several years ago and implemented in the last few years, that considerable loophole has been closed, which is very commendable. Of course, it is distressing to think that people who commit such offences would even seek to work with children but, unfortunately, that is a situation we have seen repeatedly.

Through continuous monitoring, we are seeing data sharing between the Department of Human Services, the Department for Child Protection and SAPOL, and that is giving greater certainty that people who pose a risk to children or other vulnerable South Australians will be identified and precluded from employment or volunteering roles. However, as I mentioned, the opposition is concerned that the government is seeking to claw back the cost of a volunteer check, which we believe will be around \$100, from hardworking volunteers who apply for a volunteer check, where the cost is waived, but when they gain employment, even incredibly minimal employment, they will then have the burden of repaying that money.

I think there are several problems with that. There are issues in terms of fairness, and people would have had an appreciation that they would be able to get a volunteer screening check for the three or then five-year period for free because that was the promise made by the Liberal government when they went to the last election. There is also an issue of compliance and having to keep track of how many hours they might have worked in a 12-month period in order not to fall foul of this particular clause. Certainly, if it is over a 12-month period, it would be quite difficult for people who are doing only a small amount of work—paid work, that is—to keep track of that and make sure that they did not fall foul.

In terms of enforceability, there is a big question mark over how this will be enforced and whether people will be in a position to accurately report the hours they have worked for pay. There is also the extra burden that that creates for NGOs and other businesses that are trying to manage both volunteer and paid workforces. Who is going to police this and make sure that, once someone hits as few as seven hours, this is somehow red flagged, investigated and everything else that is required in order to catch that person out and make sure they pay \$100? This bill forces volunteers to pay back their screening fees if they gain more than seven days of paid employment—and that, of course, does not have to be whole working days and it only has to be within a 12 month period.

That does not affect just people on high incomes; we are more concerned about the impact it has on people who are not working full-time or who do not have secure employment. That is people, community members, who, for example, are paid to coach or referee kids' sport on the weekends and parents who are working a few hours a week in the school canteen. The member for Hurtle Vale touched on Santa Claus and Father Christmas at the local shopping centre. My grandfather has been a Santa Claus a few times, and it is only a few hours of work each year. Workers on short-term or casual contracts who are earning very little will need to fork out this \$100 so that they do not fall foul of this.



We put forward an amendment in the other place that would have seen us prefer a 150-hour mark, which is getting towards the point where someone is really in employment and not just doing some spot work here or there. They are actually employed, and we think that is a fair way to go about things. It would also mean that when you hit the 150-hour mark you have probably got a few pay packets under your belt, you have probably benefited from having that working with children check or another screening check and it is fair that you would be in a position to repay the cost.

If you are just doing work that is earning you only a few hundred dollars and that is pretty spaced out in the year, it seems like an unnecessary burden to put on people in addition to the compliance and enforceability issues we have with this particular clause in this bill. It is also a fairly cold-hearted type of thing to do. It just seems like penny-pinching; it is such a small amount of money, and people are working for such minimal amounts of time and possibly small amounts of money as well.

Before the election, and in the year since, the Premier and the Minister for Human Services promised volunteers that they would get free screening checks. As I mentioned, I think a lot of people would have had the impression that if they were a volunteer they could get a free screening check and that would not then be compromised, that they would not have to pay back that money at a later stage. So that promise came a lot of caveats that were not made clear to people when they looked at this policy and maybe decided to vote for the Liberal Party based on it.

I think they would be incredibly disappointed to see that this government is giving with one hand and taking the credit for those free screening checks, but then taking away with the other from people who are probably not in a position to be able to pay this back if they are doing a minimal amount of work. For many volunteers, these checks will not be free. People do not stop being volunteers when they get just a few weeks, or indeed a few days, of paid work. This is a broken promise. It is a pretty cruel move, and we call on the government to reconsider before we go to a vote on it.

Other than those concerns I have raised, and the concerns the member for Hurtle Vale has quite rightly investigated, analysed and then raised here now, we support the bill in terms of what it seeks to do. Indeed, I personally support any moves that we as a parliament can make to ensure that the screening check process works as well as possible in terms of making sure that children are protected, that vulnerable people are protected and that it is also a workable system not only for those in our community who dedicate their careers to looking after people who need our help, but also, and importantly, for those volunteers who do not have to give their time but do. They give up many, many hours of their time to make our community a better place and we should do what we can to support them. I support the bill.

**The Hon. Z.L. BETTISON (Ramsay) (12:29):** I rise today to talk about the Statutes Amendment (Screening) Bill 2019. As others have said, I think that we agree with the essence of this bill as it aligns with national screening arrangements, our NDIS obligation, and provides a transitional arrangement prior to the Child Safety (Prohibited Persons) Act 2016 commencing on 1 July.

Over the last five years or so, there have been many changes in the role of screening, whether it be in regard to working with vulnerable people or children. We have seen many changes in the role of screening as a tool for protecting children in our community. It is a tool; it is not everything. We know that child-safe environments come in many different forms, and it is about people noticing and paying attention. Of course, within this time in South Australia in particular, it became a very important tool.

Many areas of screening were discussed over this time and implemented: who needed to be screened, the type of screening, the length of screening, and the portability and transferability of screening for different jobs and different volunteering roles with different organisations. There was also the monitoring of behaviour during the time that someone had a screening, which at that point was for three years.

We also had more than one assessment in South Australia. While the department for communities and social inclusion had a screening unit, we did have other screening units within the Catholic Church system for their teachers and volunteers, and within South Australia there were different groups that would screen. During my time as the minister for communities and social

inclusion, the size of the screening team grew to be a major part of the department. I would be the first to acknowledge that we had many challenges during this time.

When I finished as minister, more than 22 per cent of South Australians had a child-related screening check, so nearly 300,000 South Australians had gone through this process. It might roll off the tongue easily now, but we must understand that this was a massive change. Screening was something we came to accept, not just in this house but in the wider community, as an important part of keeping children and vulnerable people safe.

When we were working out how to screen in the best way, there were some challenges. There were delays in processing and that is why we had to improve the system and the structures around the system. At the end, 96 per cent of applicants were processed within 30 business days, but I acknowledge it was not always at that point.

We had several improvements to the system with online applications, credit card payments, an organisational portal for employers to verify the checks that people had, and of course a considerable part of the work was the continuous monitoring that started in July 2017. Up until that time, it was a single point-in-time check to look at the SAPOL databases of criminal history and court outcomes and a point-in-time check for child protection, looking at their client information systems and their care concerns.

When the continuous monitoring was launched, that made it a just-in-time system—a regular system—and that was incredibly important for the reliability of our screening system. We would work with South Australia Police, the Department for Child Protection and of course the department for communities and social inclusion to have that regular flow of information. It is sad to say that people had their screening revoked for very serious issues, and so it was very important for me to know the robustness of this system that came into effect, that the point-in-time was not good enough and that we needed to continue to have the continuous monitoring that was there.

We have seen this new legislation come forth, and a lot of the work was done over quite some time with the former attorney-general and former ministers for child protection. However, it is this government that has brought it to the parliament today, and it is important that this amendment aligns with national screening agreements because each state and territory had gone off on their own and developed their own system, so if you moved from one state to another you could not transfer your screening. Also, each state and territory had different requirements around their screening, and so to move towards national screening arrangements is incredibly important.

It was an incredibly bold announcement that was very welcomed by our exceptional volunteer community. When coming to government, it was part of an election commitment that the Marshall Liberal government announced that volunteers would have free screening. It was greatly welcomed by the volunteer community and, to give her credit, the current Minister for Human Services was backed in by her cabinet colleagues that this was important and that they were going to roll it out. I will give her that credit.

However, I have to say that I was shocked when the proposal was that as soon as you stop being a volunteer you have to pay for your check. I have to say that, as we move to having a five-year check, which was something people wanted and was well regarded, I just simply think that this system, this proposal, will be incredibly unworkable. I understand there are expiation fees whereby, if you move from being a volunteer to being an employee and you have not then paid for a check, you are going to be fined.

To try to soften this we had an amendment that said that you only have to do it if you work for more than seven days. I just think that was plucked out of the sky, 'Seven days sounds okay; that will be it.' What I think is a more workable option is the amendment the shadow minister put forward in the upper house, which was that when someone's screening ran out within the five years and they were working they needed to pay. That was the amendment that would have been far more workable.

Our volunteers do a fantastic job. Many of them do it out of the goodness of their heart because of their commitment. Whether they are reading to their children or grandchildren in schools or whether they are helping out on the sports field, they do it because it is part of being a good citizen and part of giving back. Other people volunteer as a pathway to employment, and that is something

that we have encouraged because we certainly know that there is growth for workers in the NDIS system, and of course in the aged-care area as well.

We know that there are opportunities for employment. We know that one of the greatest ways to get that employment is to show that you have volunteered in the sector. Volunteering can be a fantastic pathway to employment, but employment does not necessarily mean a full-time salaried job. It might mean the odd casual shift, and so I just think that the proposal that we have before us—the seven days—will be entirely unworkable, and that it is actually quite insulting to those volunteers, the majority of whom may be absolutely delighted to pick up a little bit of casual paid work, but that is certainly not their motivation for what they do.

I will give you an example that comes to mind that goes to the heart of why I think it just does not work. My son goes to VACSWIM. He loves getting out there. We did it at Semaphore. It was a bit salty and a bit cold but he loved it. VACSWIM goes for two weeks every year. The rest of the time, most of the people who do the VACSWIM course are volunteering as surf lifesavers. What this legislation proposes is that, because they work for two weeks a year doing VACSWIM, they now have to pay for their volunteer screening. That just does not sit well with me.

What we have seen here is an election commitment, an election promise that was well received, and now it is all about backpedalling because it is going to cost us. It is going to cost the government to pay for those screenings. I know how much it costs; I have done the calculations. Let's be honest, what the government has put in here, that seven days' work, is just going to be unworkable.

What are you going to do? Are you going to send out officers to go to Semaphore Beach and say to those guys in their budgie smugglers, 'Thanks for supporting our young kids to learn to swim. We love that you volunteer all the time on the beach. You get two weeks' paid work per year, but you didn't get your screening,' or, 'You didn't change your screening from 'volunteer' to employment'? What is the government going to do? Are they going to hire a whole team of officers to go out and audit and make sure people comply with this?

I know how big the screening unit became, because this was important. This was a necessary tool for South Australians to feel that when our children were being supported by volunteers that those volunteers were safe to have that interaction with our children. While I recognise that the majority of this bill takes us to a place we needed to be, I do urge the reconsideration and support of our amendment that, when a person comes to a point to review their screening at the five-year mark and they are employed, that is when they pay for themselves.

Debate adjourned on motion of Mr Pederick.

## **CRIMINAL LAW CONSOLIDATION (ASSAULTS ON PRESCRIBED EMERGENCY WORKERS) AMENDMENT BILL**

### *Introduction and First Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (12:42):** Obtained leave and introduced a bill for an act to amend the Criminal Law Consolidation Act 1935, and to make related amendments to the Criminal Law (Forensic Procedures) Act 2007 and the Summary Offences Act 1953. Read a first time.

### *Second Reading*

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (12:43):** I move:

That this bill be now read a second time.

Today, I introduce the Criminal Law Consolidation (Assaults on Prescribed Emergency Workers) Amendment Bill 2019. The bill is incredibly important in providing assurance to our front-line emergency workers by better protecting the state's police, emergency services workers, front-line medical officers and other law enforcement officers from assaults. The major purpose of this bill is to create a new offence in the Criminal Law Consolidation Act 1935 where a person spits at or throws or otherwise applies blood, saliva, semen, faeces or urine on a prescribed emergency worker in the course of their duties.

Unfortunately, such an assault is all too common for our front-line police and emergency service workers, with spit, blood, urine or faeces being used to harm police and other officers whilst in their line of duty. I thank the Commissioner for Police for raising this unattended concern with me for action and welcome the stand-alone offence being created in this bill.

Whilst our courts do see assaults using bodily fluids and appropriately sentence in line with the seriousness of these actions, it has been vital to create an offence that stands apart from assaults and assaults causing harm in the criminal law. This government is sending a clear message to those who are disorderly, disrespectful and violent toward our police, ambulance workers, doctors, nurses, firefighters and front-line officers that this behaviour is unacceptable and should be treated as such in the criminal law.

Under the bill, this stand-alone offence will cover those defined as a prescribed emergency worker and provide a maximum penalty accordingly; however, it can also be applied to offences committed against people not working in emergency services. A prescribed emergency worker is defined to mean a paid worker or a volunteer who is a police officer; prison officer; youth training centre officer; a member of the SA Ambulance Service, the Country Fire Service, the Metropolitan Fire Service or the State Emergency Service; a law enforcement officer; or a person prescribed in the regulations including regulations made under section 5AA(1)(ka).

The maximum penalty for this new offence is four years' imprisonment, or five years' imprisonment if harm is caused to the victim. In developing this definition, I have been pleased to consult with the Public Service Association, the Australian Nurses and Midwifery Federation, the United Fire Fighters Union, the Australian Medical Association, the CFS Volunteers Association, the Police Association of SA and South Australia Police. It has been integral to ensure that, beyond police officers and ambulance workers, we also provide protections to those workers not always considered frontline, but who, on a day-to-day basis, face the same challenges and pressures.

During work on this bill, I received advice from the Country Fire Service Volunteers Association. This is a group often forgotten, yet they play an important role as front-line volunteers. The CFS Volunteers Association confirmed with my office that the government's approach in this bill, in including volunteers in this list, aligns with the South Australian Fire and Emergency Services Act 2005 and ensures the inclusion of all CFS volunteers within the bill. Furthermore, I have received information from the Australian Nurses and Midwifery Foundation, who I recently met with, regarding the inclusion of emergency nurses as prescribed persons, and I thank Roslyn and Lisa for their work and advocacy on this.

The scenarios and anecdotes provided to me by the ANMF are alarming, to say the least. The sheer disrespect and abuse that nurses receive on a day-to-day basis often goes unreported, even where such serious matters like assault potentially occur. I look forward to considering the submission from the ANMF in further detail, and I will continue to work with these aforementioned groups to determine precisely which categories of workers they represent should be included in the associated regulations. Beyond this substantive part of the bill, a consequential amendment is also made to the Criminal Law (Forensic Procedures) Act 2004 to enable blood samples to be taken from these offenders.

The second thing that is to be achieved by this bill is the amending of existing provisions of the Criminal Law Consolidation Act in respect of certain workers who are victims of aggravated offending. The act provides that some offences have a basic form and also an aggravated form where the maximum penalty is significantly greater than that of the basic form of the offence.

Section 5AA of the act sets out the circumstances that would lead to an offence being aggravated. This includes in section 5AA(1)(c), where the offender committed the offence against a police officer, prison officer or other law enforcement officer, knowing the victim to be acting in the course of his or her official duty, or in retribution for something the offender knows or believes to have been done by the victim in the course of his or her official duty.

The bill adds employees in training centres to this list of workers, as they are not, strictly speaking, prison officers but they are front-line workers all the same. This change will ensure that the aggravated form of offending extends to those victims whose duties include the supervision of

youths detained in a training centre. Section 5AA(1)(k)(ii) extends the aggravated form of offending to victims who have engaged in other classes of prescribed occupation or employment.

The regulations currently prescribe, for the purposes of section 5AA(1)(k)(ii), emergency work; employment as a medical practitioner in a hospital; employment as a nurse or a midwife in a hospital; an occupation consisting of the provision of assistance or services in a hospital to a medical practitioner, nurse or midwife acting in the course of his or her employment in the hospital; and passenger transport work.

'Emergency work' means work carried out whether or not in response to an emergency, by or on behalf of the Country Fire Service, Metropolitan Fire Service, State Emergency Service, SA Ambulance Service, St John Ambulance, Surf Life Saving, Royal Flying Doctor Service, Volunteer Marine Rescue or the accident or emergency department of a hospital. By including other front-line and emergency workers in this context, our most vulnerable on-duty workers will have charges appropriately sentenced, accounting for their role at work and role in protecting the community.

The bill also replaces section 5AA(1)(k)(ii) with a new section 5AA(1)(ka) (I must have called that the Leon Byner clause) in order to enable the regulations to extend to people who are either in paid employment or are volunteers. This will ensure that two persons who work for the CFS, for example, receive the same protection under the law, whether they are paid employees or volunteers. This is an important initiative to protect our emergency services.

In conjunction with this change to section 5AA(1)(k), the government is currently working to make further regulations under new section 5AA(1)(ka) to include other paid or volunteer work in the list of prescribed occupations or employment, in addition to those currently prescribed under section 5AA(1)(k)(ii). This could include protective security officers, court sheriffs, bailiffs appointed to the South Australian Civil and Administrative Tribunal and civilian workers who are employed to provide support services within SA Police.

I again thank the Public Service Association for their work in assisting to develop this group and further workers who should be added into such regulations. Further amendments to the Criminal Law Consolidation Act increase by one year the maximum penalty for certain offences where the victim is a worker referred to in section 5AA(1)(c) or in regulations made under the new section 5AA(1)(ka). The current penalties for these offences are set somewhat low and the proposed increase will further assist to deter such offending against police and emergency workers.

The penalties also amended are for the offence of making unlawful threats to cause harm in section 19(2) of the act, the offences of assault in section 20 of the act, the offence of recklessly causing harm in section 24(2) of the act, and the offence relating to acts likely to cause harm in section 29(3) of the act. These are all other offences that have varying degrees of penalty, some carrying 10, 15 or 25 years of imprisonment.

Beyond the additions to the criminal law, the bill importantly deals with necessary changes in the way courts sentence assaults and offences against front-line workers. The bill amends the Sentencing Act 2017 so that, when a court is sentencing an offender for an offence, the court must take into account in setting a penalty the need to protect the police and other emergency service workers. Currently, the courts must consider the safety of the community paramount to other sentencing considerations, and that aspect will not change.

I have welcomed proposals from both South Australia Police, in particular the Commissioner of Police, and the Police Association of SA, advocated by Mr Mark Carroll, to add a secondary sentence consideration for the courts when sentencing an offender charged with a police-related offence. We have listened, and that has been incorporated.

Finally, the bill repeals the assault police offence in section 6(1) of the Summary Offences Act 1953. The maximum penalty for this offence is a \$10,000 fine or imprisonment for two years. This change has occurred following a direct request of the Police Association. Although included in this bill, I will continue to work with the association and SAPOL on the practical changes associated with this repeal. Currently, assaults against police can be charged either under section 6(1) of the Summary Offences Act or, more seriously, under section 20 of the Criminal Law Consolidation Act.

Section 6 assaults have served a purpose in ensuring assaults can be appropriately charged, and I have supported their use. Despite this, assaults against police should be charged appropriately and treated as seriously as their nature requires. The government expects that these assaults will instead be charged as aggravated assaults under section 20 of the Criminal Law Consolidation Act, where the maximum penalty as amended by this bill will be four years' imprisonment or, where the assault causes harm, up to five years' imprisonment.

I look forward to continuing to work with the aforementioned associations on all these matters and other reform to protect both our community and front-line emergency service workers. Assaults on police, ambulance workers, doctors, nurses and other front-line workers should be treated with the highest regard. As a community, we should not tolerate the daily abuse, assault and harm caused to these workers. I commend the bill to members and I table a copy of the explanation of clauses.

Debate adjourned on motion of Ms Cook.

### *Parliamentary Procedure*

#### **VISITORS**

**The DEPUTY SPEAKER:** Before I call the Attorney again, I am going to quickly welcome year 7 students and some staff from the Hills Christian Community School. Welcome, today. I hope you enjoy your visit. You are guests of the member for Kavel and the member for Heysen. It is good to see you here.

*Sitting suspended from 12:57 to 14:00.*

#### *Condolence*

#### **PARBO, SIR ARVI**

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:00):** On indulgence, I wish to recognise the significant contribution Sir Arvi Parbo made to our state during a life of enormous achievement and great industry leadership. Following his passing yesterday at the age of 93, Sir Arvi is being recognised as a giant of the Australian mining industry in the 20<sup>th</sup> century. It is with considerable pride that we can record that South Australia provided both the start to his outstanding career and its crowning achievement.

Sir Arvi was born in Estonia and became a refugee towards the end of the Second World War. In 1949, he reached Australia. For a time, he worked in an Adelaide quarry before undertaking studies at the University of Adelaide, which gave him the opportunity to join Western Mining Corporation in 1956. In more than 40 years with Western Mining Corporation, he was instrumental in the company's golden era of exploration across our nation. Its most important outcome was the discovery of the giant Olympic Dam copper, gold and uranium deposit in 1975.

As chairman and managing director of Western Mining Corporation, Sir Arvi steered the negotiations with the South Australian government that produced the Olympic Dam Indenture Agreement and enabled the mine to begin production from 1988. As honourable members will recall, this was a period of some political turmoil around whether uranium should be mined, but Sir Arvi won the respect of all sides of politics for his leadership and the integrity and humility of his approach.

He was a man who never forgot the early opportunity he was given as a migrant to create a career of outstanding value for our entire nation. I offer my sincere condolences on behalf of the parliament to Lady Parbo and their three children.

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:02):** I would just like to second the remarks made by the Premier in mourning a great South Australian and a great Estonian. Today, there was a mixture of sadness and pride at the Estonian Club in North Adelaide, where Sir Arvi was a life member and, indeed, a legend.

His book *On Estonia and Estonians* holds pride of place at the club, written as it was by Sir Arvi in 2007 for his three children and six grandchildren. He writes in the book of the importance of a sense of continuity with the past. To that end, he has always been keen for his Australian-born family to visit the country of his birth, where regular pilgrimages were made. His own journey as a

refugee and young adventurer took him to a postwar Germany in 1944 and then to South Australia in 1949, where his first job was as a jackhammer operator at a quarry south of Adelaide.

He wanted to complete his mining engineering studies and managed to be transferred to a factory at Kilkenny within bike-riding distance of the Adelaide University, where he studied part time. His remarkable mining career spans the entire second half of the 20<sup>th</sup> century. As the Premier noted, he started at Western Mining, which was then a small gold producer, and built it up into a major enterprise. In 2006, prime minister John Howard said of him: 'Nobody understands and knows more about the mining industry in this country than Arvi Parbo.'

As chairman of Western Mining, BHP and Alcoa, he was a mining giant. The Australian Institute of Mining and Metallurgy noted recently that Sir Arvi Parbo was not only a lifelong pillar of Australian mining but also one of the people who created Australia as a prosperous economy and free society. Throughout that extraordinary career, he maintained a love of family, history and heritage. Our condolences to his wife, three children and six grandchildren and to the local Estonian community.

For all people who have a connection to postwar migration, particularly displaced people in the late forties from the Baltic community, as clearly I do, too, this is a sad loss not just for the Estonian community but also for the Baltic community of South Australia. Our thoughts are with them, but particularly with the family.

#### *Parliamentary Procedure*

#### **VISITORS**

**The SPEAKER:** I welcome to parliament today year 7 students from the Hills Christian Community School, who are guests of the member for Kavel, and also representatives from the South Australian Districts Netball Association, who are guests of the member for King.

#### *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*.

#### **QUESTIONS ON NOTICE**

**The SPEAKER (14:06):** Further to the matter raised yesterday by the member for Kurna concerning an alleged breach of sessional orders, that is, the late receipt of answers to questions on notice, I can advise the house that included in the schedule of answers I have just tabled were answers to questions Nos 691, 706 and 710, which were submitted yesterday but not included in yesterday's list of tabled answers.

Further, answers to questions Nos 694, 695 and 696 were also included in today's schedule of answers. I understand that the minister will also be tabling the answer to question No. 709 today. I have also been advised that answers to questions Nos 692 and 708 are still outstanding but should be tabled on the next day of sitting.

As I stated to the house on 4 July 2018, when the matter of late answers to questions on notice was first raised, I did not have the benefit of standing orders or established practices to guide me in assisting the house at the moment. While I am of the view that the practices and procedures in place in other jurisdictions provide a measured and sensible approach, ultimately resolution of this matter is up to the house to determine.

I can advise the house that the Standing Orders Committee is currently considering the matter of late answers to questions on notice and, until the house adopts a formal position to deal with the provision of late answers to questions on notice, I invite members to draw my attention to those ministers and the relevant questions that are yet to be answered within the 30-day time period and I will then speak to the minister concerned.

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (14:07):** I rise in relation to a breach of sessional order 3. I have questions on notice to the Minister for Education, those being questions Nos 689 and 690, both of which were asked on 20 March. Sessional order 3, as we have just canvassed, requires an answer within 30 days. That has not been provided, so I again ask you to investigate and rule if there has been a breach of sessional orders.

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

**The SPEAKER:** The member for Wright and the member for Hammond can leave for half an hour under 137A. The member for Wright and the member for Hammond, half an hour.

