HOUSE OF ASSEMBLY

Thursday, 2 July 2020

The SPEAKER (Hon. V.A. Tarzia) took the chair at 11:02 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.

Parliamentary Committees

NATURAL RESOURCES COMMITTEE: USE OF OFF-ROAD VEHICLES

Mr TEAGUE (Heysen) (11:02): I move:

That the fifth report of the committee, entitled Inquiry into Use of Off-Road Vehicles in South Australia, be noted.

The Natural Resources Committee initiated its inquiry into off-road vehicles in South Australia on 20 June last year. The inquiry sought to inquire into and report upon a number of matters: firstly, the efficacy of the current legislative and regulatory framework; secondly, the impact on the environment, particularly on coastal areas and protected areas, of the use of off-road vehicles; and, thirdly, impacts on the state in areas, including tourism, recreation, land rehabilitation and biodiversity, and the impacts upon it and loss, so the environmental impacts of the use of off-road vehicles in those parts of the environment. The committee further considered other matters in that regard.

Submissions ranged widely across those matters and, in the course of the inquiry, the committee received 35 submissions and took evidence from 11 witnesses. The committee thanks all the stakeholders who responded and contributed to what was a robust and wideranging inquiry, as those terms would indicate. Sound management of off-road vehicle use in South Australia's environment inevitably needs to balance a range of interests and take into account relevant local, state and national frameworks.

In that regard, I note in particular the interaction between off-road vehicles in environments, particularly coastal environments and beaches, and the Road Rules. Clearly, there is an interaction there between vehicles that are able to be used on regular roads as well as in that off-road environment and the Road Rules, and the Road Rules is one key area in which there is an interaction with what is part of the national framework.

The inquiry, being first undertaken at a state level in the way it has, has illuminated a number of these complex areas and the issues that attend them. I note in particular some issues that were raised as part of the inquiry so as to illustrate the range of those matters that were contemplated. They were:

- firstly, the growing number of people who are participating in off-road vehicle use and the spin-offs for tourism and economic activity that this brings. I note in this regard those aspects of specialised manufacturing that are associated with the use of these vehicles, and that appears to have been a national phenomenon over recent years;
- secondly, the impacts of off-road vehicles on safety, amenity, protected areas, cultural heritage, coastlines and flora and fauna; information about the impacts, and often detrimental impacts of off-road vehicles, particularly on birds and bird habitats, damage to fragile areas and what the committee heard to be, at times, irresponsible user behaviours, matters which were of particular concern to the committee;
- thirdly, the frameworks that are used to manage off-road vehicle use in South Australia differ according to different land tenure and also across different local government regions. The committee was fortunate to hear from representatives of local government relevantly in that regard. The effectiveness of compliance and enforcement activities were also matters that were raised. The committee heard that in the circumstances and

the environment in which these vehicles are being used, compliance and enforcement measures are very much dependent upon available resources; and

- fourthly, the committee considered innovative options that may be considered by government in managing the impacts of off-road vehicles. The committee considered options in that regard, including dedicated parks, a permit system, and the consideration of a permit system that may be either introduced or enhanced and the introduction of a statewide code of practice. In that regard, the committee heard evidence from associations of off-road vehicle users, evidence that was of particular value on that topic, and there was a question of limitations on future access that may be appropriate, particularly when it comes to the interaction with fragile areas of the natural environment.

South Australia has a spectacular range of experiences that can be undertaken in our unique environment. The popularity and accessibility of off-road vehicles provide enormous potential for growth in tourism and recreation. We have seen that illustrated in the course of the COVID global pandemic and, I see, in some of the government's recent advertising.

Clearly, we have a spectacular natural environment in this state, and off-road vehicles provide a means for people to get there and to access it. But, because of the high environmental values of South Australia's coastal and arid landscapes, growth in tourism and recreation must, the committee found, be achieved in the context of the state's broader goals for biodiversity and for habitat protection.

The committee's report set out a number of recommendations, and those are prominent in the report. I draw particular attention, as I have adverted to in my remarks about the interaction of the Australian Road Rules with the use of off-road vehicles, to the committee's recommendation in regard to the education and monitoring of vehicles driving off-road and their capacity to travel safely according to prevailing conditions, notwithstanding the notional applicable speed limit that might apply, given the way in which those, particularly beaches, are categorised as part of the area that is subject to the Australian Road Rules.

Often the prevailing conditions, which are a proviso for the application of the Australian Road Rules generally, are not something people turn their mind to terribly much because the speed limit that is applicable on our roads tends to reflect a safe level of speed in the majority of prevailing conditions; this is not so on a beach. The application of the Road Rules might lead to a notional speed limit on the beach, but that is by no means always a safe speed at which to travel in light of the prevailing conditions that might apply on a beach from time to time.

The committee's recommendation, and consideration of that matter, might be all the more broad, insofar as it shines a light on the fact that in many ways those off-road areas are not so much extensions of the road but are in a very real sense really parts of the natural environment that ought to be protected and considered. I commend to the house the body of recommendations that are the subject of the report and the balance of the report, reflecting, as it does, the very substantial and wideranging interaction with those stakeholders in a variety of ways about the environment in which off-road vehicles are used.

I take the opportunity to thank everyone who gave their time to assist the committee with the inquiry. I commend the members of the committee—the member for Finniss, the member for Port Adelaide, the member for MacKillop—as well as those members of the committee who are members of another place in the Hon. John Darley MLC, the Hon. Terry Stephens MLC and the Hon. Russell Wortley MLC. I thank all of them for their contributions to this report and the work that was undertaken.