*The honourable members for Wright and Hammond having withdrawn from the chamber:*

### PAPERS

The following papers were laid on the table:

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

Abortion Reporting Committee, South Australian—Annual Report 2017

By the Minister for Planning (Hon. S.K. Knoll)—

State Planning Commission, Letter from the—in regards to the Inquiry into the Scheme for Off-Setting

Contributions and the Open Space Contribution Scheme—dated 31 March 2019

### *Parliamentary Committees*

#### PUBLIC WORKS COMMITTEE

**Mr CREGAN (Kavel) (14:09):** I bring up the 19<sup>th</sup> report of the committee, entitled 'Port Lincoln Wastewater Treatment Plant sludge management upgrade'.

Report received and ordered to be published.

**Mr CREGAN:** I bring up the 20<sup>th</sup> report of the committee, entitled 'Tennis SA Memorial Drive centre court development'.

Report received and ordered to be published.

### *Question Time*

#### WAGES GROWTH

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:11):** My question is to the Premier. Does the Premier believe that low wages growth in both South Australia and Australia is a problem worth addressing?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:11):** I think we have made our position extraordinarily clear: we want to see a more prosperous South Australia. We outlined our plans to make South Australia a more prosperous place in the lead-up to the election.

*Members interjecting:*

**The SPEAKER:** Order!



**The Hon. S.S. MARSHALL:** We said that we wanted to create more jobs in South Australia and we wanted to have more economic activity in South Australia, and that is exactly and precisely what we have been focused on since we came to parliament. We have seen a very significant increase in employment in South Australia since we came to parliament and that is a very important—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —development for our state. For too long over the previous 16 years, South Australia was dragging along the bottom of the employment table for Australia. Some people want to compare—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —different time periods against each other. It is better to compare yourself with other states. I can tell you one thing: when Labor were last in power—

*Members interjecting:*

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

**The Hon. S.S. MARSHALL:** —I know exactly where we were: down here. Now we are tracking towards the middle of the table at the moment. We are not doing as well as New South Wales, which is a powerhouse economy with a great Coalition government led by Gladys Berejiklian, just re-elected—the third term for the Coalition in New South Wales and you can see what that has done for their economy.

By contrast, South Australia under the previous Labor administration—four terms—became the laggard economy in Australia and now there is a lot of work to be done. We outlined our plan for the people of South Australia in the lead-up to the election and we said that jobs were extraordinarily important. We are getting on with delivering those jobs to the people of our state.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:13):** My question is to the Premier. Can the Premier advise the house why he has signed an agreement with the commonwealth that provides for migrant workers to earn 10 per cent less than the mandated minimum migrant salaries in regional areas?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:13):** I think the member is referring to the Designated Area Migration Agreement. The federal government had previously had a scenario where the TSMIT (don't ask me exactly what that stands for) was set on a national basis and it didn't really recognise that wages and costs and cost of living were significantly higher in Sydney compared to regional South Australia. We spoke to the federal government about that and that was recognised in the DAMA that was signed by the people of South Australia.

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

**The SPEAKER:** I remind the Minister for Education that he was called to order this morning. Leader.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:14):** My question is to the Premier. Why should workers who are employed under your DAMA be paid 10 per cent less than other migrant workers?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:14):** I didn't quite gather the nuance of that question.

*Members interjecting:*

**The SPEAKER:** Order! Would the Premier like the question repeated?

**The Hon. S.S. MARSHALL:** Yes.

**The SPEAKER:** Could you please repeat the question.

**Mr MALINAUSKAS:** Sure. My question is to the Premier. Can the Premier please explain why workers employed under his DAMA should be paid 10 per cent less than other migrant workers?

**The Hon. S.S. MARSHALL:** They don't have to be paid 10 per cent less, but there is flexibility—

*Members interjecting:*

**The SPEAKER:** The Member for West Torrens is called to order, as is the member for Badcoe.

**The Hon. S.S. MARSHALL:** —which is built into the Designated Area Migration Agreement. Can I just say—

*Mr Szakacs interjecting:*

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

**The Hon. S.S. MARSHALL:** —that this is just typical of Labor. They sat on their hands for an extended period of time. They let regional communities right across South Australia suffer the indignity of falling populations.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** By contrast, what we did was go out and speak to people right across regional South Australia about the things which are important to them. Let me tell you that there are very significant skill shortages right across regional South Australia—

*Mr Picton interjecting:*

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

**The Hon. S.S. MARSHALL:** —and those opposite failed to address those skill shortages over an extended period of time.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** But what they don't understand—and there's plenty on that list—one of the things that they don't understand is what skill shortages—

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The Premier has the call.

**The Hon. S.S. MARSHALL:** What I am trying to explain to the house is the importance of dealing with skill shortages across the—

*Members interjecting:*

**The SPEAKER:** The member for Playford is called to order and so is the leader.

**The Hon. S.S. MARSHALL:** Thank you, sir. As I was saying, what those opposite don't understand is that there are very significant skill shortages right across regional South Australia.

**Mr Malinauskas:** In what jobs?

**The Hon. S.S. MARSHALL:** Well, there's a list, actually. There's a list, and that was developed in consultation—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —with the people in regional South Australia, with firms that, only a few months ago, those opposite, when they were in government, were great friends of. Those same companies were making representations, talking about the skill shortages that exist across regional South Australia, talking about those skill shortages—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —holding back the productive capacity of our entire state. Those opposite—

*The Hon. S.C. Mullighan interjecting:*

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

**The Hon. S.S. MARSHALL:** —did absolutely nothing about it. By contrast, we care about regional South Australia.

*Ms Hildyard interjecting:*

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

**The Hon. S.S. MARSHALL:** We want to see regional South Australia grow. We want to see regional populations grow, and to do that we are going to be addressing those constraints to regional South Australia that those left in place. That is a range of issues. In some areas it's blackspots. I would like to commend the Minister for Primary Industries and Regional Development for the work that he has done in addressing that issue. Regional roads are a big issue right across our state.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** I would like to commend the Minister for Transport—

*Members interjecting:*

**The SPEAKER:** The member for Elizabeth and the member for Ramsay are both called to order.

**The Hon. S.S. MARSHALL:** —Infrastructure and Local Government for the work that he has done to address the very long list of regional roads that need to be upgraded. We have had very significant issues—

*Ms Stinson interjecting:*

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

**The Hon. S.S. MARSHALL:** —in terms of health care, in terms of regional doctors.

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

**The SPEAKER:** There is a point of order. I will just hear the point of order, Premier.

**The Hon. A. KOUTSANTONIS:** The question was: why should some workers receive 10 per cent less wages than others? The Premier is now talking about infrastructure, sir.

*Members interjecting:*

**The SPEAKER:** I don't need ministers to intervene. The Premier is talking about supply and demand and market forces and—

*Mr Malinauskas interjecting:*

**The SPEAKER:** The way I caught it, those matters were germane to the question. In addition to that, I have evidence of a cacophony of noise that has come from those on my left. I ask that to cease so that I can properly hear the Premier, who is trying to complete his answer. Premier.

**The Hon. S.S. MARSHALL:** Thank you. What I was attempting to do was talk about the constraints to growing our regional economy. I was pointing out that some of those issues were to do with skill shortages that we have addressed in our DAMA.

*Mr Odenwalder interjecting:*

**The SPEAKER:** The member for Elizabeth is warned for a first and second time.

**The Hon. S.S. MARSHALL:** If those opposite would like to go on the record and say they would like to tear up the regional DAMA for South Australia—750 people per year—then let them do it. But they will incur the wrath—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —of people right across South Australia, who welcomed this government's endeavour to sign up a Designated Area Migration Agreement for regional South Australia. But, as I was going on to say, there are a huge number of other constraints that those opposite in their 16 years of government failed to address for regional South Australia. We are doing our very best to work through those in a logical and considered way.

**The SPEAKER:** The member for Elder. I will come back to the Leader of the Opposition.

**Mr Malinauskas:** That is two questions.

**The SPEAKER:** It is three. Member for Elder.

#### UNITED STATES, TRADE AND INVESTMENT

**Mrs POWER (Elder) (14:19):** My question is to the Premier. Can the Premier please update the house on his upcoming trip to the United States and the benefits that this will bring to South Australia?

*Mr Odenwalder interjecting:*

**The SPEAKER:** The member for Elizabeth is on two warnings and keeps interjecting.

*Members interjecting:*

**The SPEAKER:** The Premier has the call.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:20):** Thank you very much, sir. I would like to thank the member for Elder—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —for her excellent question. She cares about growing the South Australian economy. She wants to see South Australia export more. She would like to see further investment attracted into South Australia.

**The SPEAKER:** The member for Elizabeth can leave for 20 minutes under 137A.

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

**The Hon. S.S. MARSHALL:** She wants to see greater tourism in South Australia because she knows that all of these things will grow the size of the South Australian economy—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —and that will create jobs. Creating more jobs in South Australia will keep more South Australians—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader, please!

**The Hon. S.S. MARSHALL:** —here in our state. Tonight, I will be travelling to the United States, the largest economy in the world, one that the previous government completely and utterly ignored. It was almost impossible to believe that we didn't have any useful interaction with the United States, and we have done everything we can, in the short time that we have been in government so far, to address that deficiency and to right that wrong.

I will be attending the Sea-Air-Space Expo, which is the largest maritime expo in the United States. We have an excellent story to tell on the back of the \$90 billion worth of naval shipbuilding that will take place in South Australia over the coming years. We have now already completed three air warfare destroyers. We are about to embark—in fact, I think we have started now—on the offshore patrol vessels, to be followed very soon by the Future Frigates and the Future Submarines.

We need to make sure that we can continue the investment stream from the United States. They already have very significant global primes here in South Australia, companies like Raytheon, companies like Boeing and Northrop Grumman. We want to see that level of investment continue here in South Australia. You may be aware, sir, that the federal government is preparing for an election, which is coming up in a few weeks' time. I wish them all the very best. They have been doing a very good job over the last six years, but they are currently in caretaker mode.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Therefore, I have been afforded the great honour of delivering the keynote address at the United States-Australian defence dialogue, which will take place in Washington. This provides us with an opportunity to showcase and promote the great defence industry that we have here and our ambition to grow this even further. I think this is, quite frankly, an unprecedented opportunity for us here in our state to brief US officials—

*Ms Hildyard interjecting:*

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

**The Hon. S.S. MARSHALL:** —and leading defence industry experts on the extraordinary opportunities of investing into South Australia, especially with the recent announcement of the new Australian Space Agency headquarters, which will be based here in South Australia. We will be meeting with NASA officials. This will provide me with an opportunity to brief them on the establishment of the headquarters here and also on recent announcements by the federal government that mission control will be based here, the space discovery centre will be based here and, as I pointed out earlier in the week, the SmartSat CRC will be coming to South Australia.

I will also be visiting the National Cybersecurity Center of Excellence in Maryland. In the past, I have spoken in this chamber about the opportunity that cyber presents to us. I know that lots of jurisdictions look at the cyber threat, and it is a threat. We also need to look at the flip side of that, which is the opportunity, and that's why the trip to Maryland is taking place. I look forward to returning, I look forward to the trip and promoting South Australia and I look forward to updating the house on progress that we have made in terms of increasing exports, investment and tourism with the United States of America.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:24):** My question is to the Premier. Can the Premier explain how lowering wages addresses a shortage in the labour market where there are skill shortages?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:24):** Sorry, can you ask the question again?

**The SPEAKER:** Please repeat.

**Mr MALINAUSKAS:** My question is to the Premier. Can the Premier explain how lowering wages addresses the shortage in the labour market?

**The Hon. S.S. MARSHALL:** I am more than happy to provide the Leader of the Opposition with a detailed briefing regarding the DAMA.

*Members interjecting:*

**The SPEAKER:** Order!

**Ms Stinson:** I am amazed you haven't already read this.

**The Hon. S.S. MARSHALL:** I am happy to provide the Leader of the Opposition with a detailed briefing on the DAMA. This is an important—

**Ms Stinson:** Because you're concealing it. You're not releasing it!

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

**The Hon. S.S. MARSHALL:** This is an important agreement—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —for the people of South Australia. Other states have signed DAMAs with the—other jurisdictions have signed—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Well, the final details are yet to be concluded.

*Members interjecting:*

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

**The Hon. S.S. MARSHALL:** The final details are yet to be included. The high-level MOU has been signed. But, to be very clear, there is some flexibility in regard to the TSMIT for the reasons that I have already outlined earlier in my response to the parliament.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:25):** My question is to the Premier. Can the Premier assure the house that the 10 per cent reduction in the minimum migrant workers' salaries will not have a negative impact on regional small businesses relying on custom from these workers?

*Members interjecting:*

**The SPEAKER:** Order!

*Members interjecting:*

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

*The Hon. D.G. Pisoni interjecting:*

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

*The Hon. T.J. Whetstone interjecting:*

**The SPEAKER:** And so is the Minister for Primary Industries. The Premier has the call.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:26):** Thank you very much, sir. When the Labor Party was defeated at the most recent election, the Leader of the Opposition made quite a fanfare that he was going to go out and consult with people. He was going to go out and listen to people.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order, leader!

**The Hon. S.S. MARSHALL:** In fact, one of the things that he made quite a lot of noise about was that he was going to go to regional South Australia. He had to get a map. He still doesn't know where Cockburn is.

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

*Members interjecting:*

**The SPEAKER:** Premier, there is a point of order. One moment.

*Members interjecting:*

**The SPEAKER:** The Minister for Environment and Water is called to order. The member for West Torrens.

**The Hon. A. KOUTSANTONIS:** The Premier's opening remarks are all debate.

**The SPEAKER:** Debate. I think the Premier has made his point. I ask him to get on with it. Thank you.

**The Hon. S.S. MARSHALL:** In summary, regions are extraordinarily important to South Australia. We have been out talking to people in regional South Australia and every single thing that we have done, including the negotiation—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —including the DAMA in South Australia—

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

**The SPEAKER:** The Minister for Education continues to interject.

**The Hon. S.S. MARSHALL:** —have all been designed around providing advantage to regional communities, like we have with our position regarding health care, in regard to schooling—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —in regard to regional roads, in regard to addressing blackspots. Everything that we have done since we have come to government in South Australia is about looking after the entire state, not just a range of—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —marginal metropolitan seats, like our opposition managed while they were in government. We want to manage on behalf of the entire state. That is our motivation and that is what we have incorporated into our DAMA.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:28):** My question is to the Premier. Could the Premier rule out regional employers seeking lower paid migrant workers in preference to local residents entitled to higher salaries?

**The Hon. J.A.W. GARDNER:** Point of order: that is an entirely hypothetical question.

**The SPEAKER:** I am not sure if the Premier may be responsible for what employers in the regions do, but I will hear—

*Mr Malinauskas interjecting:*

**The SPEAKER:** Leader, I will eject you if this continues. You are on your last warning. The Premier has the call.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:28):** I have not yet met an employer who is seeking to bring in a skilled migrant from overseas, when there is a—

**Dr Close:** A skilled migrant?

**The Hon. S.S. MARSHALL:** Sorry?

**Dr Close:** Skilled migrants?

**The SPEAKER:** Please do not respond to interjections, Premier.

**The Hon. S.S. MARSHALL:** Yes, that's what we are talking about.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Maybe the Deputy Leader of the Opposition might just focus on the topic of the questions.

*Members interjecting:*

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

*Members interjecting:*

**The Hon. S.S. MARSHALL:** There's probably a green folder for you. You will get a question later.

**The SPEAKER:** The Premier has the call. I would like to hear the answer, please.

**The Hon. S.S. MARSHALL:** The reality is that I am yet to meet an employer in regional South Australia who wants to go through the complexity of bringing a skilled migrant in from overseas, either on a temporary visa or a range of visas that exist, if there is somebody suitably qualified in their local area. And that is a fact. But the reality lost on those opposite is that they do not realise that there are—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —very significant skill shortages.

*Mr Malinauskas interjecting:*

**The SPEAKER:** Order! The Leader of the Opposition is warned.

**The Hon. S.S. MARSHALL:** This is what amazes me. The Leader of the Opposition says that he has been out talking to regional South Australia, and nobody—

*Members interjecting:*

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

**The Hon. S.S. MARSHALL:** And the Leader of the Opposition says they don't want migrants.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Sorry, you said they don't want migrants.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. Pisoni:** The old dog whistle.

**The Hon. S.S. MARSHALL:** It comes out very regularly on that side, doesn't it?

**The SPEAKER:** The Minister for Innovation is warned.



**The Hon. S.S. MARSHALL:** We heard the deputy leader recently. We heard members in the lead-up to elections in the past blowing that whistle long and hard.

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

**The SPEAKER:** We have a point of order, Premier.

**The Hon. A. KOUTSANTONIS:** Not only is it debate, sir, but it's personal reflections on members.

**The SPEAKER:** I have the point of order. I ask the Premier respectfully to please return to the substance of the question.

*Ms Cook interjecting:*

**The SPEAKER:** The member for Hurtle Vale is warned for a first and a second time.

*Ms Stinson interjecting:*

**The SPEAKER:** The member for Badcoe can leave for 20 minutes under 137A. She has been on two warnings and continues to interject.

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

*Members interjecting:*

**The SPEAKER:** Order!

*Mr Picton interjecting:*

**The SPEAKER:** Member for Kaurna, be quiet.

**The Hon. S.S. MARSHALL:** If those opposite were genuinely talking to the people in regional South Australia, they would give you a long list of people, or vocations that are unfilled. In fact, in many organisations they have positions that have been vacant for many years. They would love to employ local people. They do not exist for the jobs that are on offer. The fact that those opposite are shouting in this parliament—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** Name one.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** It just shows how little interaction—

*The Hon. T.J. Whetstone interjecting:*

**The SPEAKER:** The Minister for Primary Industries, be quiet.

**The Hon. S.S. MARSHALL:** —they are having with regional South Australia. As I said, employers would love to employ people in local areas. There are significant skill shortages across regional South Australia, and it seems now—

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

**The SPEAKER:** The Minister for Education, please.

**The Hon. S.S. MARSHALL:** —that not only are we the only ones prepared to take action but it now seems that the opposition is now opposed to the effective dealing with the skill shortages in regional South Australia.

**Mr Malinauskas:** Supplementary.

**The SPEAKER:** I will come back to the leader. The member for Kavel has the call.

### GLEN OSMOND ROAD INTERSECTION

**Mr CREGAN (Kavel) (14:32):** My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on the Morrison and Marshall governments' plans to upgrade the intersection of Glen Osmond Road and Fullarton Road as part of the government's congestion-busting plans?

**The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:32):** I thank the member for Kavel for his question. I know that Glen Osmond Road is a road that he would have to traverse on a daily basis as he comes down from on high, in Mount Barker, down into this place.

One of the key choke points along that road for the 27,000 to 28,000-odd motorists who drive down Glen Osmond Road on a daily basis is the Glen Osmond Road-Fullarton Road intersection, and it is a key choke point that stops the member for Kavel getting to this place earlier. Well, the Marshall Liberal government, together with the Morrison Liberal government, are going to help make that better. There is \$35 million on the table in the federal budget—it will also be in the upcoming state budget—to provide an upgrade to that very key intersection for the 55,000 vehicles that use that road on a daily basis.

This is a major link between the Hills and the CBD area, but from a north-south perspective Fullarton Road is also a key part of Adelaide's metropolitan traffic network. As the member for Unley, the Minister for Innovation and Skills, pointed out this morning, this is also the intersection that is the subject of the most complaints in that inner eastern and south-eastern suburbs area. It is an intersection that has a significant amount of local traffic that seeks to avoid that intersection, but it has also been the subject of a series of casualty accidents over the last five years—34 crashes, of which 11 involved casualties between 2013 and 2017.

This intersection upgrade forms part of a broader plan that we have to improve traffic congestion right through the Adelaide area: seven intersection upgrades as well as two level crossing removals right across our network so that we can help get people to and from where they want to go more quickly. We would much prefer to see people sitting at home with their loved ones than sitting frustrated in traffic at a red light.

This also forms part of a massive injection of funds that the federal Morrison government is putting into South Australia. It is the result of a grown-up conversation between two governments that has delivered 11½ per cent of the national share of new money into South Australia for South Australians. What is really exciting here is that this money is all in the forward estimates; it has all been budgeted for.

But there is a risk because what we have seen from Bill Shorten and from the federal Labor opposition is equivocation when it comes to their support for these measures. We have not had confirmation that Bill Shorten, if he were to ever gain control of power in Canberra, would support these measures. That is a risk. Something that I think South Australians going to the ballot box are going to keep in mind is whether or not these promised upgrades, which are planned for and ready to go, will actually be delivered if there is a change of government at the federal level.

Early works of this project are planned to start early next year, with completion in 2022. For the people of the member for Unley's electorate, for the people of the member for Kavel's electorate, for the people of the member for Heysen's electorate and also for the member for Hammond's electorate, there is a change for the better coming. It is based around putting money on the table to improve traffic in our cities. I look forward to that being completed as soon as possible.

*Mr Malinauskas interjecting:*

**The SPEAKER:** The Leader of the Opposition will not taunt ministers.

### DESIGNATED AREA MIGRATION AGREEMENTS

**The Hon. S.C. MULLIGHAN (Lee) (14:36):** My question is to the Premier. Does the Premier stand by his remarks earlier that the detail of the agreement is still being negotiated?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:36):** I will come back with a detailed answer to that. My understanding is that there are still some elements of it being finalised.

**The Hon. A. Koutsantonis:** That's not what you told us before.

**The Hon. S.S. MARSHALL:** That's exactly what I said before.

**The SPEAKER:** Order!

#### DESIGNATED AREA MIGRATION AGREEMENTS

**The Hon. S.C. MULLIGHAN (Lee) (14:37):** Again my question is to the Premier. Can the Premier please explain to the house why departmental officials have advised that the DAMA is a finalised formal agreement between the state government of South Australia and the commonwealth?

*Members interjecting:*

**The SPEAKER:** Order! The Premier has the call.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:37):** I think I have answered that question.

*The Hon. V.A. Chapman interjecting:*

**The SPEAKER:** The Attorney-General is called to order.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**The Hon. S.C. MULLIGHAN (Lee) (14:37):** Can the Premier please explain to the house why departmental officials have also advised that there are no further negotiations required on the DAMA except a review in a year's time?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:37):** That is a clause within the contract, that we will have the opportunity to look at the list of occupations on an annual basis, but the advice I have received is that there are still some elements of the DAMA which are yet to be finalised. I will get some more information on that and come back to the house.

*Members interjecting:*

**The SPEAKER:** The Minister for Transport is called to order. Offering facts is different from asking about facts that may be in the public domain.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**The Hon. S.C. MULLIGHAN (Lee) (14:38):** My question is to the Premier. Why didn't the Premier tell South Australians in March that part of the agreement he signed included a clause that would see migrant workers earn up to 10 per cent less than mandated minimum migrant salaries in regional areas?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:38):** Well, I have answered this question multiple times. Obviously the Leader of the Opposition has given up, so now the member for Lee is having a go. Some people on our side have suggested it's an audition but—

*Mr Brown interjecting:*

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

**The Hon. S.S. MARSHALL:** —I wouldn't say it's an audition.

**The Hon. S.C. MULLIGHAN:** Point of order: relevance and debate.

**The SPEAKER:** There is a point of order for debate. The question was pretty specific. The Premier has had some time to warm up. I ask him to get on with it.

*Mr Brown interjecting:*

**The SPEAKER:** The member for Playford can leave for 20 minutes under 137A.

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

**The Hon. S.S. MARSHALL:** It's exactly and precisely as I have answered before. It's exactly the same question that we have had previously, and I have answered the question in a fulsome manner.

**The SPEAKER:** The answers were short. I will give the member for Lee one more and then I will switch to my right.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**The Hon. S.C. MULLIGHAN (Lee) (14:39):** My question is to the Premier. Why is the Premier providing more opportunities for lower paid migrant workers while the number of unemployed South Australians continues to increase?

**The SPEAKER:** That has definitely got argument in it and I will switch to my right. The member for Flinders has the call.

#### DOG FENCE

**Mr TRELOAR (Flinders) (14:39):** My question is to the Minister for Primary Industries—

*Members interjecting:*

**The SPEAKER:** Order! The member for Flinders has the call.

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

**The SPEAKER:** Premier, please! You will be leaving early for the airport.

**Mr TRELOAR:** My question is to the Minister for Primary Industries and Regional Development. Can the minister please inform the house how the government is supporting growth of the state's livestock industries by protecting livestock from predation by wild dogs?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:40):** Yes, I can. I thank the member for Flinders for his very important question. He knows only too well what the protection of our livestock industry is about. He is one of the great sheep farmers of the state, alongside the member for MacKillop. What I can say is that this morning I stood alongside the federal member for Grey, Rowan Ramsey, to make a collaborative announcement with the Morrison Coalition government, the Marshall Liberal government and the livestock industry to announce a \$25 million initiative for the rebuild of the dog fence.

It is a fence that is 100 years old. It is a piece of national infrastructure, which has been overlooked for many years, to be rebuilt. What we have seen now is that the wild dogs are heading south. Sadly, we are seeing more and more numbers of lambs, calves and animals that are being attacked by the wild dogs. For instance, back in 2016-17 it was reported that about 10,000 lambs were taken. This year alone, it has been reported that more than 20,000 lambs have been taken and we know that we have lambs and sheep at record prices, wool at record prices.

Today was a great day not only for the pastoralists, not only for our farmers, but it is a great day for the meat industry, the red meat sector in South Australia: a \$10 million commitment from the Coalition, a \$10 million commitment from the Marshall Liberal government and a \$5 million commitment from the livestock industry. This is a great initiative. The 5,400 kilometre-long fence is the longest fence in the world. Here in South Australia, the fence is around 2,150 kilometres and the majority of that now needs a rebuild, not just a repair.

So again the Coalition will work with the state government and industry to rebuild the fence, and it is great news for the pastoralists. What I can say is that now pastoralists have a government that is their friend, a government that is prepared to put the money there to protect their industry, to protect the red meat sector, making sure that we can actually grow our economy because we know that the red meat sector is one of our largest growing economies.

We are facing challenges at the moment with the drought. We are facing challenges at the moment with a number of stock that are being sold due to feed shortages, but what I can say is that we have a grown-up government working with the Coalition, making sure that we actually protect one of our vital industries here in South Australia. It is also important to note that it will create jobs—

\$25 million worth of fence is a lot of fence—16 initial construction jobs and, as the fence progresses, we will see up to 63 full-time equivalent jobs there to build the fence.

**The Hon. A. Koutsantonis:** Get migrant workers. They will be cheaper.

**The Hon. T.J. WHETSTONE:** The member for West Torrens thinks he an expert on fence building.

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** He is not an expert on anything. What I can say is—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. T.J. WHETSTONE:** What I can say is that the dog fence is there to stimulate an economy here in South Australia. What we will say is that the benefit of this fence, once it is commissioned, is expected to give dividends of around \$120 million to the South Australian economy. That is a significant contribution to our economy. It is a significant shot in the arm for the livestock industry, but it is also a significant shot in the arm for our export sector. We know that red meat is one of our largest economic exports. The world is crying out for good quality red meat. South Australia has it. The Marshall Liberal government is prepared to stand up, be counted and contribute to that because #RegionsMatter.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**The Hon. S.C. MULLIGHAN (Lee) (14:44):** My question is to the Premier. Which regional areas of South Australia does the regional Designated Area Migration Agreement cover?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:44):** My recollection is that it is the entire regional South Australia and it is based more upon occupation than anything else. We have a second DAMA, which is more linked to the City Deal in South Australia. Further to my previous answer, I am advised that the DAMA itself has been finalised with the federal government, and that the—

**The SPEAKER:** Order! I would like to hear this answer, please.

**The Hon. S.S. MARSHALL:** The DAMA has been signed. The internal operational guidelines, which will come into effect on 1 July this year, are yet to be finalised. It is an excellent agreement for the people of our state. Most importantly, it addresses the issues that have been raised with us and, quite frankly, with those opposite for an extended period of time across regional South Australia. By contrast, of course, we note that the federal Labor Party has said that they have a policy to very significantly increase the TSMIT (temporary skilled migration income threshold) here in Australia.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** I don't know whether it is possible—

*Mr Szakacs interjecting:*

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

**The Hon. S.S. MARSHALL:** —for you to speak to some of your country members.

**The SPEAKER:** I do all the time.

*Members interjecting:*

**The SPEAKER:** Order! I talk to them all the time.

**The Hon. S.S. MARSHALL:** I don't know whether the opposition, sir, might speak to some of their country members and get some advice on the effects of increasing the TSMIT from the low \$50,000 up to mid \$60,000 per year. This will—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —unequivocally lead to further skill shortages right across regional South Australia. Let's be quite clear, all employees in Australia are covered by the protections of the award system and various enterprise bargaining agreements. So we are not talking about taking away the other protections that exist, but the action that the federal Labor Party is now suggesting will have significant detrimental effects on very many regional companies in this state, and this is one of the reasons why we have sought to have our own DAMA for regional South Australia—750 people per year so that we can grow the size of our regional economy in this state.

#### **DESIGNATED AREA MIGRATION AGREEMENTS**

**The Hon. S.C. MULLIGHAN (Lee) (14:46):** My question is to the Premier. Is the Premier aware that the unemployment rate in Port Pirie is 11.2 per cent?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:46):** Yes, there are some very significantly high unemployment rates across regional South Australia, but those people who have ever been to regional South Australia, spoken to employers, spoken to mayors and civic leaders, will note that in many of those regional cities and towns the skill differential is a problem. You have people there who are looking for work but they don't have the skills to actually take up these roles.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** This is something that if those opposite spent more than five minutes—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —playing the politics and sat down—

*The Hon. D.G. Pisoni interjecting:*

**The SPEAKER:** The Minister for Innovation!

**The Hon. S.S. MARSHALL:** —with people from regional South Australia, they would know this. I think it would be worthwhile speaking to members right across this parliament. I think that the Leader of the Opposition could spend some time with his members who come from regional South Australia, ask them the question and then come back and report to this parliament that the DAMA is not required, that skilled migration is not required in country areas and that the TSMIT should be moved to \$65,000. I do not think that you could—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —possibly find one regional member in this place who thinks that the TSMIT should be increased to \$65,000.

#### **RECREATIONAL FISHERS**

**Mr COWDREY (Colton) (14:48):** My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house on how the state government and the Coalition government are improving opportunities for recreational fishers?

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:48):** I thank the member for Colton for his very important question, and I know that he loves to get down to the Henley jetty to catch fish, just like I did when I was his age.

It is important to understand that the Morrison Coalition has announced a great support package for recreational fishing nationally, just like the Marshall Liberal government has here in South Australia. What I can say is that a re-elected Morrison government will deliver more fishing

opportunities for recreational fishing experiences: \$20 million for fishing and camping facilities to improve, maintain and build new boating and marine rescue, fishing and camping facilities and an \$8 million investment into habitat restoration.

We know that we have some great new habitat and artificial reefs. We have fish hotels in the rivers. All these habitat initiatives are a great part of what recreational fishing means to the enthusiast. We are delivering on our national fishing plan by working with recreational, commercial, Indigenous and aquaculture fisheries to develop a commonwealth fisheries resource-sharing framework and providing \$400,000 for capacity building in fishing representation. What it shows is that the Morrison Coalition government is out there on behalf of the rec fishing sector, just like the Marshall Liberal government.

Recently, we upheld an election commitment and that was to set up the Recreational Fishing Advisory Council. I thank the member for Frome for hosting the inaugural meeting a couple of weeks ago. What we saw on 17 April at Port Pirie was that we now have nine truly representative people—passionate recreational fishers—who have come together to give the government a conduit for what recreational fishing needs.

It is not about going to government and giving the government what they want to hear. This group is a dedicated and loyal group of people who are going to give true connectivity to government. It is about understanding what the 277,000 rec fishers of South Australia are truly looking for. They are looking for a government that is listening, but they are also looking for a representative body that can actually be that true conduit.

I must say, too, that the fishing sector has already asked for change, and they have delivered with the creation of this council. I would also like to congratulate Graham Keegan, who has now been appointed the chair of the Recreational Fishing Advisory Council. The key task for the Recreational Fishing Advisory Council will be to develop a growth strategy for the sector.

Working with the Morrison Coalition, the Marshall Liberal government can achieve great things for the rec fishing sector. We know that the rec fishing sector has been disjointed under a previous government because they used to drive the wedge in and pit one sector against another. We will work together to grow the rec fishing sector here in South Australia.

#### **DESIGNATED AREA MIGRATION AGREEMENTS**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:51):** My question is to the Premier. Will the Premier immediately release the list of occupations and skill shortages that his DAMA seeks to address?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:52):** I don't have that with me at the moment. I will seek advice from the department as to whether that is appropriate.

#### **DESIGNATED AREA MIGRATION AGREEMENTS**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:52):** My question is to the Premier. If it is appropriate in the Northern Territory, can the Premier assure the house that, if it's appropriate in South Australia, it will be released?

**The SPEAKER:** That does postulate a state of affairs that may not exist.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:52):** I have nothing further to add to my previous answer.

**The SPEAKER:** The Premier has answered.

#### **FINANCIAL WELLBEING PROGRAM, PORT PIRIE**

**The Hon. G.G. BROCK (Frome) (14:52):** My question is to the Minister for Child Protection. Can the minister please advise the number of regional staff in Port Pirie who will be affected by the outsourcing of the financial wellbeing program currently run by the Department for Child Protection that will be transferred out to non-government organisations by the end of June 2019? Can the minister also advise, if those affected will be offered redeployment, what regional government agency

will be offered to them and what capacity these regional government offices have to take them on board?

**The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (14:53):** I thank the member for his question. It was very detailed and I might take it on notice and bring it back to you.

#### DESIGNATED AREA MIGRATION AGREEMENTS

**The Hon. S.C. MULLIGHAN (Lee) (14:53):** My question is to the Premier. Is the Premier aware that the unemployment rate in Murray Bridge is 7.2 per cent?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:53):** Yes, it's too high.

#### FOOD, TOURISM AND HOSPITALITY INDUSTRIES

**Mr DULUK (Waite) (14:53):** My question is to the Minister for Innovation and Skills. Can the minister update the house on how the state government is growing our world-class food, tourism and hospitality industries?

**The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (14:53):** Thank you—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —very much—

*The Hon. Z.L. Bettison interjecting:*

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

**The Hon. D.G. PISONI:** I thank the member for Waite for his enthusiasm in asking this question and also for his enthusiasm in his patronage of the Belair Hotel supporting the tourism and the hospitality industry in the seat of Waite. I won't mention how many nights a week—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** —but he's a strong supporter of the hospitality and tourism industry in his seat of Waite. The Marshall Liberal government is passionate about South Australia's food, hospitality and tourism industry.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. D.G. PISONI:** We have some of the best produce in the world—

*The Hon. Z.L. Bettison interjecting:*

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

**The Hon. D.G. PISONI:** —and we want to make sure that South Australians have the skills to present that produce for the world to enjoy. Recently, the federal government announced the commencement of a scoping study to establish an international centre for food, hospitality and tourism studies at Lot Fourteen. HASSELL's Adelaide office is the lead consultant on this project.

Together with the Morrison government, we have already committed \$60 million to deliver the new centre. The project is on track, with a scoping study starting immediately to enable construction to begin next year. On completion, it will play a key role in increasing the number of international students—

*The Hon. A. Koutsantonis interjecting:*

**The SPEAKER:** The member for West Torrens is warned.

**The Hon. D.G. PISONI:** —studying here in South Australia. Of course, that is part of our growth agenda: more international students coming to South Australia. In the meantime, we are



ensuring our hospitality industry is supported by a skilled workforce. Under Skilling South Australia, that is a \$203 million investment between the Morrison government and the Marshall government.

Just recently, there have been two new projects designed specifically for the industry by the industry. The Career Employment Group have developed an entry to commercial cookery pathway for hospitality trainees, involving 60 participants. The quality hospitality group have commenced their 'Apprentice today, Chef for life' project, involving 62 participants. This has been so successful that we have now released a second program with an additional 30 participants in that space. This is an area that has significant skill shortages and, by dealing with and working directly with industry and understanding what industry needs, we are delivering for industry so that they can employ South Australians.

The project is designed to fill a large number of cookery apprenticeship vacancies. These outcomes will be delivered by the state government listening and responding to industry needs. A newly established Food, Wine, Tourism and Hospitality Industry Skills Council is one of eight industry skills councils where we are getting our intelligence directly from the industry so that we can understand what their barriers are to taking on apprentices, understand where their skill needs are and what enablers they need in order for them to participate in South Australia's training program.

#### STATE DEBT

**The Hon. S.C. MULLIGHAN (Lee) (14:57):** My question is to the Premier. Why did the government remove the upper limit on general government sector debt in its budget fiscal targets?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:57):** That issue has been canvassed quite extensively by the Treasurer previously but, in short, the reality is that we want to grow our economy. We make no apology for growing our economy in South Australia. The cost of capital at the moment is at a historic low. I remember addressing the parliament on this issue in the past. We need to grow our economy, we need to grow jobs in South Australia and, from time to time, we do need to invest very significantly in some of the capital requirements of our state.

When we came to government, we didn't have the productive infrastructure in place that we need as a state to grow and to support that growth, so we are now proceeding with that work. One of the things that we have done and one of the major reforms that we have put in place is the establishment of Infrastructure SA, which will develop that long-range productive infrastructure plan and assure the people of South Australia that when we spend money on their behalf we are doing it for the highest value, highest return projects so that we get a return on that investment.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** There is, of course, a cost of that capital, but we also look at the benefit from that capital being deployed on productive infrastructure that is just so necessary to get our state moving.

#### STATE DEBT

**The Hon. S.C. MULLIGHAN (Lee) (14:58):** Can the Premier explain to the house why this debt increases over the forward estimates by over three times the value of new capital expenditure in the budget?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (14:58):** I am pretty sure I answered that about one minute ago, but the reality is that—

*Members interjecting:*

**The SPEAKER:** Order! We have had the question.

**The Hon. S.S. MARSHALL:** —when you spend more on capital, unless you are going to fund it out of massive surpluses, then it has to basically come from debt or flogging off assets that you might have. Those opposite—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —literally made an art form of flogging off everything that wasn't nailed down. As it turns out, there is not much that we could sell off even if we tried.

*Mr Pederick interjecting:*

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

**The Hon. S.S. MARSHALL:** That was a low point for the previous government, but it certainly gave us much cause for jocularity for quite some time. The reality, though, is that we are very careful in our consideration of increasing the debt of the state. The cost of that capital at the moment makes it a far more attractive investment for our state at the moment. If we had to wait and post massive surpluses for South Australia to fund that capital investment I think, quite frankly, that we would be really slowing down our state even further from where it has been.

Historically, over the last 16 years we have had very sluggish economic growth. We don't accept that. We see some very nice green shoots for the South Australian economy at the moment. It is only early days, but we were very heartened by the state final demand figures which came out for the December quarter and which show that South Australia is growing four times faster than the national economy. It is early days and they are very small green shoots, but we believe as the government that we are heading in the right direction.

We are not prepared to put the handbrake on. Those opposite, in the lead-up to the state budget, were out there with their typical pre-budget smear campaign and fear campaign, saying that somehow the new government was going to come in and turn the tap off in terms of infrastructure investment in this state. In fact, some believe—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —that we still have. But the reality is that we very significantly increased our investment in infrastructure in South Australia. We do that with pride. Yes, it's increasing the debt, but the careful selection of the projects means that we will get a return. This is exactly the same way that a businessman looks at a capital investment or a family looks at a capital investment: they look at whether or not it will provide a return.

When a piece of equipment is purchased, or a new building is purchased for a business, the business shareholders look very carefully at what is the investment and what is the cost of that capital, the servicing of the loan over that period and what the benefit is going to be. That's exactly the same rationale that we have applied for the projects that we have announced in our first budget. I look forward to announcing our new range of capital investments in June this year.

#### UNITED STATES, TRADE AND INVESTMENT

**The Hon. A. KOUTSANTONIS (West Torrens) (15:01):** My question is to the Premier. What key performance indicators has the Premier set himself for his upcoming visit and trip to the United States?

**The Hon. D.G. Pisoni:** We won't be spending \$51,000 on business class fares—

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

**The Hon. D.G. Pisoni:** —and 320 on laundry.

**The SPEAKER:** The Minister for Innovation can leave for the rest of question time. Thank you.

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

*Members interjecting:*

**The SPEAKER:** Order! The Premier has the call.

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:02):** That was quite an amusing prelude to an otherwise important question in the house. This is a very important trade trip. We

haven't realised enough advantage out of the United States of America. It is the largest economy in the world. It is a complex economy, and in fact there are some states of the United States that are significantly larger than the entire Australian economy. It's a diverse economy and it's one where we haven't really been able to extract or realise a big opportunity for our state.

Some sectors have done well. We look at areas like red meat and we look at areas like wine, but we haven't been able to get as much out of the creative industries, and we haven't been able to get as much out of our defence and aerospace, and potentially cyber, as we have in the past. Our goals for this trip are to make sure that we can address a range of sectors, which I have already outlined to the parliament earlier today. We are looking not only for exports but also for investment attraction into South Australia and more tourists into South Australia. All these things are critical for us in this state—

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —to grow the economy, and that is our focus.

### SPORT AND RECREATION FACILITIES

**Mr BASHAM (Finniss) (15:03):** My question is to the Minister for Recreation, Sport and Racing. Can the minister update the house on what steps the Marshall government is taking to make sporting facilities across the state family friendly?

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:04):** I thank the member for Finniss very much for his question and note the passion that he has for sport. In fact, I was with him a few months ago, down at the Port Elliot Bowling Club, rolling a few ends. He was very impressive and left me for dead.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** It is a great bowls club in his local community. The Marshall government is very proud to be investing in our future and in our sporting facilities.

*Ms Hildyard interjecting:*

**The SPEAKER:** The member for Reynell can leave for the remainder of question time.

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

**The Hon. C.L. WINGARD:** It's sad to see the member for Reynell go, but I'm sure she will read the transcript.

**The SPEAKER:** Let's get on with it, thank you.

**The Hon. C.L. WINGARD:** As I was saying before I was rudely interrupted by those on the other side, it is great to be delivering facilities for our South Australian sporting stars of the future. Girls, boys, men, women, we want to include everyone of all ages. We will soon be rolling out our \$24 million program to improve facilities—

*Members interjecting:*

**The SPEAKER:** Order! Yes, I can see them, member for Hammond.

**The Hon. C.L. WINGARD:** —for men, women and families in football, cricket and netball, some sports that are growing in huge numbers, in particular in female participation. We are excited about that. We are keen to put in facilities but lights as well, lights to keep people safe and allow people to train. They are the things that the communities are saying they want. Again, I know that in Port Elliot they got some lights for their tennis courts so they can play deeper into the night, get more people on the courts and play at more family-friendly times as well. The Victor Harbor footy club, as well—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** —got \$25,000 for lights. When we speak to people out there, what they say they want to do is that they actually want to play and get on the field. Yes, they want to get changed, but there is no point getting changed if there are no lights on the field and you can't go out and train. So it is really important to make sure that we get the whole lot.

*Members interjecting:*

**The SPEAKER:** Order, members on my left! The minister has the call.

**The Hon. C.L. WINGARD:** What we also want to do is make sure that these facilities are there for families so families can use them. I know that the previous government spoke a lot about female facilities, and it's important to get females involved.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** But when we go out and speak to these people in the regions and in the cities about their sporting infrastructure, they want to make sure that families can play, that families can get involved. So what we have done is made sure that we build facilities that men can use and women can use.

*Mr Odenwalder interjecting:*

**The SPEAKER:** Member for Elizabeth, be quiet.

**The Hon. C.L. WINGARD:** We might have girls' carnivals or women's carnivals, and all the facilities can be rolled over and used because the change rooms are unisex; they can be used by all people. The next week, it might be the boys' turn or the men might be playing and, again, all those facilities can be utilised. We are not just leaving a change room sitting there and, if one sex is playing, no-one can use them. That doesn't make sense. We are getting everyone to use the facility when they are there. We had to tweak some of the previous government's announcements.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** One of them was at Unley. I noted that the Mayor of Unley, Michael Hewitson, made this point when he adapted the female facilities funding because he wanted to get more value out of the investment that was being made. He said:

It's far more than just women only, it's also the guys. We've now got two changerooms in the old facility available to all our schools and all our community events for different levels of competitions, for athletics days, for carnivals, even for a fair.

Again, the investment is there, but what we have done is made sure that everyone can use it. Families want to use it. It is not just there for one person: it is there for everyone, and that is really important. We don't want the double up.

We are putting the facilities in place—change rooms, lights, ovals and precincts like that—but we are also making sure that we are getting our young people available to use them, so we have increased the sports voucher. The previous government didn't fund the sports voucher. It was at \$50. We put that \$50 back in and added \$50 to it as well, so there is \$100 for young primary school students who want to play competitive sport. We are encouraging that, and the numbers have grown. Already, we have put \$2.2 million back in the pockets of South Australian families—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. C.L. WINGARD:** —so that they can help their young people to get out there, play sport and be active. It is keeping our communities healthy, it is keeping them active and people are absolutely loving it, especially in the electorate of Finnis.

*Parliamentary Procedure***VISITORS**

**The SPEAKER:** Before I call for the 20<sup>th</sup> opposition question today, I welcome to parliament the former member for Hartley Mr Joe Scalzi.

**The Hon. A. Koutsantonis:** The Lion of Hartley.

**The SPEAKER:** The Lion of Hartley, correct.

*Question Time***UNITED STATES, TRADE AND INVESTMENT**

**The Hon. A. KOUTSANTONIS (West Torrens) (15:08):** Firstly, sir, could the member please table the quote from the Mayor of Unley and the source, and my question is to the Premier.

**The SPEAKER:** Let me deal with the minor issue of tabling a quote. I didn't see the minister reading a quote. Was the minister reading a quote and, if so, is he happy to table that document?

**The Hon. C.L. WINGARD:** Yes, sir, more than happy to table it.

**The SPEAKER:** Thank you. The member for West Torrens has the call.

**The Hon. A. KOUTSANTONIS:** My question is to the Premier. Can the Premier provide the details of how many contracts he will sign, how many jobs will be created and how much incoming investment these contracts will secure as a direct result of his visit to the United States?

**The Hon. S.S. MARSHALL (Dunstan—Premier) (15:09):** I thank the member for his question. I note that he has given us a very quick snapshot of how they ran the media—I mean, the government, when they were last in power. They would set up a series of signing arrangements—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —while they were there. I have reviewed some of those documents. Some of them could be worth the paper that they are written on—

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —but many of them were just documents that the previous government wanted to head over and have a photo shoot on.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** They made a lot of fanfare about the number of people they would take on missions. This was their KPI: the number of photographs taken, press releases put out.

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We are taking a—

*Members interjecting:*

**The Hon. S.S. MARSHALL:** I remember one, sir. I can't remember the name of the car. Maybe somebody over there could remind me, but—

**The SPEAKER:** Tesla.

**The Hon. S.S. MARSHALL:** —there was one fabulously important car that we were going to be manufacturing down at Tonsley. Now, what was the name of that car that you guys signed off on?

*Members interjecting:*

**The Hon. S.S. MARSHALL:** No, they don't like that. Sir, I know that you are interested in this, so I am going to do some research on some of the fabulous press conferences and deals that the former government signed up to. I won't waste any government resources. I will do it in my own time because it could be—

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

**The SPEAKER:** There's a point of order, Premier. Premier, please be seated. I think I have the point of order. It's for debate. It's a fair point of order. The Premier is entitled to some contrast between the former government and the current government, but I think he has stepped over that mark and I ask him to return to the substance of the question, thank you.

*An honourable member interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** We don't have a carefully scripted media scenario, unlike those opposite for their overseas trips. We are genuinely after growing the size of exports out of this state. I just ask you—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —to reflect on the outcomes of the 16 years the previous government were in power. When they came to power, South Australia represented 8.5 per cent of the nation's exports. That's what happened when they came to power. When they left, we had less than 4 per cent—less than 4 per cent. That's what their hopeless management—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —of exports and investment attraction delivered for the people of South Australia. That, of course, manifests into an exodus of capital and young people out of our state. We say, 'No more.' No more government—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —led by media outcomes, but a government that is focused on delivering for the people of South Australia. Every single day that we are in government we are going to be focused on the interests of the people of our state, growing our economy, growing jobs—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —stopping young people giving up hope in this state. We want those young people to have their future here in South Australia and that's why we are working on—

*Members interjecting:*

**The SPEAKER:** Order!

**The Hon. S.S. MARSHALL:** —attracting more investment into South Australia, more jobs, and the benefit of that will be felt for many generations to come.

**The SPEAKER:** Before I call the minister, the member for West Torrens is correct. I interjected the word 'Tesla' during the Premier's answer. I withdraw that statement. I should not have made it. I warn myself. I now call the Minister for Energy and Mining.

*Parliamentary Procedure***QUESTIONS ON NOTICE**

**The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:13):** Thank you very much, Mr Speaker. Before question time, you made reference to some questions on notice. You referred to the ones that had been responded to. I make reference to question on notice No. 709, which was signed off by me on 17 April but I notice was not included in the list of those that have been received and so I table it.

*Grievance Debate***WAGES GROWTH**

**Mr MALINAUSKAS (Croydon—Leader of the Opposition) (15:13):** South Australia and Australia have a wages problem. Every single credible economist, and every single credible social commentator, has been noting for some years that Australia and South Australia have a wages problem. We have had the lowest wage growth ever recorded in the history of our nation, according to the Australian Bureau of Statistics.

We know that over the last five years in particular—in fact, since 2013—the Australian standard of living has been compromised when you take into account income and equality as a nation. All this is occurring of course at a time when profits have never been higher. As a percentage of our economy as a nation, profits are the largest they have ever been. Profit growth is the highest it has ever been but, simultaneously, wages growth has never been lower. We on this side of the house, as I think a growing number of Australians appreciate, realise this is not just a fundamental economic problem but an enormous question of social equity.

Whenever you see working people experiencing higher costs of living but at the same time struggling with their capacity to deal with that because of lower wages growth and our economy, we do not have just an economic problem; we have a social problem. We on this side of the house, people in Labor, understand that that is a problem worth addressing. We also know that unemployment has been a problem for this state. The fact is there are more unemployed people in South Australia today than at the change of government at the last state election. We know that it is an irrefutable fact that the unemployment rate is higher today than at the state election in 2018.

So what is this government's response to a wages problem and an unemployment problem? Their response is to sign South Australia up to a regional migration agreement that provides for lower wages for migrant workers than would otherwise be the case. Today, during the course of question time, we learned that the justification that the Premier has for signing us up to this deal is a supposed skills shortage, or a shortage in the labour market that needs to be addressed. I am not too sure where the Premier is coming from if he thinks that we address a labour shortage, a skills shortage in the market, by offering lower wages.

I do not know about you, Mr Speaker, and I do not know about anyone else in the chamber, but I have not met a worker who decides to change jobs on the basis of the prospect of lower pay for another opportunity around the corner. Nobody chooses lower wages, yet that is exactly what this Premier is providing for. There is absolutely no logic to conclude that signing South Australia up to a regional migration agreement that actively puts downward pressure on wages in our economy and actively seeks to bring in more workers from overseas on a lower rate of pay than would otherwise be the case would result in addressing a skills shortage within the labour market.

Instead, what we know is that any policy effort, including a regional migration agreement that provides for lower wages and puts downward pressure on wages within our economy, amounts to an Americanisation of our labour market. No-one believes that the answer to our economy's problems is a race to the bottom on wages. Let's be clear about the profound economic impact that this potentially has. Not only does bringing in workers on lower wages than would otherwise be the case potentially displace opportunities for young South Australians, particularly South Australians in regional communities, but we also know that it has the capacity to have a massive impact on small businesses in those local communities.

We understand on this side of the house that when working people get a wage rise, they are likely to spend it. When they spend it, they spend it in local businesses—small businesses. The butcher, the baker, the candlestick maker are all better off as a result of higher wages in our economy. When this government puts downward pressure on wages, puts downward pressure on wages in regional communities at the expense of local workers, we know that has the potential to have a profound economic impact and also a profound social impact.

We on this side of the house believe that same job same pay is a principle worth pursuing. We believe on this side of the chamber that immigrant workers should not be getting discriminated as to how much they are paid on the basis of where they come from and when. Everybody working in this economy deserves the opportunity for a decent standard of living at a decent rate of pay, and we cannot believe that this government would sign us up to anything but that.

### ANZAC DAY COMMEMORATION SERVICES

**The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:19):** I would like to make a contribution particularly on recent ANZAC Day services around the electorate of Chaffey, three of which I attended. It was a great day. I was lucky enough to be at the memorial gardens at Barmera early in the morning, at 5.30am. It was a cold and pretty dark morning, but the service was well attended by some 1,000 people. It was probably one of the better attended services in the electorate.

We saw the passion and dedication of the large number of attendees who came along to that service. I want to make the point that a number of young people came to that service, as they did to all the services that I attended. That really is a mark of respect, and our young people are carrying on a great tradition. They have an understanding of those who fought for our country, giving us the freedom, which we acknowledge and enjoy, to walk the streets freely today.

The thousands of people who came out to attend services across the region reflect the sacrifice made by the Australian men and women to protect our country and those who are still deployed overseas in Afghanistan, Iraq and other bases around the globe. I was so proud to be able to stand tall when I attended these services in the electorate as the *Last Post* rang out and as the tears ran down the faces of some of those who had such fond memories of their loved ones, of the family and friends that they now miss. It really is a very sobering thought.

Attending those services gave me the opportunity to reflect on the times when those people left their loved ones. The Riverland, particularly Renmark, has a proud history of a ratio of population who have been involved in areas of conflict around the world that is almost second to none. Some of them who came home are there to tell the story on behalf of those who were not able to come home—those who were injured, those who lost their lives, those families. Some of the stories sadly reflect the aftermath, the illness that has now afflicted some of those minds and some of those bodies.

I will reflect again on the dawn service at Barmera's Garden of Memory because, as I said, it was attended by many. The service displayed high regard and showed me that all in the Riverland are very proud of the people who went to conflict, went to war, representing them and giving them the opportunity to live the life they do.

I then drove down to Waikerie to attend the morning service. I was honoured to speak with 'Jimmy' James Bennett. What a character! He is in his mid-90s and a World War II veteran. He read the *Ode of Remembrance*. Jimmy is a reciter, and he proudly recites it like no-one I have heard before. He and the Waikerie RSL branch president, Maurie Summers, conducted a very dignified service at Waikerie, which had a great attendance. Every year I attend these services the numbers are increasing, so that is really great.

I was then able to travel up to Renmark, where I attended the second service. About 500 people gathered at the Cross of Sacrifice at the dawn service. Then at the mid-morning service we had the ANZAC Day service march, with an even larger crowd there. What really rang home was a keynote speech by Loxton High School student Lily Bright, who gave a tremendous speech, as did Harry Lock, a man who enlisted in the Australian Army in 1940 when he was just 19 years of age.

He led the march in front of the local emergency services members, the cadets, the service men and women, the Renmark Cubs and Girl Guides and also the Sikh community. Again, they were



part of the march. They have done an outstanding job. They have become so intrinsic to the local communities that they, too, are proud to be part of the march to remember those who served and sacrificed. The Returned and Services League clubs across the region did a fantastic job. I commend all the organisers for such a wonderful ANZAC Day.

### BOOTHBY ELECTORATE

**Ms STINSON (Badcoe) (15:24):** We need a change in the seat of Boothby. As you would know, Mr Speaker, a fair chunk of the electorate of Badcoe overlaps with Boothby and, as a Boothby resident myself, I obviously take a keen interest in ensuring that the people of the inner south-western suburbs get a fair go. This will be a very close contest and voters in Boothby have a very stark choice. Voters have long complained that the two major parties are too similar. Well, that is definitely not the case at this election and it certainly is not the case in the seat of Boothby.

The Labor candidate, Nadia Clancy, is undoubtedly an outstanding individual, a person who was born in Boothby, schooled in Boothby, spent years playing sport in Boothby and volunteers her time in Boothby. These days she is raising a child with her partner in Boothby. Nadia's family have a lasting connection with this community and are local leaders themselves, just like Nadia.

I have been privileged to be among those supporting Nadia's campaign, and it is because Nadia is a listener and also a great advocate that she has managed to secure a range of commitments from federal Labor. Those commitments include \$1.2 billion toward fixing South Road, including \$95 million in the first Shorten Labor budget, unlike those opposite who have not put any money up-front, and \$105 million to remove the Cross Road level crossing at Westbourne Park. As a local, I know that those boom gates are down for 33 minutes each peak hour, delaying traffic, and the RAA knows it, too, because it is on their list of priorities.

Almost \$21 million is being invested in Boothby schools in the first three years of Labor's Fair Go Action Plan. There is \$5 million for redeveloping the Brighton Oval sports complex, another \$5 million for the Mitchell Park Community and Sports Centre and \$20 million to realign Springbank Road to create a single four-way intersection.

**Honourable members:** Hear, hear!

**Ms STINSON:** Excellent. The Liberal proposal would, of course, make no change to that alignment. There is about \$30 million to upgrade the Fullarton and Cross roads intersection and \$5 million for the Blackwood Community Hub, a commitment not matched by those opposite. All of this and much more is a sign that Nadia is focused on Boothby.

What is being offered on the other side? Well, there is certainly no such focus on the people of Boothby. The Liberal candidate spent her time—her first term as an elected MP—plotting against the elected prime minister at the time, Malcolm Turnbull. Instead of focusing her time on the interests of the people of Boothby, she was sharpening her knives against one of her own. And how do we know that? Well, her name is right there on the petition of the disgraced challenger, Peter Dutton, to overthrow Malcolm Turnbull. She was not holding back; she was one of the first to sign it. So enthusiastic was she for political bloodshed that she was one of the chief plotters.

Obviously, the sitting member was not listening to her electorate because I know a lot of people in our electorate were quite fond of Malcolm Turnbull. Many of them in fact voted for the member for Boothby because they wanted to see the country led by Malcolm Turnbull. What was the upshot of all this time and effort that was put into plotting, like some scene out of *Game of Thrones*? She failed. She could not even organise a proper coup. And now we have ended up with Scott Morrison, who was not even the member for Boothby's first pick to lead her party, let alone our nation.

Another big issue the sitting member has failed to listen to her own electorate on is climate change. The current MP is well known for her climate change denial. With a comprehensive renewable energy and climate change policy, that is simply not a problem for Nadia and it is not a problem for Labor.

Another important area where the sitting member seems to have trouble listening is the many appeals from members of my community—the Boothby community—to disclose her position on her Liberal colleague's decision to axe suburbs in the electorate from the city school zone. Scores of

parents have written to her and sent her postcards and emails and do you know what has happened? They have been ignored or fobbed off, even when they have spoken to her in person at events. The best response that one constituent of mine belatedly received from the member for Boothby was that she has written to her colleague the Minister for Education, but he has not replied to her. That is the standard of interest, concern and action that one can expect if the sitting member is re-elected.

The people of Boothby have a very important task ahead. I hope that they take the time to consider the very stark differences between these two women and, most importantly, who they are really focused on.

### WOODEN BOAT FESTIVAL

**Mr BASHAM (Finniss) (15:29):** I rise to talk about an event that occurred at Goolwa over the weekend, that is, the South Australian Wooden Boat Festival. It was a fantastic event, and it is the 16<sup>th</sup> year they have run it. They do it every other year, so it has been going for 32 years

I was proud to be involved in a couple of parts of the event, the first of which was the mayoral reception on the Friday night, where I was also pleased to have the Hon. David Ridgway from the other place in the electorate talking about how great an event it was, as well as a representative from tourism seeing how good an event the community of Goolwa actually run.

Last Saturday, 27 April, His Excellency Hieu Van Le AO, the Governor of South Australia, accompanied by his wife, Mrs Le, had the privilege of opening the event. Brenton Ragless from Channel 9 was the MC and, with his passion for everything steam, he was very much enthused by being there. He had his family with him as well. It was a great opening. The Governor spoke about the long-term connections previous governors of South Australia have had with naval activities, as well as many other connections with the water. He even pointed out that he had arrived on a boat when he came to Australia, so many interesting connections were raised.

The event was also supported by the attendance of the Royal Australian Navy and one of its helicopter squadrons. They had one of the new helicopters down there showing the audience how they can rescue people from the water. They had someone jump out of the chopper into the water and then extracted them back into the chopper while they were hovering over the water. It was a great sight to see just off the wharf at Goolwa.

There were also many activities available for the community, particularly the children, and one of them actually involved plywood. Teams built a boat to see whether they could race the boat and win an event. It is quite a challenge to build a boat out of nothing but sheets of plywood and then trust your building skills to see whether you can actually float it across part of the river and get it back to the shore again. It was great to see many people involved in that.

It was also great to see many activities for the children. There was a pirate trail, there was a River Murray maze and there was face painting and circus performances. Fantastic miniature steam trains were driving around through the car parks and around the wharf taking children and adults for rides. It was a credit to the operators of those little steam trains and the work they do to actually keep them running, putting their little shovel of coal into the furnace to keep the water boiling.

There were also demonstrations of boat building and restoration at the Armfield Slip. You could take rides on the paddle steamers, and the *Oscar W* and the *PS Marion* were down from Mannum taking rides out to the lower ends of the river. It was a fantastic weekend and a great credit to the community down there, and they have made it a free event. People used to have to pay for the event, but they have decided to bring more of the community and more of the public in by making it a free event.

Great fireworks concluded the first day of the event on the Saturday night. They even had an extra two minutes of fireworks donated to the event to make it even more special. There was also a lone piper who closed the day. It was a fabulous event and a great credit to those who put it on.

**The Hon. A. KOUTSANTONIS:** Sir, I bring to your attention the state of the house.

*A quorum having been formed:*

## CYSTIC FIBROSIS

**Ms WORTLEY (Torrens) (15:36):** Today, I rise to acknowledge May as a month of spreading awareness for a number of important causes, one being cystic fibrosis awareness. Throughout May, Cystic Fibrosis South Australia aims to recognise people living in our communities who are fighting CF, as well as recognise their families and others impacted by this condition, spread awareness and work towards finding a cure.

Across Australia, Friday 24 May 2019 is 65 Roses Day, when funds will be raised through many different events to help support vital services, programs and research for children and adults with CF. It is estimated that one in 25 Australians are carriers of the CF gene and that the majority are unaware of their status. For CF to be transmitted, both parents need to be carriers. In such a case, their child would have a one in four chance of having CF and a one in two chance of being a carrier.

Cystic fibrosis is a genetic disease that affects several organs in the body, particularly the lungs and pancreas. Repeated infections and blockages can cause irreversible lung damage and even result in death. This means that people with CF can have problems with nutrition, and many also have a unique form of diabetes. Cystic fibrosis is the most common genetically acquired life-shortening chronic disease affecting young Australians today. One in 2,500 babies are born with CF, with their life expectancy being 35 to 37 years.

However, there are cases where people have been diagnosed later in life, like local Torrens resident Glenys Kandelaars, who was diagnosed with cystic fibrosis at the age of 61. She was told that she needed a lung transplant but first must gain some weight and work on her fitness and stamina. Countless tests were done to assess her suitability for a transplant. Not everyone is fortunate to reach the point of being suitable and compatible for such a transplant. Glenys' husband, known to many in this place, Gerry Kandelaars, resigned from his position as a state Labor MLC to care for her full time. In his valedictory speech, Gerry said:

It has been a great honour and a privilege to have served the South Australian community in this place. However, I have greater responsibility as the carer of my wife, Glenys, the love of my life for over 40 years.

On Friday 28 February 2017, the family received the news that Glenys was officially on the waiting list for a double lung transplant. At this point, they were informed that the waiting time could be anywhere from six hours to more than six months. At 4am on 17 May 2017, they received the life-changing call from the transplant coordinator in Melbourne to say that it was time—they had a donor. Glenys was transported via ambulance from the RAH to the Royal Flying Doctor Service airport terminal and on to Essendon airport and the Alfred Hospital in Melbourne, where the transplant was performed. Glenys recalls:

From the very first day after surgery, I felt so much better. My first lung capacity reading post op was 87 per cent and has since been over 100 per cent with an average of around 98 per cent. Prior to transplant it was 18 per cent.

Gerry said that the events of the last few years have highlighted to him the value of the public health system and the quality, empathy, passion and talent of those men and women who work in the public health system across Australia. We are fortunate in Australia that, since 1990, babies have been able to be screened for CF; however, such screening is not without considerable financial cost. Gerry put his views on the record, saying:

I strongly believe that prospective parents should be reimbursed through a Medicare rebate for voluntary genetic testing and genetic counselling to determine their carrier status for genetic disorders such as cystic fibrosis.

I have seen Gerry and Glenys around the community and I am pleased to say that they are enjoying life, including travelling interstate to visit their grandchildren. Today, I have shared an inspiring story of a survivor, a fighter and a great advocate for those living with cystic fibrosis. It is so important to continue to spread awareness of this disease and others to help our community come together in support of finding a cure.

Finally, Gerry and Glenys would be unforgiving if I did not mention the significance of organ donation. It is so important that families have this discussion. Glenys's life today and that of her family are wonderful examples of how organ and tissue donations save and transform lives.

*Grievance Debate***PYATT, MS D.M.**

**The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (15:41):** Before I make my grievance, I table the quote as requested by the member for West Torrens during my response to a question in question time.

It is with sorrow that I address the house on the passing, on 8 April 2009, of Ms Dorothy Pyatt OAM, one of South Australia Police's women policing pioneers. Dorothy May Pyatt OAM was born in London on 26 August 1918 and celebrated her 100<sup>th</sup> birthday last year.

Dorothy had a wonderful policing career as both a woman police officer and then as a woman police auxiliary, retiring in 1983. She is best known for her long-term commitment and outstanding contribution to the South Australia Police Historical Society, which was formally acknowledged by her being awarded an Order of Australia medal in 2007. Throughout her career, Ms Pyatt also received two Commissioner's Commendations, in 1951 and 1957, for 'zeal and attention to duty'.

Ms Pyatt was only eight years old when she and her family emigrated to Adelaide in 1926. In 1947, at the age of 29, she joined South Australia Police as a Women Police constable. At that time, the Women Police were a separate branch from that of the male officers, with the majority of their work linked to criminal or welfare matters involving women and children. She also joined the Women's Royal Australian Naval Service towards the end of World War II.

In 1951, Ms Pyatt was chosen to be stationed at divisional headquarters at Port Augusta. At that time, it was one of the largest policing districts in all of Australia, covering more than one million square kilometres. As the first female police officer in the town of 6,000, Ms Pyatt caused a sensation and people often came to the police station window just to look at her. She continued to break ground for women in her career, becoming the first Women Police constable to obtain an Operators Certificate in radio telephony, the only means of communication in the area at the time. She later was the first Women Police constable to obtain a permit to drive a police Land Rover.

Passionate about history and the area she patrolled, she found city life was not to her liking after being recalled to Adelaide in 1967, so she resigned from the police force and returned to England, where she joined the Women's Royal Voluntary Service. Later, after returning to Adelaide, she rejoined South Australia Police in 1972 as a woman police auxiliary and was posted to the Adelaide CIB. She held this position until her retirement in 1983.

Ms Pyatt was an inaugural member of the South Australia Police Historical Society and was made a life member of the organisation in 1986. Ms Pyatt was the driving force behind the collection, restoration and preservation of the society's 31,000 photos. She was also heavily involved in locating the burial places of police officers in cemeteries across the state and in the renovation of their graves.

I am honoured to acknowledge the life of such an important and well-respected pioneer. I also acknowledge the member for Florey's interest in Ms Pyatt's career. Ms Pyatt was a true South Australian who made an enormous contribution to South Australia Police and the community she served for so many years. May she rest in peace.

*Bills***STATUTES AMENDMENT (SCREENING) BILL***Second Reading*

Adjourned debate on second reading (resumed on motion).

**Ms COOK:** Mr Speaker, I draw your attention to the state of house.

*A quorum having been formed:*

**Mr BOYER (Wright) (15:48):** I rise to make a few brief remarks on the Statutes Amendment (Screening) Bill. I think it is fair to say that nobody on this side of the house was surprised when the cuts, closures and privatisations started coming in the first budget from this Marshall Liberal government. That is very much in the DNA of any Liberal government, I think, but what has been

surprising is where those cuts have been targeted and where this government has sought to pinch a few pennies and save some money.

This bill and its clawback provisions is another fantastic example of just how out of touch with everyday priorities this government is. Seeking to claw back a measly sum of money from volunteers is a shameful act. Under this government, we have seen money that was given to schools by the previous Labor government, under the Building Better Schools program, for things like performing arts centres and gymnasiums, to name just a few, being pulled back by the Minister for Education, who is on his way out now as we start talking about this. This money has now been pulled back to plug holes in the grossly underfunded transition of year 7 into high school. It is a grossly underfunded transition.

**The Hon. J.A.W. GARDNER:** Point of order, sir: the member for Wright is both making stuff up and, more importantly, reflecting on members' positions, accurately or inaccurately, in the chamber.

**The DEPUTY SPEAKER:** Thank you for that point of order, Minister for Education. I am going to tell you, and you would be aware of this, that I have just taken the chair. I will listen very carefully to what the member for Wright says from now on. Member for Wright.

**Mr BOYER:** I will just repeat the last few words I was saying.

**The DEPUTY SPEAKER:** If you have to.

**Mr BOYER:** I feel I should. It was an important point.

**The DEPUTY SPEAKER:** We will be listening.

**Mr BOYER:** It might have been lost on the government; I would not like that to be the case. Money was given to a few schools by the previous Labor government under the Building Better Schools program. I am happy to name a couple. Golden Grove High School had \$10 million—

**The Hon. J.A.W. GARDNER:** Point of order, sir: the member is not only making stuff up but is being irrelevant to the bill at hand.

**The DEPUTY SPEAKER:** The bill at hand is the Statutes Amendment (Screening) Bill. You seem to be talking about some budgetary lines, member for Wright.

**The Hon. J.A.W. GARDNER:** The member for Wright is pretending that the Labor Party had guaranteed funding for certain projects when, in fact, they had guaranteed funding to schools, which is continuing to be delivered.

**The DEPUTY SPEAKER:** Thank you for that speech, Minister for Education. Your point of order really is relevance. Member for Wright, we are debating the Statutes Amendment (Screening) Bill. I ask you to stay close, at least, to the bill at hand.

**Mr BOYER:** My comments were in relation to savings that have been made or have been sought to be made by this government in their first budget. That includes the clawback provisions, which are in this screening bill. They seek to recover money from volunteers who, under the very clear election commitment that this government made when it was in opposition to provide free screening checks to volunteers, will have to repay the government some money that they would have spent otherwise on having that check if they work something like one hour a day for up to seven days in a year.

I mentioned other savings measures that were announced by the government in that budget. The one to which the Minister for Education took particular umbrage was about schools, but we have seen the closure of Strathmont swimming pool as well, the end of a taxi voucher scheme and cuts to SHINE SA, which has seen a number of centres actually close.

**The Hon. V.A. CHAPMAN:** Point of order: these matters may be relevant to a supply speech or a budget speech, but it is now really stretching it to suggest that this has anything to do with working with children checks and screening.

**The DEPUTY SPEAKER:** You have raised a fair point of order, Attorney. I was listening carefully. It was a bit of a stretch, member for Wright. Let's try to get back to the bill at hand.

**Mr BOYER:** Thank you, Deputy Speaker. I would not expect those opposite to enjoy what I am saying. This bill would see workers forced to repay the cost of their free volunteer screenings should they commence any form of paid employment for more than seven days. To add insult to injury, that paid employment could be as little as one hour per day for seven days over a 12-month period.

I am not sure whether it has yet been touched on today as other members on this side have spoken about this bill, but I would very much like to know how much taxpayer money is going to be spent on investigations that are no doubt going to have to occur into volunteers who have received a free screening and then gone on to be employed in a job that ticks that box of at least an hour of employment per day for seven days.

Who then does the investigation into whether someone has breached that provision and needs to pay the money back? There must be a person or people in Public Service land who will be given the job of doing that investigation, and I would be very surprised if what we are paying those public servants to do that investigation is not more than the measly amount of money that this government is seeking to claw back from the volunteers themselves.

There is no doubt that this is a breach of the election commitment that was made by this government when it was in opposition. The commitment was completely clear: free screenings for South Australian volunteers. I know and will happily admit that, among the people whose doors I knocked upon, there were many who thought this was a good announcement. They welcomed it. I have no doubt that there were some people who chose to vote for the now government because of this announcement, and they have been greatly let down.

The bill also seeks to standardise and streamline screening requirements throughout South Australia, and this is undoubtedly a positive step and one that the opposition welcomes. Approved screenings will now last five years, rather than three years, with continuous monitoring through data sharing between the Department of Human Services, the Department for Child Protection and SAPOL. This will give greater certainty that people who pose a risk to children and vulnerable persons in South Australia will be identified and precluded from gaining employment in areas where they should not be employed.

I think it is fair to say that we cannot do too much in this area. This is a really important area. Sadly, we have had many high-profile cases in this state where people have managed to infiltrate areas of employment, which certainly they should not have been anywhere near, and get access to vulnerable persons. The sad truth is that these would-be predators in most cases are actually very cunning and very skilled at doing so. They are very good at the crimes they perpetrate.

It is a great shame that such an important bill with such noble aims is going to be used as a vehicle to pinch a few pennies, particularly when the clawback provisions in the bill could have the effect of actually discouraging people from volunteering. That would be a very sad outcome from a bill that promised so much.

**Ms MICHAELS (Enfield) (15:56):** I rise today to speak on the Statutes Amendment (Screening) Bill and focus on two particular issues that concern me about it. Broadly, the standardisation of screening and extending the life of the checks to five years are positive improvements made by the bill and I support them. These improvements are welcomed by the opposition and can be attributed to the continuous monitoring system, which, I understand, began under the former Labor government. The continuous monitoring system provides a greater level of protection against people who pose a risk to our children and our vulnerable South Australians. I understand the risks will be identified much faster and hopefully these people will be removed from the system much faster.

However, the government promised South Australians a plan that they summed up as creating more jobs, lowering costs and providing better services. A particular aspect of the bill flies in the face of that government promise. In particular, clauses 9 and 20 of the bill will insert into the Child Safety (Prohibited Persons) Act 2016 and the Disability Inclusion Act 2018 respectively a section that will make a fee payable by anyone who uses a screening check to work with children or the disabled respectively, other than as a volunteer. These clauses will force volunteers to pay back

the cost of their screening fees if they obtain just seven days of paid relevant work in a 12-month period.

That part of the bill will put in barriers to employment and increase costs to volunteers. We are not talking about high wage earners in these two sectors: we are talking about people working in caring roles. Largely, we are talking about women, mothers who might be doing classroom reading at their kids' school, for example, which is when I first got my similar check. The last thing these women and others in similar situations seeking to re-enter the workforce need is another barrier to their employment. The cost burden of having to repay the screening fee should not be a consideration that a person needs to think about when choosing one more additional day of casual work.

Ninety seven per cent of people working in the childcare industry are women and similarly high numbers of females are working in the disability sector. People working in child care earn as little as \$21 an hour. A woman who works casually at a childcare centre may have to pay back almost an entire day's wage if she were to work more than seven days in that 12-month period. That is actually a significant cost to these sorts of casual workers, a cost that may discourage people from taking on an additional day of work. That is exactly why we sought to have this requirement amended from seven days to 150 hours of work, which is equivalent to four weeks of full-time work.

We know the cards are stacked against women in the workforce and those seeking to re-enter the workforce. It seems that the government is once again ignoring the needs of our lowest paid workers with this aspect of the bill and putting an unnecessary burden on those wonderful people who choose to work with children and the disabled. Late last year, KPMG published a report, entitled 'The cost of coming back: achieving a better deal for working mothers'. That report outlined the staggering cost to women of re-entering the workforce and the disincentives they face.

The costs outlined by KPMG for women returning to the workforce are further compounded by this government's plan to have volunteers repay their screening fees, and that is unfair and cruel. KPMG found that in a family where both parents are earning the minimum wage and have two children in child care, the woman effectively earns just \$2.50 per hour on her fourth day of work if she increases her working week from three days to four. What kind of incentive is that to return to the workforce if we have this additional cost burden?

Things do not improve for women in higher income households either. In a household where the father earns \$80,000 a year and a mother earns \$24,000 a year, the KPMG report tells us that for each extra day of work a week that mother would improve the household's overall financial position by just \$294 per year. We are suggesting that these people repay \$100 plus back to the government for their volunteer screening. For the last 20 years, the gender pay gap between men and women has sat at somewhere between 15 and 20 per cent. We know the flow-on effects of this pay gap on women throughout the course of their working lives, including the significant disparity in superannuation when they retire.

We cannot continue implementing policies that continue to place barriers in front of women who are seeking to get back to the workforce. The decision by this government to make volunteers repay their screening fee is a barrier to greater female participation in the workforce. The decision by this government to make volunteers repay their screening fee is unfair and unjust. The Premier promised volunteers would get free screening checks, and this is clearly a broken promise.

Another point I wish to make is in regard to the red tape and bureaucracy that this aspect of the bill introduces. What is it going to cost the taxpayer to chase some \$100 from someone two or three years after they get their screening check? Are we really going to prosecute someone and fine them up to \$5,000 for doing nothing more than altruistic good in giving up their time to help kids and the disabled? How does this apply to our incredible youth volunteers who might go on to work at the Royal Show for a couple of weeks or the Magic Cave at Christmas? Is the government really going to chase them for \$100?

Having come from the real world of having to read and help community members understand this type of legislation, I take it as my duty to review it with a practical eye having regard to how it will actually work in practice. Quite frankly, in my view this aspect of the policy will not work. It will either never be implemented by the bureaucrats or it will be but at an unnecessarily and disproportionately high cost and with a totally unfair result to our lowest paid workers—those trying to do good,

necessary work with our children and our disabled. In either case, whether it is never implemented or implemented at a ridiculous cost, this part of the bill is, in my view, bad policy. I do, however, support the remainder of the bill.

**Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (16:03):** I rise to support the lion's share of the bill, but I would like to have an opportunity to say a few words, not least because, although I was not the minister responsible for the screening unit in the last government, having been education minister for three years I nonetheless had quite a bit to do with the experience of people applying for and receiving screening checks.

It seems to me that there are really two ideas at play when we think about a screening process. They are not always entirely compatible, so it is worth teasing them out a bit. On the one hand, for people who require a screen, whether they are volunteers or whether they want a job that requires the clearance, it is fundamentally about a process, how long it takes and how much it costs. It is important that we get that right. A few years ago, for a period of time we did see a growing queue, which was immensely frustrating for people. My colleague the member for Ramsay did everything in her power very successfully to streamline and bring down that waiting time and increase resourcing to deal with that as a process.

At the same time, the other idea at play here is that it is part of an ongoing and never-ceasing attempt to keep our children and other vulnerable people safe. I speak mainly about children because that was my experience. I appreciate that it is far broader than that. When we are thinking about that idea we need to ensure not only that the right people are being screened but that the screen is done into areas that would be fruitful, areas that are useful to know and understand.

Again, I pay tribute to the member for Ramsay when, as minister, she, along with the then attorney-general, was able to introduce a process for continuous screening to enable us not to simply hope that someone who had clearance at one point remained clear for the term of that clearance. The reason I raise it is to acknowledge its importance as part of our attempts to keep our children and vulnerable people safe and to remind everyone that it is not fail-safe, that it is not the only tool we have and that it is not infallible.

We are talking about a very imperfect world in which we are constantly seeking to stop bad things happening to vulnerable people and to children. The screening process is of immense weight in its importance in trying to do that. Every change we make and every consideration cannot be about just processing time, speed, efficiency and so on; it also has to contemplate the necessity to keep our children safe.

I want to draw attention to some comments I made in the other place yesterday by the minister who is now responsible for screening because I was concerned that it is either mistaken or there is a proposal for a different approach in screening policy. The Hon. Ms Lensink was asked about parents working or volunteering in schools and at what point they required a clearance. The Hon. Ms Lensink answered the question, as follows:

...if a parent is assisting at a school and they are not engaged with other children—say, for instance, they are there for the purposes of assisting their own child—then they are not required to have a check. If they are there to read to other children then my understanding is that they do need to have a working with children check.

That is not the case. That is not the case because it was deemed important not to block parents from doing what is a normal part of being a parent, which is helping other children learn to read in the same class as their class child is in. If I look to the current policy, according to the department examples of when screening is not required in the Department for Education site or service include:

- parents or guardians who volunteer in connection with an activity that involves their own child—involves; not exclusively about their own child—such as volunteering with their own child's class;
- one-off guest appearances at concert performances and so on; and
- one-off events, such as sports days, working bees and whole-of-school events, including a swimming program that their child is attending.



It is pretty clear that in those instances a parent is not required to have a clearance. That is erring on the side of ensuring that parents are able to engage in the life of being a parent with their children and their children's peers, their children's classmates, in a way that is unfettered by having to get into the process side that I started with.

I do not know how to read the Hon. Ms Lensink's answer. It may be simply that she is mistaken as to the application of the current policy and will correct the record and that everything will continue as is. But I raise in the context of this bill the question about whether the government is perhaps contemplating applying a higher standard to parents who are going to their children's classes to help out in normal activities and whether they are now going to have to have a screening process through the government in order to be able to do that.

There are definitely arguments on both sides. There are no simple measures here. There is process, there is fettering parents from having a life and being parents and there is trying to be hypervigilant about protecting our children. There is no simple answer, but I can say that there would be thousands of people affected who would then be applying for screening clearances in the event that what the Hon. Ms Lensink is signalling is a policy change.

I commend the other comments that have been made on this side of the chamber and the debate that occurred in the upper house about the question of whether these are, in fact, free for volunteers. I think that has been very well canvassed by people on my side, and the contribution I wanted to make was with the benefit of the experience I had as the minister for education. With the changes that we hope will occur through various amendments and so on, I commend overall the idea of continuing to improve the legislation.

**Mr SZAKACS (Cheltenham) (16:11):** I commend the contributions from my colleagues on this side of the house. I specifically raise my voice and my concerns on behalf of various sporting and community organisations in my local electorate who have contacted me as late as yesterday evening to voice their concerns around volunteer participation, particularly around the recouping of expenditure for volunteer screening. As my colleague the member for West Torrens raised a little bit earlier today, what he said in this place does matter, and we certainly believe that on this side of the house.

What is so disappointing about the subject matter that we are dealing with in respect to the clawing back of the free screening for volunteers is that it was subject to an election promise from the government. I think this is now a product of one thing being said in opposition and another thing being said when burdened with decision-making and responsibility when in government. Unfortunately, it is our volunteers who are suffering this time. It is mums and dads, grandparents and carers. It is the lifeblood of those very same community not-for-profit organisations that I have been speaking with just as late as last night.

I am sure that everyone in this place would agree that the people who volunteer with these community organisations are the heart and soul of our community organisations. They are not paid. They are volunteers and they give themselves fully and completely to these organisations. For that reason, I think it is a ludicrous decision to claw back and indenture these volunteers in the way the government proposes. It comes at a time when we know that the rate of volunteering in our community is declining. That is due to a number of reasons, the least of which is because people are time poor and the nature of work is changing.

People are working longer. People are working more disparate hours. We know that people are working in more precarious work, which means that they do not have the luxury of planning their volunteering time when they are working on a day-to-day contract as a casual worker. Often they work in these casual jobs for many years.

There are three community organisations that I want to mention specifically in my contribution today: the Woodville District Baseball Club, the Seaton Park RSL and the Queenstown Gymnastics club, all of whom have raised directly with me the trouble that they are having, as important organisations in my local community, accessing the same amount of volunteering time they once enjoyed. If we needed anymore compelling evidence than what I am sure as members of this place we are told every day from these same organisations in our same electorates right across the state, it is the report of the peak council for volunteering in the country, Volunteering Australia.

A report was prepared in 2016, in fact, by PwC (then PricewaterhouseCoopers), which interviewed, both in a qualitative and quantitative analysis, over 2,300 volunteers across the country. Of over 2,300 volunteers, the report from PwC on behalf of Volunteering Australia found that 86 per cent of all community organisations needed more volunteers, and 51 per cent of all community and not-for-profit organisations concluded that they did not have the financial means to recruit or train more volunteers at the same time they needed more. At the heart of the matter before the house today was the finding in the executive summary of this report, which I quote:

The biggest barrier to people volunteering into the future is work commitments and out-of-pocket expenses incurred through volunteering.

Of course, that brings us to the question today and that is the clawback. As this house has heard from the contributions of my colleagues, that can be characterised in no small part as 'mean for mean's sake'. The administrative burden of the clawback, the financial impact and the cost-effectiveness, is simply not accountable to the policy that we are now considering.

The same data is shared—that is, the declining volunteering across Australia—in the most recent ABS statistics, which show that volunteering is still across Australia at a 5 per cent decline. That is an alarming statistic to be considering at a time where we are saying to volunteers, 'We will give to you with one hand and then taketh away with the other.' This clawback, as has been contributed to the house by my colleagues, is not just about high-income earners. In fact, it has nothing to do with the income at all. Seven days' work with the potential for one hour each time is simply, as I put previously, 'mean for mean's sake'.

It is also about priorities when we would seek to take upon the administrative burden, which is the regime that will claw back from volunteers in this manner, but at the same time we are watching exploitation occur in our community and in workplaces when we are not just standing in the way of laws that will better effect exploitation but in fact refusing to police and enforce laws that are currently on the books. This is about priorities.

As I said to start with, and as the member for West Torrens has put, what is said matters. On behalf of those organisations in my electorate, this matters deeply to me.

**The Hon. S.C. MULLIGHAN (Lee) (16:18):** I rise to make a few brief remarks about this bill. Volunteering, of course, is incredibly important throughout the South Australian community. There is little more that I can add to better exemplify that than what has already been put by speakers on both sides of the chamber, except that I did want to add a little context in relation to the history of the issue we are confronting now, as well as the experience in my own electorate of Lee.

Of course, all members would know that we have had a very substantial increase in the number of screenings that have been required for people who are engaging in different forms of volunteering in the community. I am sure that the following numbers are not perfectly accurate, but they are pretty indicative of the scale of the increase in the number of people who have been screened to be suitable to be providing volunteering services in one capacity or another throughout the community.

My understanding is that 10 to 12 years ago we had something in the order of 15,000 to 20,000 screenings—beyond those professions, of course, like teachers, police and so on—for people who were seeking a clearance primarily for volunteering. I think the total number during the term of the last Labor government reached in excess of 150,000. It is an absolutely extraordinary increase in the number of clearance checks being undertaken by the South Australian government.

Of course, this surge in demand led to all sorts of private businesses setting up, claiming that they could give people screenings or clearances so they could work or volunteer, but not in the way the South Australian government required, which was a far more thorough multiagency check that became known as the 'working with children check'.

This massive increase in the number of people who were seeking these screening checks placed an extraordinary demand on the department that was required to manage and facilitate these checks. Very quickly, it got well beyond the capacity of the department to work through these checks in any form of a timely manner. It was compounded by circumstances where somebody might have

the same name as another person who was seeking or who had a clearance or had some form of notification about them or, indeed, for many other reasons.

When people lodged their applications for these checks they expected that they would be done within a small number of weeks. However, very quickly, over a period during that escalation in demand, this turned into many weeks, and on occasion many months, that people were waiting for these checks. It impacted both volunteers and people who required these same checks for paid employment.

Certainly, in my capacity before the last state election as transport minister, I had bus drivers, taxi drivers and the like complaining that they were not getting their clearances in enough time, even though they had requested the clearance perhaps six to eight weeks before it was due so that they could continue their paid employment. They were being slowed down, but volunteers were also being slowed down.

It was a grave problem and the former government chose to address it by increasing the resources to process these applications to try to work through the backlog. But let's be honest about this—they also introduced a higher fee in order to fund those additional resources. It was not the ideal outcome, but one deemed by the government as a necessary outcome. Over time, those additional resources did start to bring down that average waiting time for these checks and did start to unclog what had developed into, in many cases, a very significant backlog for people requesting these checks.

If you then cast your mind back to what the Liberal Party promised in the lead-up to the last election, it made a commitment that it would provide free screenings or free checks for people who were volunteering. I will be up-front enough to recognise that this was not a commitment that was matched by the Labor Party.

I can be honest enough to look back and give some level of kudos to the then Liberal opposition for making this a policy and recognising the impact that having to pay in excess of \$100 for a screening check was having on many volunteers, particularly those volunteers who were for the first time in the course of their volunteering, which might have been going on for decades in local sporting clubs, local community clubs, etc., required to have a check as the government increased the scope of who needed to have these clearances.

As much as it might ill me to take my hat off to the Liberals, I think it is reasonable to at the juncture that they made this commitment in the lead-up to the election. Of course, one of the reasons we did not match that commitment was that we could not quite come to terms with how we would, in effect, be able to make this work effectively and clearly. Then, of course, there was the issue of cost, but the Liberals were willing to bear the cost of their election commitment as they committed to the people of South Australia.

I said that I would talk about the history, which I have done, but I also want to talk about the context in my local electorate. I am aware that my electorate is—or certainly up until recently was, if it no longer is—demographically the oldest electorate in South Australia. A couple of the reasons why are that the very large redevelopment of the land now comprising West Lakes occurred—the Deputy Premier may help me out here—from the late 1960s through to the early 1980s.

**Mr Duluk:** It was 1966: Sturt versus Port Adelaide at Footy Park.

**The Hon. S.C. MULLIGHAN:** The member for Waite has to cast back to before the time he was born to recollect an occasion when Sturt was successful over the Port Adelaide Magpies in a grand final.

**Mr DULUK:** Point of order: the member for Lee is clearly misleading the house, as we know Sturt went back to back in 2017-18, the most recent years in the SANFL.

**The DEPUTY SPEAKER:** Member for Waite, thank you for that clarification.

**The Hon. S.C. MULLIGHAN:** I am much obliged to the member for Waite. I inadvertently have referred to the time when the SANFL had a much higher level of importance to the football community.

**The DEPUTY SPEAKER:** Member for Lee, for your interest and that of others, my recollection is the first grand final was played at West Lakes in 1974.

**The Hon. S.C. MULLIGHAN:** Yes, indeed. If we are being honest, if that is before my time, it is certainly before the member for Waite's time, but I greatly appreciate those clarifications. Perhaps if I can move us on from the contestable area of football, we were talking about the development of West Lakes. Many lots were developed and many people bought into that development. Without actually having a precise figure, I would posit that, along with Golden Grove, it has been one of the largest scale developments in metropolitan Adelaide where people have originally bought into the development and never left.

As a result, many of those people and families who moved in during that period I mentioned before, predominantly through the 1970s, are now getting on in age. As many of them say to me, they entered into a period of retirement on the understanding that life would be slower and gentler in retirement, but most people actually say the opposite is true: they become busier once they retire because they finally have the time to dedicate to all those pursuits and passions that they have been waiting to dedicate time to once work is out of the way.

Volunteering, of course, is a major part of that for many retirees in my electorate. I talk about that in the context of West Lakes, but I could easily say the same thing for the relatively newer area of Grange, which has come to the electorate of Lee after the boundary redraw. Many of my constituents are volunteers, and I would hazard a guess that the proportion of electors in my electorate would be amongst the highest that are volunteering throughout the state for those reasons.

This bill is of great importance to many of my constituents who are looking forward to the government making good on its election commitment. While we are engaging in some cross-partisan backslapping and congratulations, I would extend some further to the Liberal Party for bringing this bill to this place and attempting to address their election commitment.

However, I must start tapping the brakes at this juncture because what we are now confronted with is not quite what was promised at the election. We are now confronted with a proposition in which not all volunteer screening checks will be free. There is a clawback provision, and it has been the cause of—how can I put it?—some furrowed brow and maybe even angst, particularly before the other place. Of course, it is unparliamentary of me to refer to what has occurred over there in this context.

**The Hon. V.A. Chapman:** Only the vote.

**The Hon. S.C. MULLIGHAN:** Only the vote, or indeed perhaps also the debate, I think, but I am happy to be led, on this rare occasion, by the Deputy Premier. We now have a bill that seeks to come up with a way of making that clawback provision by saying that volunteers who are engaged in seven days of work will not be able to have their check or their screening done for free. They must pay back some money if the situation is that they are a volunteer who is not working and has gained a clearance that lasts for three years and, during the course of that three-year period, they have engaged in seven days' work. They must pay it back.

You will not be surprised to hear us say that we believe that this represents a clearly broken election commitment by the government. They promised free screening checks for volunteers, but we are now learning from the government that they consider that not all volunteers are created equal; that is, those volunteers who may be working seven days are now required to pay it back. I think that is unfair because many of those retirees whom I mentioned and who are constituents of mine may be engaged in what might be captured by the provisions of this bill in terms of working for seven days.

I am not quite sure what the actual stricture of working for seven days means. I think that is something we are looking at progressing during the committee stage of this bill. However, during the course of a year of more than 365 days (in the case of a leap year), it does not take much to earn seven days of remuneration in recompense for the provision of one's labour. This will disadvantage many people who consider themselves genuine volunteers. This will disadvantage many people who consider that the bulk of their time out in the community is spent volunteering and not providing their labour for remuneration.

This will perhaps also disadvantage other people in my community, and of course also people across other electorates around the state, namely, those people who are perhaps very low-paid workers and who are workers only by virtue of the fact of the provisions in this bill that define that work, by which there must be a repayment of this check, as seven days. It is not much, given the value of volunteering.

According to the rationale of the government's own election commitment, it is not much to ask. (I believe I hear Tim checking the score of that grand final at the moment. Unfortunately, we are well aware of it, and it continues to haunt us. I thought we had moved past it, but I have been yanked back to that unfortunate reality.)

We think that this is unreasonable. We would also suggest to the government that this is likely to be unworkable and will reflect those concerns that Labor had prior to the last state election. Trying to delineate in this particular way, which the provisions of this particular bill attempt to do, is likely to give the department an extraordinarily difficult judgement to make, let alone a task of administration that is complex, time consuming and resource intensive.

The mechanism to recoup the amount of money that is intended from this measure—if indeed the department or the government have done any modelling around this, and I am not sure whether or not they have—is likely to outweigh the benefit of the revenue that this recouping mechanism seeks to recover. For those reasons, we will be listening with extraordinary interest to the contributions from the government during the committee stage about how they propose to navigate through this very tricky terrain.

**The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (16:35):** I would like to commence by thanking all those who have contributed to the debate on the screening bill and for the comments that have been made. The theme I have received from the lead speaker for the opposition has been translated in various forms through a number of speakers from the opposition.

In short, I understand that the opposition's position is that they will support the bill, that they recognise the significance of the benefits of screening for the purposes of child protection and dealing with those who are vulnerable, in the area of disability in particular, and understand the reasons behind the need to have a regulatory framework, which now needs to be supplemented by more statute law. Regulations underpinning the operational work of this legislation are on their way. The significance ought not escape the opposition because, as some speakers have outlined, they are the ones who were in government during the period when the benefits of screening were advanced, explored and expanded.

I am not going to go into the whole history of the matter. It is fair to say that during this century the significance of screening for the purposes of the protection of children has been highlighted by royal commissions and various inquiries, as has the need to ensure that there is some effective gatekeeping in relation to people who, for prurient and unlawful purposes, might seek to explore employment or volunteer activity that gives them access to children. They are the ones who have to be screened out.

We have now had over a decade of very clear indicators, from eminent people who have inquired into these matters, of the need to expand the screening systems that we have had in the past and, indeed, extend the application of those screenings. The most recent of these, post the exposure of Shannon McCooles and his successful attempts to get to children via state government agencies, outlined a very sad chapter in South Australia's history. In particular, failings were exposed firstly in an after-school hours care facility, then in an NGO and subsequently in the department under the state government, which he had access to.

Anyone who reads the sections in the Nyland royal commission report that relate to his capacity to access children through the failings, in that instance, of adequate screening and protection would have a very clear and sobering reminder about why we are doing this. As has been alluded to by other speakers, I think minister Bettison at the time supervised subsequent reforms coming out of the royal commission that basically said that we need stricter rules in relation to screening, we have to extend the application regarding who is screened and we are going to have to set some tougher thresholds.

I have paraphrased that, but I think members will get the gist of it. That is exactly what culminated in some legislation. I think that legislation had passed in 2016, so we are now talking about the Child Safety (Prohibited Persons) Act 2016 and the transitional arrangements that related to the child protection initiatives to expand this protective measure.

When the government changed in March 2018, we were nearly two years down the track from when that legislation had passed, and one of the first things I recall when coming into government was the advice to my office that the preparation of the regulations to support these new initiatives recommended by the royal commission, accepted by the previous government, passed by this parliament, was still underway and there was, frankly, no hope in hell of them being completed to commence by 1 July 2018—not a chance in hell.

I was quite disturbed by that. I know that minister Lensink of another place was also very concerned at that news. What had happened in that time frame that had in some way arrested or impeded the swift implementation of important recommendations of this parliament? It became abundantly clear, on the advice that we received, that there were more complications in being able to identify how this regulation was going to apply.

Let me give you an example because I think this is important to recognise. What do you do in respect of a CFS volunteer who goes into a school to rescue children from a fire in their classrooms? Is that a CFS officer who has volunteered, is undertaking his work in the CFS and is undertaking a duty that is going to reasonably bring him into contact with children? The answer to that is, yes, of course it is. He is going to go in and rescue, hopefully, a school full of children.

Was it ever intended that someone in the CFS, expecting to deal with their neighbour's bushfire or help the MFS with a local town issue or rescue children out of a school, needed to have a volunteer check, a working with children check? I do not think so. So as a new government, because of what I thought was already a shameful delay in administering this and implementing it, we had to act as quickly as we could to ensure that we consulted with a number of people who probably previously had not anticipated that they might be captured by the good intentions of legislation.

We needed to make it absolutely clear that we were not going to be prosecuting employers unreasonably or unfairly because, remember, the whole child safety legislation around working with children checks is actually a legal obligation on employers, and indeed there is a prohibition on them employing people or accepting a volunteer into an organisation without the qualification of a volunteer check. In the absence of that, they can not only be fined but it brings their organisation into disrepute and, of course, they are breaking the law. There are obviously obligations on the employee or the volunteer and penalties for them if they attempt to undertake employment or volunteer work without having had their lawful check.

Quite a bit of work had to be done, and I want to thank all those in the Attorney-General's office, the Department of Human Services and the Department for Child Protection, ably led by minister Sanderson, because it has taken a team effort to try to bring this to a landing. Overlapping that was the commitment at the national level that we bring into play the provisions to protect those who are vulnerable arising out of a disability.

The NDIS was going to come into effect. Those who are eligible largely in that area are a cohort of persons who may be vulnerable in the circumstances of sexual exploitation. Therefore, there was a need to set up a regime to ensure that that group of persons, where appropriate, would have equal protection through the application of screening checks. So we had a double job to do. The origins of the law in relation to the new National Disability Insurance Scheme, together with the origins and the development of the law in relation to screenings for children, had started from different sources. They had different journeys and different expectations, so even those had to be married.

It was a choice of the new government to say that we would leave all the disability issues aside and just try to deal with safety in relation to children and progress that, but we were committed to ensure that we did both. Both were needed, of course, especially with the NDIS expanding into the opportunity of a new regime to have the financial benefits that go with it for those people with a disability.

We needed posthaste to deal with that issue as well, so we made a commitment to try to bring that together and bring it to a landing and, I suppose to some degree, set the charge that, 'If you cannot get it done by June, and you say you cannot get it done by December 2018, we want this starting by 1 July 2019.' It is three years since the law passed here in relation to children, and another year since the expected commencement in relation to the disability service. Nevertheless, we cannot just sit on our hands with this. I have had a number of meetings in relation to this, but other people have been doing the heavy lifting and the work to try to bring this to a conclusion, and I want to thank all those in the various departments who have done that.

Overlapping that again was the question of how we implement the government's commitment to provide free screening checks for volunteers. Again, coming into office it was made very clear to us that that would be activated and was achievable, but to be mindful that some people might exploit this offer for volunteers by virtue of avoiding the payment to be made if they were in employment. That issue was explored and that has been the subject of some comment today and of long debates in the other place earlier this week. It is important that we understand what the history has been.

I move then to an indication by a couple of the speakers in respect of volunteers generally. The volunteer situation in South Australia overall is very strong. There are not too many organisations that would not suggest that they would like to have more, but some of our organisations—service clubs and the like—are still expanding, and that is terrific. I think that the level of volunteerism and commitment in our community is immense. We certainly on this side of the house value them. I note that the member for Cheltenham indicated some data from a 2006 inquiry as to the general—

*An honourable member interjecting:*

**The Hon. V.A. CHAPMAN:** Was it 2016? I had hoped it was 2016. In any event, it suggests again that there is a level of—

*The Hon. T.J. Whetstone interjecting:*

**The Hon. V.A. CHAPMAN:** I think his concern was that there had been a diminution in volunteer work. I have not experienced that. I think that, in the time I have been in the parliament and enjoyed access to and the invitation of many volunteer organisations, it has in fact been growing. There have been different forms that they have grown in—obviously the more contemporary organisations. In fact, I was down at the member for Lee's electorate the other night for a service club that had graciously invited me to speak at their meeting.

**The Hon. S.C. Mullighan:** You didn't call me and let me know.

**The Hon. V.A. CHAPMAN:** I thought about that on the way, but I was already near a hotel near the now dismantled stadium. I can talk about stadiums for a while, but I will not.

**The Hon. S.C. Mullighan:** Stadia.

**The Hon. S.C. MULLIGHAN:** Stadia—what is left of it. It is just a bit of grass now. It is a bit sad. In any event, they seemed to be a very healthy club, and of course I was pleased to be there. But I will just make this point: they are out there in our community not just at the mature age level but across the spectrum. We have a number of children, for example, who become active in local community volunteerism as part of their own social development and duties for school. All that is great.

The member for Lee suggested that it was such a good idea that they thought about doing it, too. I appreciate his compliments about how good a policy it was. They had even thought about it, but they did not progress it, he told us today, because they had had advice that it was going to be too difficult to implement.

**The Hon. S.C. Mullighan:** One of the reasons.

**The Hon. V.A. CHAPMAN:** One of the reasons. I do not know who he got his advice from. We have not had that advice since coming into government, that it is too difficult to implement. In fact, they have got on and done the job as it is necessary to do it. I would be very interested to know. I do not recall the former premier or ministers from the previous government in the lead-up to the last election ever saying, 'We think this is a really good idea, but we're not doing it because, frankly, it's

unworkable.' I did not hear anyone say that—for the first time today I have actually heard that that is their excuse—not a word.

Of course, under their regime—as a consequence, remember—all the time we have had screening tests they have charged everybody. They have never given relief to the very people who are volunteering in our community—never. In fact, at that stage I think it was some \$68 for three years. It started a bit lower and it certainly increased. As we know, it had the deficiency, I suppose, in that it was a point-in-time type process which, under recommendation, was to move to a continuous monitoring process, which took it to over \$100, I think, for five years. Under a new model it was a bit extra but obviously for a longer time—a superior model.

But in all the time the previous government were in office, they did not give credence to what they now say today: 'Good policy. Great for volunteers. It's something that should be available to them.' They did not give them anything. This is the situation: under the previous Labor government, \$68 for three years if you are a volunteer; under the current Liberal government, zero continuously, as long as you are a volunteer and not in paid employment. The difference is stark. The public understand this. Those who volunteer, whether they are six or 66, are making a contributing to our community, and we recognise them on our side of the house and we are proud of it.

Another matter I want to mention is the provision of a clawback, as it is claimed, or, as I read in a media release of the shadow minister, we are allegedly dumping our free volunteer screenings, which is a complete lie. It is going to be continuing. What we have highlighted is a model, on the advice that we received, to avoid those few who might try to exploit the system—that is, to use their volunteer work to avoid paying a legitimate employment application process fee. A model has been provided to us.

Unsurprisingly, and I think appropriately, Mr Ross Womersley of SACOSS has raised the question of how that is going to work. Is it going to affect people who might only have part-time employment? Is there a better model by which you can have a cut-off point to define when the employment commenced? As members will have read in the debates in the other place, there was much discussion about whether, on the Labor Party's proposal in another place—

**The Hon. S.C. MULLIGHAN:** I rise on a point of order and, in doing so, self-incriminate.

**Mr DULUK:** Point of order, Deputy Speaker.

**The Hon. S.C. MULLIGHAN:** Standing order—

**The SPEAKER:** No. Member for Lee, I am anticipating what the member for Waite's point of order is, that is, that the member for Lee is out of his place.

**Mr DULUK:** Indeed. It is completely unparliamentary to seek a point of order out of your place.

**The DEPUTY SPEAKER:** Yes, thank you for that. I will accept the member for Lee's point of order from his place. The member for Lee has the call. So, Attorney, we still have a point of order.

**The Hon. S.C. MULLIGHAN:** Standing order 120 says:

A Member may not refer to any debate in the other House of Parliament or to any measure impending in that House.

**The DEPUTY SPEAKER:** So you are making a point of clarification on your own?

**The Hon. S.C. MULLIGHAN:** No, I am raising the point of order because the Deputy Premier has grievously offended, so shortly after I did, and it is about time you yanked our chains.

**The DEPUTY SPEAKER:** Well, I chastise you both. I am sure that now that we are aware of the standing order, the Attorney-General will be far more diligent in her contribution.

**The Hon. V.A. CHAPMAN:** As has been repeated in the speeches from the opposition here today, they saw the proposed seven days within 12 months rule, if I can paraphrase it in that way, as being inappropriate, unfair in some way. The Australian Labor Party option, which is not translated into any amendment—we do not have anything before us; nevertheless, it seems to be that what they are pressing for is the basis upon which the proposal in this bill is in some way unfair—is that



there be a 150 hours per year threshold. I think it is fair to say that, when considering whether that might be a better test, a lot of work was looked at regarding the application. In fact, a lot of concern has been raised about the time and resources needed to deal with an application.

**The Hon. S.C. MULLIGHAN:** Point of order: on the same point of order, the Deputy Premier relates to a debate in the other place. There is no amendment filed by the opposition here to give effect to that measure.

**The DEPUTY SPEAKER:** You are correct. There is no amendment filed.

**The Hon. V.A. CHAPMAN:** No, there is no amendment filed, but each of the speakers today has highlighted the inequity, apparently, of the seven days in 12-month rule.

**The DEPUTY SPEAKER:** Attorney, I will just make a comment on the point of order. Attorney, you are quite right. The opposition has canvassed many criticisms of the legislation and, in closing the debate, the Attorney is within her rights to address those.

**The Hon. S.C. MULLIGHAN:** Just to seek your counsel further on a point of clarification, Deputy Speaker—

**The Hon. V.A. CHAPMAN:** Point of order: is the member dissenting from your ruling?

**The Hon. S.C. MULLIGHAN:** No. As I said, I seek a point of clarification, which many members have done previously and there is a long precedent in this place for doing so. I take no umbrage with the Deputy Premier referring generally to the remarks that have been made in this place; that is absolutely fine, as she just explained she was doing. The point of order I raised was about the reference to those same remarks which were made in the other place on which you previously ruled. So can I just be sure that that is what your ruling was on, Deputy Speaker?

**The DEPUTY SPEAKER:** Member for Lee, I have conferred with the Clerk, and I think my comment just a few moments ago, in that the Attorney-General is within order to address the comments and questions that were raised during the opposition's contribution—

*The Hon. S.C. Mullighan interjecting:*

**The DEPUTY SPEAKER:** Yes.

**The Hon. S.C. Mullighan:** But not referring to it in the other place, as she did.

**The DEPUTY SPEAKER:** I hear what you are saying, but let's get on with it. It is 5 o'clock.

**The Hon. V.A. CHAPMAN:** Perhaps the member for Lee could more diligently listen to the contributions of his colleagues in the debate and he might understand the significance of it.

**The Hon. S.C. Mullighan:** I was listening to yours and raising a point of order about yours.

**The Hon. V.A. CHAPMAN:** It was highly repetitive, but it was pretty clear, and the clarity with which this was put repeatedly was the very significant theme that in some way the formula that is being applied in this bill to identify the commencement of the period of employment, which would trigger the requirement to make a payment and apply for a paid working check, is one which had been criticised.

We have all received correspondence relating to the SACOSS submissions on this, and they quite reasonably put out their idea about what might work. We have considered that, other people have considered it and it seemed very clear, on the advice we had, that on the practical application of that it was not going to work. Yes, I have made comment that I have not seen that being presented in this parliament but, as to the criticism, I just maintain the position about why we are proceeding with a threshold (hopefully very infrequently used), which we need not only to deal with the potential ill of those who might exploit this situation but also to be able to advance the bill.

I thank the members for their contributions. I am pleased to note that the opposition have indicated their support for the bill. I am hoping that as of 1 July, some three years since the anniversary of the law that we started in this area, we will actually be able to progress and be able to ensure that the passage here today of this bill will enable that to happen.

Just one other matter was raised by one of the speakers (I think the member for Port Adelaide raised this) about the statements made by the Hon. Michelle Lensink in another place. She said that, in terms of the parents volunteering in schools, if you are a parent and you are teaching your own child you would not need to have a check, but if you were there to read to other children you would need a check, that is, a parent in that school. This was made clear later in the debate, so I would urge the member for Port Adelaide to have a look at that because that is not the complete story.

The rest of that is identified when she clarifies that the regulations then make the exemption. I am advised that the scoping of the legislation incorporates them all, but then it is the regulatory carve out, I suppose—if we use that theme—to ensure that we do not unfairly burden the people who go along to provide reading or any other assistance in the school where their children go and where they might be providing a direct service to other children in the school or class. I hope that that will reassure her in respect of that position. Otherwise, I commend the bill to the house.

Bill read a second time.

*Committee Stage*

In committee.

**The CHAIR:** We have 25 clauses with no amendments on file. Do we have questions?

Clause 1.

**Ms COOK:** Will this bill abolish all fees payable by volunteers for screening?

**The Hon. V.A. CHAPMAN:** Save and except for the discussion we had today in relation to these debates as to when there might be an obligation to make a payment upon obtaining employment, the bill itself applies to the protection of children and disability. In relation to aged care, vulnerable people and probity, which are three other areas in which volunteers may work, it is government policy, which has been effective since 1 November 2018, that they do not pay.

In answer to the question of whether this bill applies to all volunteers, no, it only applies to child protection and disability. The other areas are part of our government policy and have been applied since 1 November last year.

**Ms COOK:** Could I clarify something, and it really is the same question. The only question I am asking pertains to this bill, so that is children and people with a disability. Is that a yes?

**The Hon. V.A. CHAPMAN:** Yes.

**Ms COOK:** Given that this abolishes all fees payable by volunteers for screening within the scope of this bill, which is about working with children or supporting children and people with a disability, is the government then saying that someone who is in paid employment is therefore unable to access a free check as a volunteer and unable to be a volunteer as such? They are considered a worker.

**The Hon. V.A. CHAPMAN:** I hope I do this example justice. If you are an accountant and you are paid—presumably you are, or otherwise you are not a very good accountant—and you do volunteer work, in other words, you are not in an industry of employment that requires you to have a working with children check but you do volunteer work relating to children, you will get a free check. If you are working in an industry with children that requires you to have a check—you are paid and you have your employment check—your volunteer check is paid for in that sense. Did I make that clear?

**Ms COOK:** Yes. If someone who volunteers, for example, within the scope of this bill at the Red Cross or Guide Dogs SA/NT or anywhere else and they volunteer for 40 hours a week and get paid work for one hour a month, are they not to be considered a volunteer under these circumstances for screening purposes?

**The Hon. V.A. CHAPMAN:** Once they have gone past the seven-day threshold and working with children.

**The CHAIR:** Member for Hurtle Vale—

**Ms COOK:** This will be my last one on this clause.

**The CHAIR:** Member for Kurna, you might be interested to know that this is the fourth question.

**Mr Picton:** Precedent.

**The CHAIR:** Not at all. Member for Hurtle Vale.

**Ms COOK:** Thank you very much. You are very kind, Chair. We are very lucky to have you actually. Given that, does this breach the election commitment to provide free screenings to a volunteer?

**The Hon. V.A. CHAPMAN:** No.

**The Hon. S.C. MULLIGHAN:** I have a couple of questions, and one is rudimentary. Does the government have any amendments on file to this bill, or is it just proceeding with the bill as it is?

**The Hon. V.A. CHAPMAN:** As the Chair has already advised the committee, there are no amendments being proffered by either side that I am aware of.

**The Hon. S.C. MULLIGHAN:** So I take it that this is the model that the government is happy to proceed with.

**The CHAIR:** Is that a question, member for Lee?

**The Hon. S.C. MULLIGHAN:** Yes.

**The Hon. V.A. CHAPMAN:** Yes.

**The Hon. S.C. MULLIGHAN:** My last question is: when does the Child Safety (Prohibited Persons) Act commence?

**The Hon. V.A. CHAPMAN:** 1 July 2019.

Clause passed.

Clause 2.

**The Hon. S.C. MULLIGHAN:** What is the intended date of commencement?

**The Hon. V.A. CHAPMAN:** 1 July.

**The Hon. S.C. MULLIGHAN:** This year? Well, I intend to be around for many more.

**The CHAIR:** So the answer, Attorney, is 1 July this year.

**The Hon. V.A. CHAPMAN:** It is proposed to commence with the commencement of the prohibited persons act, which is 1 July 2019.

Clause passed.

Clause 3 passed.

Clause 4.

**The Hon. S.C. MULLIGHAN:** Could the Deputy Premier, for my benefit, explain the rationale of the changes that clause 4 countenances?

**The Hon. V.A. CHAPMAN:** New section 6(1a), which is what the effect of this clause does, provides that a person does not need a working with children check if the person is engaged in work in the same capacity as a child unless the work is child-related work—for example, if an adult works alongside a child at McDonald's, a supermarket or a bakery. The person does not need a working with children check if the person is an employer or a supervisor of children in a workplace, again, unless the work is child-related work—for example, if an adult employs a child to work at McDonald's.

**The Hon. S.C. MULLIGHAN:** I appreciate that explanation and more particularly the examples the Deputy Premier gave because they shed some light on this matter for me. In the example of McDonald's, which she gave, I then read the amendment as the service will not mean to be child-related work merely because an adult is working next to a child at McDonald's. Does that

mean that the obligations of that employee are not the same as the other obligations conferred by this act on other adults working in child-related services?

**The Hon. V.A. CHAPMAN:** It simply means they will not need a working with children check.

**The Hon. S.C. MULLIGHAN:** Despite the fact that they will be working with children.

**The Hon. V.A. CHAPMAN:** Next to children.

**The CHAIR:** Before we go on, Attorney, could you stand and give your answer again, please, so that we can capture it, your answer to that question.

**The Hon. V.A. CHAPMAN:** It simply means they will not need a working with children check.

**Mr PICTON:** On the same section and similar thought, the Attorney is saying that if you work at McDonald's, for example, and there are children who also work there, this means that you will no longer need to get a working with children check. Does that mean that the Department of Human Services has been applying a standard where, if you worked at McDonald's up until the passage of this, you did need a working with children check?

**The Hon. V.A. CHAPMAN:** It was already operating in the previous legislation; it has just simply been moved into this part of the act.

**Mr PICTON:** What was the rationale to move it to this section of the act?

**The Hon. V.A. CHAPMAN:** It was on the advice of parliamentary counsel.

**Mr PICTON:** Is the Attorney advising the committee that therefore there is actually no real impact from this change and it is merely moving it from something that was already in place in one part of the act to another?

**The Hon. V.A. CHAPMAN:** Correct.

Clause passed.

Clauses 5 and 6 passed.

Clause 7.

**Ms COOK:** What work was undertaken during the passage through the parliament of the Disability Inclusion Act 2018 concerning the reallocation of screening to the functions of the central assessment unit?

**The Hon. V.A. CHAPMAN:** Do you mean what determines the anticipation of it being passed? The entity as a unit still exists; this aspect renames it. The name is as was identified for the prohibited persons act.

**Ms COOK:** That act is about 10 months old. Why was that amendment not pursued then? Why did that not occur at the time?

**The Hon. V.A. CHAPMAN:** Because the prohibited persons act does not start until 1 July 2019. It cannot operate until then; therefore, we have to do this now to ensure that marries up.

**Ms COOK:** How many volunteers does the minister anticipate will be applying annually for free screenings and what is the budget for this?

**The Hon. V.A. CHAPMAN:** I am advised that the parliament has already been provided with this information, but I will repeat it. The budget for the initiative starting 1 November last year for this financial year is \$1.4 million per annum, and I understand that is on track. We will all have to wait for any changes in the announcement of the budget on 18 June.

**Ms COOK:** Sorry, what were the numbers of volunteers for that?

**The Hon. V.A. CHAPMAN:** Sorry, you also asked for the number of volunteers. We do not know the exact number, but all I am indicating is that the estimate that was done on what was coming in for a part year is apparently on track.

**The Hon. A. KOUTSANTONIS:** The clause inserts a line allowing for this Disability Inclusion Act to apply to perform such other functions as may be assigned to this central assessment unit under that act. Could the Deputy Premier please detail what those other functions may be?

**The Hon. V.A. CHAPMAN:** Apparently none so far, of identified functions, other than screening but, of course, it states:

to conduct screenings for the purposes of the...Act...and to perform such other functions as...assigned...under that Act.

That is all it has there so far.

**The Hon. A. KOUTSANTONIS:** Without asking any hypothetical questions—which would be grossly out of order, sir—is the Deputy Premier telling the house that we are preparing an act of parliament for further amendments that could have consequential outcomes for this central assessment unit? Otherwise, why would you need that redundant clause in there?

**The Hon. V.A. CHAPMAN:** I know the member has been here a long time, but that is a normal course. There is no suggestion of it being a drafted amendment; in fact, this avoids drafting further amendments by ensuring that—

*The Hon. A. Koutsantonis interjecting:*

**The Hon. V.A. CHAPMAN:** The principal purpose of the Disability Inclusion Act coming into this area of screening is to do just that—screen people in that area of vulnerable persons. There may be some ancillary function that goes with it. It may be, for example, that the unit may need to transfer information to another state or something of that nature. There is nothing anticipated at this point, there is no other identified function at this point, and there is nothing I am aware of where that would be utilised, but it will accommodate that if there are some other functions that go with that.

**The Hon. A. KOUTSANTONIS:** If I could just expand on that latest answer the Deputy Premier just gave, am I correct in assuming that the Deputy Premier just said that this clause will enable private information to be shared with other jurisdictions?

**The Hon. V.A. CHAPMAN:** A national scheme is about to be implemented and there is already sharing of data law. The member might recall that it was law that his government actually introduced to ensure that we share certain information. I imagine that would be one of the things that would be covered in relation to this.

It does require publication of any data from South Australia under the legislation that was passed under Mr Rau's sponsorship, which required his permission if it were to be provided outside of government. That is the type of situation I would envisage could occur. There are a lot of laws relating to what you can tell the tax department, too, which we are probably not so happy about anymore.

**Mr BROWN:** The Deputy Premier gave a budgetary figure earlier. Was that figure net of any increased revenue that the government will receive now that checks will no longer be totally free and that those who have now gained employment will have to pay?

**The Hon. V.A. CHAPMAN:** There is no change to that. The money that has been allocated in the budget, in answer to the question by the former member, was the \$1.4 million per annum for free volunteer checks, and notice is clear to those who employ people what their obligations are that have to be undertaken.

**The Hon. S.C. MULLIGHAN:** My question is also in relation to clause 7. Can the Deputy Premier explain why the clause is necessary?

**The Hon. V.A. CHAPMAN:** It is necessary for the reasons I have previously outlined.

**The Hon. S.C. MULLIGHAN:** That causes me to ask a subsequent question. Clause 7 amends section 21(1) of the Child Safety (Prohibited Persons) Act and includes a new paragraph (da). Subsection (1) of that act provides: 'The functions of the central assessment unit are,' and then proceeds (a) through to (d). Paragraph (e) provides:

- (e) such other functions as may be assigned to the central assessment unit by the Minister under this or any other Act.

If there is already the provision for the central assessment unit to perform other tasks as directed by the minister, why do we need this clause at all?

**The Hon. V.A. CHAPMAN:** We need it because this clause actually introduces the screenings for the purposes of the disability act. It adds to it other functions in respect of that act in its assignment. The rest of it relates to the child screenings, so the central assessment unit is there. It has a purpose; it operates. We are adding in the provision for the obligations that are currently being done, but they are under the Disability Inclusion Act. There is no change of actual function. It is happening already, but we are adding it into the legislation to incorporate the obligations under the new disability provisions.

**The Hon. S.C. MULLIGHAN:** In that context, it is doubly unusual because we already have a provision in the existing act that enables the central assessment unit to provide the very function that this clause seeks to empower it to do. All it would require is for the minister to instruct the central assessment unit to start conducting screenings for the purposes of the Disability Inclusion Act 2018. In that respect, the clause seems to me to be redundant. Following on from the member for West Torrens' line of questioning, I would say that the second part of new paragraph (da) to be inserted by this clause, which provides:

...to perform such other functions as may be assigned to the central assessment unit under that Act;

is already provided in 21(1)(e). However, there is an important difference. The existing act provides:

...such other functions as may be assigned to the central assessment unit by the Minister...

It is appropriate, as I am sure this parliament has already canvassed, for a minister who is responsible to this place to confer additional and new tasks on a central assessment unit. However, the way in which clause 7 is worded contains no specificity about how the central assessment unit may be directed to perform such other functions. Under new paragraph (da), to whom is it open to direct the central assessment unit to perform such other functions as may be assigned to it?

**The Hon. V.A. CHAPMAN:** That would be any minister who is responsible for the Disability Inclusion Act.

**The Hon. S.C. MULLIGHAN:** On my reading, there is no reference to the need for a minister. In fact, there is no reference to any level of officer in paragraph (da). It seems that in paragraph (da)—

**The Hon. V.A. CHAPMAN:** I know the member wants to make a speech, but I can answer that question.

**The Hon. S.C. MULLIGHAN:** Thank you, but perhaps you can do it at the conclusion of my speech.

**The Hon. V.A. CHAPMAN:** I am happy to answer that part of the question, which was—

**The Hon. S.C. MULLIGHAN:** You can do it after I have finished.

**The CHAIR:** Attorney, the member for Lee is entitled to speak to his question. I am happy for him to do that, but he will get to the question.

**The Hon. S.C. MULLIGHAN:** Thank you. So, without any specificity about who may direct the unit to perform such other functions as may be assigned to it, the way in which I read this clause is that anyone may direct it to perform these functions. As I previously mentioned, paragraph (da) of course precedes paragraph (e), and indeed it is only (e), which succeeds (da), that makes any reference to the need for the minister to direct the performance of an additional function or duty of the unit. So am I right in reading that it is open to an individual other than the minister responsible for the act at the time to direct the unit to perform another function?

**The Hon. V.A. CHAPMAN:** No.

**The CHAIR:** The member for Kaurana has a question. You have the call.

*Members interjecting:*

**The CHAIR:** Member for Lee, you have had your question. Attorney and member for Lee, can you desist, please. The member for Kaurna has the call.

**Mr PICTON:** I move:

Delete 'and to perform such other functions as may assigned to the central assessment unit under that Act'

As has just been discussed in relation to this clause, clearly the minister and the government do not know why this has been included in the act. They do not have a clear idea of what they are seeking to do here. Clearly, as the member for Lee has pointed out, there are already provisions in the act that could allow for other functions to be assigned, but they would require the approval of the minister, which would be appropriate.

This section, as it has been drafted by the government, does not do that. I think it is appropriate to delete that and keep to the section already in the act that allows things to be assigned with the approval of the minister, rather than use the form the government has proposed here where, presumably, anybody could do it.

**The Hon. V.A. CHAPMAN:** Do you have a seconder?

**The Hon. A. KOUTSANTONIS:** Yes, me. There are more than two of us here.

**The CHAIR:** Member for West Torrens, do you want to speak to the amendment?

**The Hon. A. KOUTSANTONIS:** Yes, please, sir. I rise in support of an eminently sensible amendment. I think that what the member for Kaurna has acted upon is the deficiency in the government's drafting uncovered by the member for Lee. The draft legislation is poor and sloppy.

*Members interjecting:*

**The Hon. A. KOUTSANTONIS:** Exactly. Legislation is drafted on the basis of a cabinet instruction. Obviously, the instruction from the cabinet was flawed. That goes again to the leadership of the Premier, but that is another matter altogether. Again, this brings into question the confidence that this house has in the Attorney-General in having carriage of this bill. As the member for Kaurna rightly pointed out, removing the remainder of that sentence from proposed paragraph (da) makes eminent sense. There needs to be reference to a minister.

If there is no reference to a minister, who are we allowing to decide these functions? Who is this nameless person or persons sitting somewhere in a building deciding the fate? The whole point of representative democracy is that someone is accountable, and this legislation needs to make sure that someone is accountable for the decisions that are made. This parliament is entitled to know who the decision-maker is. Unfortunately, it has been left wanting.

I have to say that the government is very light on with legislation, so there is no reason to think that the government could not have spent a bit more time getting this right the first time. Nevertheless, we are here to help remedy the situation and make sure that the legislation that ultimately passes the House of Assembly is fit and proper for purpose. I implore all members of the house to support the member for Kaurna's amendment. I commend it for support.

**The Hon. V.A. CHAPMAN:** The government opposes the amendment. I will try to make this crystal clear: it is necessary, for the purposes of the work to be done by the central assessment unit, that we insert into its list of functions the obligations to do screenings in the manner that is identified in the Disability Inclusion Act 2018.

That piece of work, which is now in the list to conduct the screenings by this unit, is coupled with other obligations under that act—that is, the Disability Inclusion Act 2018—as distinct from the other functions that might come in under paragraph (e). Therefore, one of those, I am advised, which is necessary to protect by virtue of this inclusion, is the obligation under that act to enable the sharing into other jurisdictions of other units—that is, assessment units around the country—to comply with the other provisions under that act. That matter was advised to the government to be necessarily included and that is why it was put there by parliamentary counsel, to include that for that purpose.

If this clause is objected to by the parliament and deleted, then it will be wanting in the application of the Disability Inclusion Act of 2018. I ask that members be reassured because, if they

read the Disability Inclusion Act 2018, they can see that it is correct. As one of the members said, we are inserting this into a provision to amend the Child Safety (Prohibited Persons) Act because that act lists all the functions of what this unit does, and we are adding to it.

**The Hon. S.C. MULLIGHAN:** I rise in support of the amendment. As I pointed out, on reading the bill, and the act the bill seeks to amend, it is perfectly clear that the existing act allows the central assessment unit to perform such other functions as may be assigned to the unit by the minister under this or any other act. That would include the Disability Inclusion Act 2018. It would include any function—for example, conducting screenings for the purposes of satisfying the requirements of the Disability Inclusion Act.

The important difference between the bill that has been put by the government and the pre-existing clause is the role of the minister in determining what, if any, other additional functions may be required of the central assessment unit. The Deputy Premier directed my attention and the attention of the opposition to the Disability Inclusion Act 2018, claiming that it was clear in the act that it was the minister who had a central role in determining what extra, if anything, could be done by that act.

Part 6 of the Disability Inclusion Act 2018 deals with the screening of persons working with people with disability, and there is no reference under part 6 to the minister or indeed to any other person. There is a reference to the fact that regulations may set out a scheme for screening checks under the Disability Inclusion Act, which raises a further point of interest of course: if this issue could be resolved by regulation then, again, why are we talking about it here?

I am happy to be corrected by the Deputy Premier if she can identify the particular role of the minister in part 6 of the Disability Inclusion Act 2018, or indeed even if she can furnish me with a copy of the regulations which may or may not exist with regard to screening checks under the Disability Inclusion Act 2018 that specify that role that the minister has directed my attention to.

**The Hon. V.A. CHAPMAN:** I think the member is firstly—

**An honourable member:** Does she get another opportunity to—

**The Hon. V.A. CHAPMAN:** You asked me the question.

**An honourable member:** No, we are debating an amendment.

*Members interjecting:*

**The CHAIR:** My understanding is that the Attorney does have three opportunities to speak to the amendment.

**The Hon. V.A. CHAPMAN:** Thank you. We went through this a few weeks ago.

**The CHAIR:** And the member for Kurna will also have the opportunity to close debate on the amendment.

**The Hon. V.A. CHAPMAN:** The indication of the government remains that we oppose the amendment, having heard the submission of the member in support of the motion, and the question is to try to identify where else the minister would have direction. What I had clearly indicated is that the only person who has a capacity to give direction is the minister who is responsible for the act. That was in relation to the commentary on 'other persons might have that power to do that'. That should not be confused with the now assertion that section 6 of the Disability Inclusion Act—

**The Hon. S.C. MULLIGHAN:** Part 6, section 19.

**The Hon. V.A. CHAPMAN:** Part 6, yes, has a reference and it does have a sharing of responsibility of information but it does not need a minister to do that, it is an obligation under the act.

**The Hon. S.C. MULLIGHAN:** So the act can direct the unit, can it?

**The Hon. V.A. CHAPMAN:** I think if you read here 'functions as may be assigned to the central assessment unit...under this Act'. It has a minister who is responsible for that act, but it also has certain roles under that act that are being referred for implementation by the central assessment



unit. I do not think I can make it any clearer. I can see the point of the member to suggest that if we need a catch-all paragraph in (da) why do we need it in (e), or should (e) cover (da) and therefore obviate the need for it? The advice of parliamentary counsel is that that is not the case. We are introducing the obligations in respect of a different act. It has a different reference, and I am advised again today that it is necessary for the purposes of ensuring that that is captured for the work that is undertaken by the central assessment unit.

**Mr PICTON:** I sum up the debate—unless the Attorney wants to make further contributions—and support the comments of the members for Lee and West Torrens and in particular disagree with some of the comments from the Attorney-General that this is basically absolutely needed. When you look at 21(1)(e) that does have a different drafting to what the government has proposed in 21(1)(da). It is a very different drafting. It does not include the minister. I think that is absolutely the reason why this amendment is necessary. Anything that could be assigned under the Disability Inclusion Act 2018 could be done under the existing 21(1)(e) and that provision already in the act includes specific reference to the minister.

The government, for whatever reason, has decided not to include that in what I see as a duplication in their 21(da), a duplication except in the form that it does not include the minister. I think it is appropriate that parliament should keep the existing paragraph (e) that could allow things to be assigned with the approval of the minister and not support what the government has proposed, which is that when it comes to the Disability Inclusion Act the minister be explicitly not included in that.

The committee divided on the amendment:

Ayes ..... 16  
 Noes ..... 22  
 Majority ..... 6

AYES

Bettison, Z.L.  
 Close, S.E.  
 Hildyard, K.A.  
 Michaels, A.  
 Picton, C.J. (teller)  
 Wortley, D.

Boyer, B.I.  
 Cook, N.F.  
 Koutsantonis, A.  
 Mullighan, S.C.  
 Stinson, J.M.

Brown, M.E.  
 Gee, J.P.  
 Malinauskas, P.  
 Odenwalder, L.K.  
 Szakacs, J.K.

NOES

Basham, D.K.B.  
 Cregan, D.  
 Gardner, J.A.W.  
 Luethen, P.  
 Patterson, S.J.R.  
 Power, C.  
 Tarzia, V.A.  
 Wingard, C.L.

Chapman, V.A.  
 Duluk, S.  
 Harvey, R.M. (teller)  
 McBride, N.  
 Pederick, A.S.  
 Sanderson, R.  
 Teague, J.B.

Cowdrey, M.J.  
 Ellis, F.J.  
 Knoll, S.K.  
 Murray, S.  
 Pisoni, D.G.  
 Speirs, D.J.  
 Whetstone, T.J.

Amendment thus negatived; clause passed.

Clause 8.

**The Hon. A. KOUTSANTONIS:** Regarding the insertion of new section 26A—not to steal the member for Lee's thunder—having read section 26, can I ask the Attorney-General what type of offence is not covered in the existing section 26 of the act?

**The Hon. V.A. CHAPMAN:** The question is: which ones are not covered by the statute and are proposed to be incorporated in the regulations? They are murder and attempted murder of an adult, manslaughter of an adult, assault or sexual offences not captured by the prescribed offences (that is generally offences against an adult), abduction or kidnapping offences not captured as

prescribed offences (again, generally, offences against an adult), animal cruelty offences, drug trafficking offences, fraud and deception offences against a child, national security offences and pending charges for prescribed offences.

**The Hon. A. KOUTSANTONIS:** I do not have a problem with any of that. I think that seems all very sensible. However, if I look at the existing section 26, which is not being replaced but just being added to with new section 26A in the amendment clause, there is already broad scope to do these checks. Indeed, section 26(3) of the act provides:

- (3) In conducting a working with children check, the central assessment unit—
  - (a) is not bound by the rules of evidence; and
  - (b) may adopt, as in its discretion it considers appropriate, any findings, decision or judgment of a court or other tribunal;

What I cannot reconcile is what the Attorney just told us, which is that this clause does not capture those convictions when section 26(3)(b) states 'may adopt, as in its discretion it considers appropriate, any findings'. My concern is that whenever you prescribe an offence to be captured you may miss one out.

I would have thought the broader net would be wiser for the parliament to adopt—that is, allow the discretion for any offence, any judgement against any individual, to perhaps rule them out of working with children, rather than having a narrow prescription of offences—unless there is some valid explanation by the Attorney that could differ from that.

**The Hon. V.A. CHAPMAN:** The provision here is to ensure that it is made absolutely clear what is to apply for a presumptive disqualification offence, which is defined on page 6 as part of the new section 26A, namely:

Presumptive disqualification offence means an offence, or class of offences, declared by the regulations to be a presumptive disqualification offence (but does not include an offence that is a prescribed offence).

The list I just read out to you is what is going to be covered by the presumptive disqualification offence under the regulations. It is set out, crystal clear, how that is to apply. It is not the most common scenario to have a situation where there is a presumptive test; that is, you have to prove back rather than be proved against. Really, it is a reverse circumstance.

The only other similar arrangement I can think of is when your government introduced a new set of rules on the capacity to suspend a teacher from teaching work when they were charged with an offence and not actually convicted. They might still be awaiting trial, but there is a capacity to deal with it. It certainly makes some assumptions about the matter. In this case, we have special rules that are to include circumstances where an unacceptable risk to children might prevail as a result of that second lot of category of offences.

**The Hon. A. KOUTSANTONIS:** That makes perfect sense. However, the part I am grappling with again is why it requires an amendment and simply not just an additional regulation. Section 26(4) of the existing act provides:

- (4) A working with children check must be conducted in accordance with any other requirements set out in the regulations and the guidelines (however, a failure to comply with this subsection does not, of itself, invalidate a working with children check).

However, if you included or deleted the paragraph parts of subsection (4), I assume you get the same outcome. The only thing I am concerned about is that whenever you prescribe an offence you are bound to miss something out, whereas the broader discretion you give those charged with child protection include not being bound by the rules of evidence, and that is fair enough. It has a discretion to consider appropriate any findings, any decision or judgement. That could include, I imagine, a decision by the DPP to charge someone, but not necessarily be prosecuted.

I would have thought the broader the scope the better rather than narrower, but I think the Attorney-General has answered it in the way she is going to answer it again, which is that they want to make it crystal clear. My only concern comes down to whether the regulations can add further offences without requiring a legislative remedy? That is, if something comes to the attention of the Attorney or the relevant minister, an offence that has not been prescribed in the act or in the current

regulations, can it be added and still have the same effect at a later date, or do we leave it as broad as possible to start with so that we can capture everyone?

**The Hon. V.A. CHAPMAN:** I am advised that there is an intergovernmental NDIS agreement which requires us to make provision for this circumstance of unacceptable risk in certain circumstances where there is a presumptive disqualification offence to apply. I think it is important that we do identify and have it very prescriptive.

Another thing is that it is not the usual type of law to, I suppose, deal with things before there have been final conclusions. In that regard it is, I think, very important that it is crystal clear to whoever is reading this legislation for the purpose of identifying their obligations under the act. It is possible—the member might be right—that we could just add on a subclause to section 26. That is a possibility.

But we are advised that this is important for the purposes of dealing with two different sets of cohorts, that is, a whole list of presumptive offences that relate to children (I did not read those out, but you get the gist of them—they are the same: murder/manslaughter of a child, etc.), and there is this other group that relates to those circumstances that can be dealt with by regulation as per new section 26A.

So I think it is important that we accept the advice on this. We certainly do not want to be in default of our obligation under the NDIS obligations, but equally it is very important—and I have maintained this the entire time I have been here in the parliament—that we are crystal clear in the statute and not just say that down the track you can go off and check with the regulations. They are obviously designed for flexibility and those opportunities, but we are dealing with an unusual principle in the law, and I think it is even more important that we be absolutely prescriptive in this provision.

*Sitting extended beyond 18:00 on motion of Hon. V.A. Chapman.*

**The Hon. S.C. MULLIGHAN:** My question relates to the initial advice that the Deputy Premier provided in response to questioning on this clause about the list of offences to which this clause refers. Can I ask how that list was compiled? What assessment was undertaken for which offences should form part of that list?

**The Hon. V.A. CHAPMAN:** It was part of an intergovernmental agreement in relation to the NDIS screening.

**The Hon. S.C. MULLIGHAN:** Was it subject to any of the consultations conducted for the purposes of bringing this bill to the parliament?

**The Hon. V.A. CHAPMAN:** I should add that it is designed of course to have consistency in relation to the application of the act, presumably, in the other jurisdictions. Could you just repeat the question?

**The Hon. S.C. MULLIGHAN:** Sorry, I missed that last part.

**The CHAIR:** From the Attorney, could you repeat the question, please?

**The Hon. S.C. MULLIGHAN:** Sorry. It is confusing of me to ask the Deputy Premier to repeat the question that she was seeking. Anyway, we will move on.

**The Hon. V.A. CHAPMAN:** Ask me again.

**The Hon. S.C. MULLIGHAN:** Yes, I will. I am just trying to ensure I have the same wording that I had previously.

**The CHAIR:** This is not an additional question.

**The Hon. S.C. MULLIGHAN:** Indeed. Yes, it is the same one. I keep my third in reserve.

**The CHAIR:** As you should.

**The Hon. S.C. MULLIGHAN:** My second question for the Deputy Premier on clause 8 is perhaps preceded with a brief comment. I note that, unlike what we have seen in clause 7, where there is an element of discretion for the purposes of the central screening unit being able to undertake such other functions, there does not appear to be any room in the wording of clause 8 for someone—

a minister or someone else—to provide any discretion to add or subtract offences as may be needed from time to time.

I raise that, firstly, in light of the Deputy Premier's first response in which she advised that the list of offences replicates the list of offences that have been agreed between jurisdictions in an intergovernmental agreement. If a need was identified by jurisdictions to amend that intergovernmental agreement, I presume then that we would have to come back and amend the act. Should there be an incident or a type of offending that emerges in the South Australian community that turns the public's and the parliament's mind to needing to place some further restrictions around what somebody who is charged with or guilty of a particular offence that is not countenanced in the lists that the Deputy Premier has raised, do I understand that for both of those two scenarios we would need to come back and amend the legislation?

**The Hon. V.A. CHAPMAN:** No, and again I direct the attention of the member to new subsection (4), which sets out very clearly that the 'presumptive disqualification offence' means offences, etc., declared by regulation. It has the flexibility within it, as I had advised the member for West Torrens.

**The Hon. S.C. MULLIGHAN:** My next question—I will not be so bold as to call it a third in case you forget it is—is: have regulations been drafted to give effect to this list of offences? When is it envisaged that such regulations may come into effect?

**The Hon. V.A. CHAPMAN:** The regulations in relation to this operation have not yet been drafted, but I am advised that it is expected that they would be ready for operation to commence on 1 July 2019, assuming of course we ever get this regulation through. I will say there is a significant other body of work in relation to regulations which is currently before the Legislative Review Committee, I think. The large body of work has already been done, I think it is fair to say, in relation to working with children checks, and is over for their consideration at the moment.

**Mr PICTON:** My understanding of this clause, from reading it and also from listening to the Attorney's contribution, is that essentially there is going to be a list of offences where usually there would have been some assessment made as to whether that person could get a check or not get a check, but now, by nature of this and the resultant regulations, there is going to be an automatic determination that they will not be able to get a check because of those offences.

Given that the Attorney and the government presumably know what the list of offences are, and that they also know what working with children checks are out there and the number of people who would have had one of those offences and still been able to get through the net to get a working with children check, does the government have an estimate of how many fewer approvals there would be once this section is in operation for working with children checks?

**The Hon. V.A. CHAPMAN:** In answer to the first question, yes. I qualify that simply by saying that, as per the presumptive process, they can put their case to try to turn that around. In relation to the second question, we do not have any estimate of that at this stage, but it is expected to be a similar number to those that we revoke, which is less than 1 per cent.

**Mr PICTON:** I presume therefore that there is a percentage of checks, even if it is less than 1 per cent, that will now have a very quick process, whereas before they would have had a lengthy process. I presume that, given the complexity of these cases, it would have involved quite a lot of staff time. Does the government have any estimation as to what the impact of resourcing is going to be? Is this going to free up resources by enabling less time to assess those applications that presumably might have been quite tricky beforehand because it will now be a much quicker process, as we have outlined in the first question?

**The Hon. V.A. CHAPMAN:** In short, there may be some cases that are dealt with expeditiously, but work still has to be done to get the information for the police check and undertake the work to do it. Secondly, remember that we are not saying that there is an automatic rejection. There is a rejection, but with a right to be able to argue, in which case there may well be those that come forward. Regarding the estimate, though, my advice is that there will be no net saving in relation to the application of this.

Clause passed.

Clause 9.

**Mr BOYER:** The bill contains an amendment to make volunteer screenings free for people working less than seven days. Could the Attorney perhaps explain how the government actually came up with seven days as the figure?

**The Hon. V.A. CHAPMAN:** Largely for ease of application. It would be consistent with already a seven-day rule, if I can put it in that regard, in the act in relation to the application of obligation to have a screening check within a seven-day working period. It is consistent with a threshold and time period that is already in the act; this would be consistent with it.

**Mr BOYER:** Can I take from that answer from the Attorney that the decision to choose seven days is more around aligning that with another part of the act than about the volunteer's capacity to pay whatever fee they will be asked to pay once they have worked what could potentially be one hour per day for seven days?

**The Hon. V.A. CHAPMAN:** Well, ultimately those who thrashed this out in the other place took that view, and we agree with it.

**Mr BOYER:** I wonder if the Attorney could tell us what consultation, if any, was done with groups other than those who are represented in this place about coming to that seven-day figure?

**The Hon. V.A. CHAPMAN:** I think the list has been made, but I do not know how many people were consulted in 2016. I can hardly remember the detail of those debates. When the previous government introduced the legislation which set the first seven-day rule, I cannot answer who was consulted in that regard. I know that in relation to the regulations which we have been working on—I know the previous government for two years and us for about 14 months—there has been very extensive consultation because we had to deal with such issues as volunteers in the CFS and whether they are required to have checks. So there has been very extensive consultation, but as to why that first seven-day rule was set by the previous government I do not know. You will have to ask some of these people sitting down the front here.

*An honourable member interjecting:*

**The Hon. V.A. CHAPMAN:** Perhaps I could add that it must have been such a good idea from the previous government that we accepted it.

**Ms COOK:** Under the government's bill as it stands, someone could receive a free volunteer screening, then volunteer, say, for three years, then they could work at a school canteen for half an hour a day for eight days, and the minister would then be insisting that they pay their \$107.40, or whatever the fee is at the time, which will obviously change, even if that person after working those eight shifts at a canteen has to then go back and do full-time volunteering?

**The Hon. V.A. CHAPMAN:** That is correct, save and except that it is not the minister who will do that; the consequence of that is that there a legal obligation on the part of the person you refer to, under the act, and they may be subject to a conviction penalty if that is to apply.

**Ms COOK:** Again, to be clear, somebody who is able to secure work on a minimum wage could be forced to pay the government's prescribed fee of whatever it is—\$107.40—for a new screening, and that new screening is exactly the same as the current screening that they have as a volunteer in everything but name. So they might have the opportunity to only earn \$150.

**The Hon. V.A. CHAPMAN:** The obligation is to have the next check which will then run for the next five years.

**Ms COOK:** Basically, based on the figures I gave before on their earnings, it is ostensibly a 70 per cent tax on their earnings, because that is what they have to pay out.

**The Hon. V.A. CHAPMAN:** I cannot advise on tax matters, but the person, if they do undertake employment within the terms of this qualification, has an obligation to have a paid check and, once they have graduated from that or passed it as such, it will apply for five years.

**The CHAIR:** This will be your last question, member for Hurtle Vale.

**Ms COOK:** In respect to some of the language we have heard—we have heard talk about rorting, extortion and references to what potentially people might do—

*The Hon. V.A. Chapman interjecting:*

**Ms COOK:** Yes, you did.

*The Hon. V.A. Chapman interjecting:*

**Ms COOK:** Exploitation, yes; anyway, the way it has been described, is it your testimony that a person, a volunteer, could plan to get employed in three months, so take all the bother to get a free volunteer check so they can avoid paying a hundred bucks in three or four months' time as a paid worker?

**The Hon. V.A. CHAPMAN:** Well, I do not proffer to identify who might be motivated to exploit an advantage that is put out for volunteers. The clear intention of the legislation is there. There is an opportunity that has been brought to our attention where it may be exploited—in other words, taken advantage of—when they have an obligation like everyone else who is in paid employment to have a check.

I think the member used an example of a surf lifesaving volunteer who might do their learn-to-swim work for a couple of weeks a year and get paid. Under the current regime, under the previous government's regime, they would have to pay for their check for those two weeks, and it would have its applicability for less time and so on; it is a bit of a lower standard of check. I do not mean that detrimentally or rudely; I mean it in the sense that we have now expanded it so that it is real-time rather than fixed in time, etc.—continuous monitoring.

There is nothing new about that; that is exactly what they had to do under the previous regime. But there is the concern that has been brought to our attention about those who might circumvent their obligations in respect of seeking paid employment working with children, and that is exactly what this is designed to attend to.

**Mr SZAKACS:** Attorney, the bill contemplates a scenario where the fee remission under new section 33A(1) ceases in the event that the person works with children in a capacity other than as a volunteer. Could you please advise what circumstances or arrangements that may be considered to be, other than volunteering?

**The Hon. V.A. CHAPMAN:** Paid employment.

**Mr SZAKACS:** In your answer, Attorney, and in various other contributions, both in debate and answers, the words and definitions interchangeably have been used between employment, as paid employment, work and remuneration. To what statutory definition does the Attorney point for the clarification of employment?

**The Hon. V.A. CHAPMAN:** I think remuneration is clear. Remuneration is the benefit received for the purposes of undertaking an act, usually work. As to the definitions of worker employment, I will see whether there are some in the primary act. But if there has been any interchange of the terms 'paid work' or 'remunerated work' or 'paid employment' or 'remunerated employment', we will check the definition, but the act specifically in this area defines it in relation to work, and that is the word used here.

**Mr SZAKACS:** In your response, you referred to work and also remuneration. Are there any circumstances where somebody could be undertaking work—for the purposes of your response—that does not involve paid monetary remuneration?

**The Hon. V.A. CHAPMAN:** In short, the volunteers act defines honorarium and specifically makes provision for that not to be treated as remuneration for the purposes of disqualifying as an employment, as a remuneration. I refer you to section 6 of the principal act, that is, the Child Safety (Prohibited Persons) Act 2016, which sets out: 'For the purposes of this Act, a person will be taken to work with children if,' and it lists three circumstances.

**Mr SZAKACS:** Section 6 refers to employment, and you have just referred to honorarium. Would you please clarify any examples that you gave where there would be an interchange between employment and honoraria?

**The Hon. V.A. CHAPMAN:** I will repeat what I said. Honoraria are defined in relation to the volunteers act, which sets out the distinction between honorarium and remuneration for the purpose of employment or paid work.

**Mr SZAKACS:** There are multiple acts that talk about work.

**The Hon. V.A. CHAPMAN:** I understand that. I am pointing out to you that, for the purpose of definitional guidance, the volunteers act sets out some of that important background. It obviously—and I think helpfully—deals with the question of honorarium. I am advised that honorarium is not treated for the purposes of this legislation as introducing the threshold of undertaking paid employment. In other words, honorarium is not taken into account for that purpose because it is in the volunteers act and that is very clear. In relation to section 6, we are talking about the 2016 act.

**Mr BROWN:** Attorney, if a person who has a reasonable expectation that they will only work for a period of seven days over a coming 12-month period takes on employment and then they are subsequently engaged for an additional period of a few days after they have worked for seven days for the same employer, when are they required to apply for an additional check?

**The Hon. V.A. CHAPMAN:** If they are a volunteer and they undertake work, once they get to the seven days they have to apply and pay and they have 28 days to make that application. Alternatively, if they have not already had a check done or it is not current, then they have to apply within seven days.

**Mr BROWN:** I might just clarify the first part of my first question. I am talking about someone who has paid employment for a period of seven days over a 12-month period. They expect to only work for seven days. They only work for seven days and it is paid employment, not as a volunteer. They subsequently get further employment with the same employer, so they expect to only work for seven days, but it turns out to be longer than seven days. When do they need to pay the fee for an employment check?

**The Hon. V.A. CHAPMAN:** They have done their seven days. They have to apply and pay. If they are not intending to do other work but they then do, of course they are covered because they are covered for five years. If they do not want to run the risk of that, I suppose they only work 6½ days, but that is up to them. The threshold is set at seven days. It is consistent with what was put in the act in 2016.

**Mr BROWN:** Employees having a reasonable expectation that they will only work a seven-day period in the coming 12 months enables them to actually begin paid employment with an employer and not have to pay the full fee. They can still get it for free as a volunteer as long as they have a reasonable expectation that it will be less than seven days; is that correct?

**The Hon. V.A. CHAPMAN:** Yes.

**Mr BROWN:** My third question relates to the obligation of employers to keep records. Will an employer need to keep records of the number of days that people have worked specifically for this purpose to make sure they do not fall foul of the act? I note that it says here 'a person who fails to comply'. I assume that means the employer as well as the employee. Is that correct?

**The Hon. V.A. CHAPMAN:** No. In relation to the eligibility for free volunteer service, which is the parameter of what we are talking about, all the obligation is on the employee in relation to the fee payable where a volunteer undertakes paid employment. The employer is already under all sorts of other obligations. They are not allowed to let people in the door of their organisation, paid or unpaid, until they have had a proper lawful check, otherwise they are severely penalised, and that is as it should be and that is clearly the law. That does not change at all. This is a situation where we are giving a person, who is a volunteer, a special arrangement. If they work for seven days, they move out of that special arrangement and they have an obligation to apply and pay.

**The Hon. S.C. MULLIGHAN:** Can the Deputy Premier explain how the department will assess whether work has indeed occurred?

**The Hon. V.A. CHAPMAN:** I think it is going to be a question here of establishing if there is to be an allegation made to support that a person has failed to comply with the section, because it is an offence here. The obligation is to establish just that. That is a matter for them.

**The Hon. S.C. MULLIGHAN:** What, if any, compliance activity will be undertaken by the unit in assessing whether unreported work has occurred? What resources are being provided for that compliance and follow-up activity?

**The Hon. V.A. CHAPMAN:** Firstly, it is expected that it would be a complaint-based arrangement, presumably someone who is a work colleague who says, 'Have you got your check?' It could be an employer who says, 'It is a working with children industry. You have been here for seven days, you are staying on and we want to see your working with children check.' Obviously, they have a liability if they do not. But if it is complaint based, then there would be an investigation, and potentially prosecution of the matter would be raised.

It is an expiable fee, of course, in the first instance, which I would anticipate to be the most likely matter, unless someone had worked for years, for example, and had not obtained their check. I imagine there would be all sorts of people being prosecuted including the employer. But in relation to the benefit here for a failure to pay, there would be an investigation and then a non-compliance process undertaken. There has not been any proposed extra funding allocated for it.

**The Hon. S.C. MULLIGHAN:** I appreciate the Deputy Premier's advice that essentially this clause relies on an honesty system from volunteers. For those who are thought to be dishonest, it requires a complaint to be lodged by someone alerting the unit to the fact of that person having conducted work above the prescribed amount in the new section 33A.

My third question, though, relates back to the issues that the member for Cheltenham was canvassing in trying to nail down a definition of what constitutes work. Of course, the term 'work' does not imply remunerated employment. Indeed, we have a definition here which is not defined by the bill. It is not defined by the act that the bill is seeking to amend. As the Attorney has advised, the only guidance we seem to have is from a third act, the volunteers act, which talks about honoraria, which if I am correct usually apply to some payment made by an organisation for somebody, for example, conducting the duties of an office bearer of that organisation.

If you are the secretary of a surf lifesaving club, to use the Deputy Premier's own example, you may be entitled to a small honorarium for the effort you put into maintaining the paperwork of that organisation for the term of service. Without wanting to put words in the member for Cheltenham's mouth, the reason why this issue of what constitutes 'work' is so important is because it is commonly held that work is not exclusively remunerated employment.

Work can be exertion for a desired outcome; for example, I worked all day over a hot barbecue at the local footy club or I put a lot of effort in—I worked—all day pulling up the tiles at my local surf lifesaving club so that we can lay down some more contemporary and fit-for-purpose flooring solution. That is what most people would consider to be work, not necessarily remunerated employment.

The problem we have is we do not have a definition here of what legally constitutes work, as far as I can gather from the responses that have been provided. We have many hundreds of thousands of situations where volunteers are engaged in 'work' that may or may not be remunerated in the context of providing that work and, in doing so, are seen legally to be 'working' with children.

I am sorry that is a long preamble, but I hope it identifies some of the infelicities in the drafting of this particular part of the clause relying on the term 'work' rather than 'remunerated employment'. I am hoping that the Attorney can perhaps provide some further and better particulars about how work would be defined by the unit in making a claim against somebody who had received a screening check, who had not paid for that screening check, who had someone at the local surf lifesaving club conduct some effort—or 'work'—of dobbing in to make sure that person had to pay the \$100-odd back.

**The Hon. V.A. CHAPMAN:** I think I can confidently say the example of exertion that has been presented by the member has nothing to do with work or employment. To the questions that were raised by the member relating to the use of the words work, employment and remuneration, I hope I helped him understand that, in relation to remuneration, the volunteers act is a helpful guide. It specifically deals with honoraria, so that is not captured. In relation to work and employment, I am a little surprised the member does not remember the quite extensive debates about this in the



principal act, which we are now amending and which was introduced by his government back in 2016, when we finalised it.

**The Hon. S.C. MULLIGHAN:** I was probably working.

**The Hon. V.A. CHAPMAN:** No, you would have been listening attentively to your colleagues in the parliament, no doubt. Regarding the provisions in the principal act, I invite you to have a look at sections 6 and 7, which relate to the definitional clauses, and identify what I thought a rather curious description at the time, that is, a definition of work with children, which is defined in subsection (3). The meanings of employed, employee and employer are explicitly set out in section 7. I hope that clarifies that for the member.

**The Hon. S.C. MULLIGHAN:** It does not, because 'employed' and 'work' are separate concepts.

**The Hon. V.A. CHAPMAN:** It was your act.

**Mr PICTON:** I just have a question initially on the same lines in terms of what this definition of work is, particularly relating to volunteer work as well. I am aware that there are particular volunteers who may be with the CFS or SES, for example, and who, if they become injured at work, would receive payments under workers compensation. If they are doing so, my reading of that would be that they have moved from volunteering to being remunerated. Would a person in that situation have to then apply to get a new screening check? If they did not do that because they were off from their volunteering and being remunerated, would they be subject to the potential \$5,000 maximum penalty under this section?

**The Hon. V.A. CHAPMAN:** Just so I am clear about this, are you inquiring in relation to a person who is in employment and currently in receipt of return to work payments or are you dealing with a volunteer?

**Mr Picton:** A volunteer.

**The Hon. V.A. CHAPMAN:** In those circumstances, if they were a volunteer, I do not see that there would be eligibility for a return to work payment. They can be volunteering separately, but if they are actually an employed person who has a return to work entitlement because of the nature of their injury within the entitlement under that act—

**Mr Picton:** I think you might want to check that.

**The Hon. V.A. CHAPMAN:** That is why I am asking whether we are talking about someone who is actually employed at the time or whether they are a volunteer.

**Mr Picton:** Volunteers can get return to work payments from the CFS.

**The Hon. V.A. CHAPMAN:** I appreciate that. Is that what you are referring to, in relation to someone who is a volunteer who is receiving a workers compensation payment via the Return To Work Act because they are volunteer the CFS; is that the question?

**Mr Picton:** Yes.

**The Hon. V.A. CHAPMAN:** The advice I am receiving is that they are still treated as a volunteer. If they are a volunteer who does not receive remuneration in paid employment in that process then they are only working as a volunteer.

**Mr PICTON:** In my remaining two questions I want to focus on new section 33A(4), in which the penalty that is going to be applied to volunteers who do not comply with this is a maximum penalty of \$5,000 for the volunteer. That is a bit of a sting in the tail under this legislation, particularly when it comes to appropriately doing paperwork: 'Let he who is without sin cast the first stone.'

What this is setting forth is a very complex set of arrangements where you have to clearly be appropriately counting the number of days you are working, and then you have a set number of days—which I understand is 28 days—to therefore apply and pay for an employee check rather than a volunteer check. If you do not do that, bang, we can prosecute you for \$5,000 or will expiate you for \$315.

Given that, and given that we are actually trying to help volunteers—I thought that was the whole objective of this act—what are the provisions that the Attorney and the government are considering for what the leniency would be in those circumstances? How lenient is the department going to be with people who have forgotten to do this, or with people who may not have realised they have done seven days, who may not have realised they have done this in total?

I guess I am thinking of someone, say, who is down at my Moana Surf Life Saving Club who has had a volunteer check and then starts in an area of employment that may relate to children. I think that is a particularly vague proposition as well. They may not necessarily know that they have been caught under this section. What is the leniency that is going to be applied by the department to that person before they start issuing fines and before they start prosecutions?

**The Hon. V.A. CHAPMAN:** I suppose we will take some guidance from the other jurisdictions around Australia that have already applied this. I am advised that works quite well in the sense of people understanding what their obligation is. If there is anything that is very clear, it is about the principle that ignorance of the law is no excuse. Of course, imagine the departments that employed Shannon McCool, for example, that failed to properly screen him.

There is a clear statutory obligation that has been operating for many years, that if you work with children you have to have a paid test. We have offered a relief of that payment for the purposes of volunteer work, but that obligation is out there. I have not so far heard an excuse from employees or employers, 'I just didn't know I had to do this and therefore I don't think I should be punished.' Try telling that to the tax department.

**Mr PICTON:** In relation to this, given that the Attorney has outlined that she thinks that there are similar provisions in place in other states whereby volunteers could be fined if they do not seek a separate payment for an employee check if they start paid employment, can the Attorney outline what research she has done into the provisions in other jurisdictions that apply in terms of how many people have been charged in other states?

Also, how many expiation notices have been issued and what has the quantum of those charges and findings been, both for prosecutions that have been laid and for expiation notices that have been issued against volunteers in the same manner that the Attorney and the government want to issue them against volunteers in this state?

**The Hon. V.A. CHAPMAN:** To be clear in relation to the other jurisdictions—that is, those that have the obligation to have continuous monitoring services under the five-year arrangement that now operates in a number of jurisdictions around Australia—people know what their obligations are and employers have a very steep penalty if they employ anybody, paid or unpaid, without getting that. I think there is a very clear understanding in the community about that. As to the question of the provisions that are to apply, we are talking here about volunteers who engage in work and who have an obligation to pay the fee if they get to the seven-day mark. They then have another 28 days to apply to pay that. That is the obligation.

**Mr PICTON:** How many have been done in other states? How many people have been charged in other states?

**The Hon. V.A. CHAPMAN:** In relation to people who have proceeded to work without getting their check, I do not know. I am not even sure what we have here already. We do not have a number here for people who have been charged for failing to get a working with child check.

**The Hon. A. KOUTSANTONIS:** The Volunteers Protection Act defines a volunteer as someone who receives no remuneration for work. However, a person who carries out community work under a court order or a condition of a bond is not regarded as working on a voluntary basis. I wonder if that applies to welfare benefits such as Work for the Dole.

If someone is receiving a commonwealth benefit under Work for the Dole and to receive that benefit they are instructed to work in the location or vicinity of children, are they in breach of the act because they receive remuneration? The volunteers act specifically rules them out as being volunteers. However, to receive their benefit they must carry out the work issued by the relevant commonwealth department that issues those payments. Could the Deputy Premier inform the house

whether those people who are on those allowances will be asked to either pay a fee or expiate a notice?

**The Hon. V.A. CHAPMAN:** In relation to a community service order, the advice I have received is that would be treated as a volunteer in non-paid employment. So, for the purposes of this issue in clause 9, doing seven days of a community service order would not accrue the responsibility of paying the fee. If it helps, in relation to other jurisdictions that provide a fee-free benefit to volunteers, I am advised that New South Wales, Victoria and Queensland all offer a fee-free check for volunteers.

**The Hon. A. KOUTSANTONIS:** Point of order: relevance. The question was about people receiving welfare benefits.

**The Hon. V.A. CHAPMAN:** And community service.

**The Hon. A. KOUTSANTONIS:** Yes. I said 'bonds'—people undertaking community service or receiving welfare benefits, such as Work for the Dole. Obviously, Work for the Dole programs stipulate where that work is done.

**The Hon. V.A. CHAPMAN:** Work for the Dole is a commonwealth benefit. Just because it directs that a person has to undertake work at a particular venue does not elevate it to the state of being employment.

**The Hon. A. KOUTSANTONIS:** It is Work for the Dole—to work for the dole.

**The Hon. V.A. CHAPMAN:** I am just putting the position in the way I would read it. In discussing this, with the advice that I have in relation to this matter, the expectation is that it would not attract 'employment' for the purposes of commencing the seven-day rule that refers to this section.

**The Hon. A. KOUTSANTONIS:** The Deputy Premier has made it clear to the committee that someone in a Work for the Dole program, who is directed to work and receives a benefit, a payment, for that work for a period of longer than seven days, would not be required to pay the fee. My second question goes to the expiation notice. Who issues the expiation notice?

**The Hon. V.A. CHAPMAN:** My understanding is that it would be referred to the prosecution unit. I do not have the particulars of that, other than the fact that the expectation is that it would go to the prosecution unit.

**The Hon. A. KOUTSANTONIS:** The prosecution unit of SAPOL?

**The Hon. V.A. CHAPMAN:** Yes. There is only one.

**The Hon. A. KOUTSANTONIS:** So police would be charged with issuing expiation notices on the basis of someone having worked in paid employment for more than seven days who had been volunteering in the prescribed areas with children.

**The Hon. V.A. CHAPMAN:** And who failed to pay.

**The Hon. A. KOUTSANTONIS:** And who failed to pay for the clearance. Given that the burden is on the volunteer, what is the reporting mechanism that these organisations have to put in place? I am trying to understand exactly how this is even workable. If you volunteer, you are not in paid employment. As others have raised, if you conduct your work and 11 months later you gain employment, you are in breach of the act. Obviously, there is a burden on the individual to report that immediately and pay a fee.

If you volunteer in January and you get paid employment in November, the government is passing legislation that requires you—even though you have not volunteered again—to front up somewhere and pay a fee. If you do not pay that fee, there is a \$5,000 fine, or you can expiate it, plead guilty and pay \$315 to the Crown. What is the mechanism in place for investigating those breaches? Is it a criminal investigation? Is it a civil inquiry? Who conducts those investigations? Who enforces this?

**The Hon. V.A. CHAPMAN:** I thought I had made this quite clear earlier in the questioning on this. Our understanding is that it is expected to be on a complaints basis; that is, a work colleague

or an employer might tell the person to report or say to them, 'You have done your seven days. Have you paid your fee?' A complaint would go in, as frequently occurs now.

**The Hon. A. KOUTSANTONIS:** To who?

**The Hon. V.A. CHAPMAN:** To the department, the screening unit. 'Does this person have their screening assessment? I have reason to believe that they are staying in my volunteer arrangement, but they have started working and they have not made that application.' They check with the employee; there might have been some misunderstanding. If it appears to be a breach, it goes to the compliance unit.

They might report the matter and say, 'Here's the evidence,' and the person who has not presented any argument to the contrary is issued the notice. It is an expiation notice, so it is an on-the-spot fine type of situation, and they either pay or they do not. If they do not, then of course they go through a court process like anything else.

Progress reported; committee to sit again.

#### **STATUTES AMENDMENT (LIQUOR LICENSING) BILL**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

#### **CRIMINAL LAW CONSOLIDATION (FOSTER PARENTS AND OTHER POSITIONS OF AUTHORITY) AMENDMENT BILL**

*Final Stages*

The Legislative Council agreed to the bill without any amendment.

At 18:51 the house adjourned until Tuesday 14 May 2019 at 11:00.

*Answers to Questions***LOCAL HEALTH NETWORKS**

**691 Mr PICTON (Kaurna)** (3 April 2019). What draft or final Australian Council of Healthcare Standards accreditation reports for metropolitan hospitals and/or local health networks are set to occur over the next 12 months, and what are the deadlines of each draft and final report?

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

Accreditation assessments of local health networks against National Safety and Quality Health Service (NSQHS) standards scheduled to occur over the next 12 months (April 2019-March 2020) are as follows:

- Central Adelaide Local Health Network – SA Dental Service
- Women's and Children's Health Network
- Southern Adelaide Local Health Network

Draft assessment reports are issued within 20 business days following accreditation visits with final assessment reports issued within 30 business days following accreditation visits.

**PATIENT TRANSFERS**

**694 Mr PICTON (Kaurna)** (3 April 2019). What is the fiscal impact to the budget of the outsourcing of ambulance transfer services between the Modbury and Lyell McEwin hospitals, as announced in the minister's budget media release?

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

The Northern Adelaide Local Health Network, through a recently appointed contractor, has approached the market for the provision of a dedicated transport service for inter-hospital transfers between Modbury and Lyell McEwin hospitals.

Following the selection of a preferred provider, the budget impact will be able to be assessed.

**HOSPITAL BEDS**

**695 Mr PICTON (Kaurna)** (3 April 2019). On what date did the Collins Ward beds at Noarlunga Hospital close?

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

The short stay surgical beds moved from Collins Ward Noarlunga Hospital to the extended Day Surgery Unit Noarlunga Hospital on 21 December 2018. There was a net gain of beds to the system.

**HOSPITAL BEDS**

**696 Mr PICTON (Kaurna)** (3 April 2019). On 19 March 2018 how many patients eligible for the NDIS were in beds in public hospitals? How many of those had been in hospital for over 100 days and over 200 days?

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

The closest date to the 19 March 2018 that data was captured was 30 March 2018. As of that date SA Health was monitoring 17 patients who were eligible for NDIS services and waiting for the NDIS process to be completed. Of these, 9 patients were discharge ready of whom 5 patients were in hospital for over 100 days and 1 was in hospital for over 200 days mental health patients were not included.

**ICE TASKFORCE**

**706 Mr PICTON (Kaurna)** (3 April 2019). What is the current status of each of the Ice Taskforce recommendations' implementation that fall under this portfolio?

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

SA Health has responsibility for nine of the recommendations in the Ice Action Plan, from which 10 initiatives were developed to address methamphetamine use in the community. Of these, four have been implemented and are now complete with the remaining six, listed below, being underway:

- Supporting employers to better respond to substance abuse in the workplace.
- Building peer education capacity by working with high prevalence, high risk groups to ensure appropriate prevention strategies are in place to reduce use and risk.

- Supporting grassroots sporting organisations to build their capacity to respond appropriately to substance abuse issues.
- Enhancing the capacity of front line workers to manage the behaviour of people affected by crystal methamphetamine.
- Development of emergency department guidelines
- GP training through Ministerial Drug and Alcohol forum (MDAF)
- Explore other options for diversionary programs across various systems, based on success of DASSA Fines Enforcement Diversion program.

#### CENTRAL ADELAIDE LOCAL HEALTH NETWORK

**710 Mr PICTON (Kurna)** (3 April 2019). As at 19 March 2019 what is the name and title of each of the team members of the CALHN turnaround project?

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

The following are members of the CALHN Recovery Team:

Name	Title
Mark Mentha	Recovery Team Member
Chris Martin	Recovery Team Member
Sophie Gibbons	Recovery Team Member
Peter Derbyshire	Recovery Team Member
Yvonne Willich	Recovery Team Member
Fadi Zeitoune	Recovery Team Member
Tyson Corrigan	Recovery Team Member
Andrew Kolotelo	Recovery Team Member
Carrisa Naidoo	Recovery Team Member
Ross Cooke	Recovery Team Member
Clare Moylan	Recovery Team Member
Bernie Kellie	Recovery Team Member
Bridget Sweeney	Recovery Team Member
Jo Varney	Recovery Team Member
Jeremy Nettlefold	Recovery Team Member
Sebastian Hams	Recovery Team Member
Aaron Johnstone	Recovery Team Member
Jessie Harman	Recovery Team Member
James Wagg	Recovery Team Member
Sam Bishop	Recovery Team Member
Braden Kempthorne	Recovery Team Member
Noah Jacobson	Recovery Team Member
Jane Ayers	Recovery Team Member
James O'Connell	Recovery Team Member
Peter Funston	Recovery Team Member
Mimi Green	Recovery Team Member
Paula Joseph	Recovery Team Member
Emma James	Recovery Team Member
Alison Larg	Recovery Team Member
Ellen Mills	Recovery Team Member

Nicola O'Loughlin	Recovery Team Member
Pamela Everingham	Recovery Team Member
Chrissie Isaksson	Recovery Team Member
Cassie Illies	Recovery Team Member
Rose Ercolino	Recovery Team Member
Carolyn Sutherland	Recovery Team Member
Paul Hester	Recovery Team Member
Sue Mattschoss	Recovery Team Member
Scott Harris	Recovery Team Member
Simone Christin-Durant	Recovery Team Member
Matt Rooney	Recovery Team Member
Andrea Fedele	Recovery Team Member
Hayley Butler	Recovery Team Member
Carolyn Donaghey	Recovery Team Member
Peta-Marie France	Recovery Team Member
Danella Smith	Recovery Team Member.

#### INPATIENT SEPARATIONS

**732 Mr PICTON (Kaurna)** (1 May 2019). How many inpatient separations have there been in metro Adelaide public hospitals combined for the following months:

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

- (y) January 2019?  
(z) February 2019?

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

Month Year	Metro Adelaide Inpatient Separations
Jan 2017	24,879
Feb 2017	25,330
Mar 2017	28,718
Apr 2017	25,143
May 2017	28,958
Jun 2017	27,707
Jul 2017	27,723
Aug 2017	28,987
Sep 2017	26,386
Oct 2017	26,008
Nov 2017	27,200
Dec 2017	26,564
Jan 2018	26,012
Feb 2018	25,504
Mar 2018	27,678
Apr 2018	26,141
May 2018	28,432
Jun 2018	27,214
Jul 2018	27,603
Aug 2018	28,546
Sep 2018	26,843
Oct 2018	28,263
Nov 2018	27,686
Dec 2018	26,558
Jan 2019	26,261
Feb 2019	26,517