I also thank the committee's staff, relevantly Mr Phil Frensham, who has since moved on to bigger and better things; Mr Shannon Riggs, who has taken on those duties; and, in particular for her consistently high-quality work in support of the committee's functions, the committee's research officer, Dr Monika Stasiak. I take this opportunity to thank her not only for her work on this report but for her tremendously valued excellent work in support of the committee in its work throughout the course of this parliament until just now. Dr Stasiak has moved on to bigger and better things, and I am sure I speak on behalf of the committee in thanking her and wishing her very well in terms of her future contribution. With that, I commend the motion.

Mr McBRIDE (MacKillop) (11:16): I have much pleasure in rising to speak in relation to the fifth report of the Natural Resources Committee, which reflects the outcomes of the committee's inquiry into the use of off-road vehicles in South Australia. I thank my fellow Natural Resources Committee members for their efforts and application to this inquiry and, of course, the staff who have ably supported the committee during this period. They are Dr Monika Stasiak, Mr Philip Frensham and Mr Shannon Riggs. I will pay a special thank you to both Dr Stasiak and Mr Frensham for all their efforts as they are no longer working with us but we have really appreciated all their efforts in the committee thus far.

This matter is particularly relevant for the Limestone Coast area and I was pleased to participate in this inquiry. The Limestone Coast and the Coorong have a significant coastline that extends for 417 kilometres from the Murray Mouth to the South Australian border. Our coastlines are blessed with magnificent scenery and significant environmental values, which provide substantial opportunities for our tourism sector, but this must be balanced to ensure we sustain and protect our natural assets so that they can be enjoyed by future generations.

Our small and large coastal towns, and indeed inland towns, all benefit from the visitation they receive from many four-wheel driving enthusiasts. Four-wheel driving in our state is a pursuit that many people enjoy. We also know that, in my part of the state, many people from our neighbouring state of Victoria have traditionally enjoyed four-wheel driving on our beaches and in our dune systems prior to the border restrictions.

We know people's views on four-wheel driving can be divided. That is one of the reasons I felt it was particularly important to undertake this inquiry and get a balanced assessment in its pursuit. The terms of reference for the inquiry on which the committee sought to report were:

(a) The efficacy of the current legislative and regulatory framework;

(b) Impact on the environment, particularly coastal areas and protected areas;

(c) Impacts on the State in areas such as tourism, recreation, land rehabilitation and loss of biodiversity;

(d) Any other related matter.

Our committee was pleased to receive 35 submissions and hear evidence from 11 witnesses during this inquiry.

There was a series of points, which I thought worth highlighting, as issues emerged as part of our process. There were meaningful spin-offs for tourism and economic activity from the growing number of people who are participating in off-road vehicle use. Impacts of off-road vehicle use that were concerning to the committee include those on safety, amenity, protected areas, cultural heritage, coastlines and fauna. Other concerns about irresponsible user behaviour included impacts on fragile habitat and birdlife.

Unsurprisingly, we learned in this area that compliance can be hampered by a lack of resources. This is one point I would just like to touch on. In seeking and seeing, we went to the member for Finniss's area near Goolwa and looked at some dunal issues in this vicinity. It was noted that four-wheel drives and vehicles are restricted by the means and mechanisms of putting in railings and posts. A lot of the time, these railings and posts can be removed or damaged, then vehicles will pursue those travel points and the damage that we are trying to remediate becomes worse or does not recover like it could.

The other point that was highlighted on this visit was signage. Again, I come back to those two points. To apply that type of signage and have those sorts of restrictions in place requires dollars, and money and resources are certainly in short supply for this sort of remediation. The committee also considered some innovative options for managing the impacts of off-road vehicles, including dedicated parks, a permit system and potentially some limitations on future access to fragile areas. Recommendations for our government are that it:

1. Encourages the development of appropriate infrastructure to support off-road vehicle use in South Australia, including public-private sector partnerships in dedicated four-wheel drive parks.

2. Develops a code of practice in partnership with local governments and relevant statutory bodies. This would include working with First Nations stakeholders, landscape boards and other stakeholders to apply statewide standards for off-road vehicle use in South Australia.

3. Implements education and monitoring of the requirements for the code of practice and relevant speed limits and safety requirements under prevailing conditions.

4. Reviews the application and interaction of the road rules framework to the use of off-road vehicles on beaches.

5. Further investigates the introduction of a permit system for off-road vehicle use in South Australia, such as exists in other states.

6. Undertakes an inventory in partnership with local governments to identify areas to which four-wheel drive access should be prohibited either seasonally or permanently, areas that could be opened for limited use and areas where environmental impacts are likely to be lowest.

7. Supports local governments and relevant authorities in accessing and applying funding for specific initiatives, such as increased signage and remediation projects.

Just covering off, it was an absolute privilege to be part of this with the NRC. I find the NRC to be one of those really enjoyable committees. We have been out on at least three or four tours around the state, with two to the arid lands. One was from Coober Pedy up to Innamincka and Birdsville, and the other one was out to the APY lands. Another tour we did was to Kangaroo Island, and then we had the smaller tour down to Goolwa to look at some of the coastal dunal issues for this report.

What is really obvious with all these tours that we have been on—whether it be to Kangaroo Island or the arid lands, looking at four-wheel driving and access to national parks and the like—is the need for some sort of investment and resources to utilise, enhance and, not only that, promote these areas for tourism and for the people to be able to enjoy them and maximise their time, be they South Australians, Australians or even international tourists.

When we consider what we have just been through as a world population with this pandemic, a lot of people talk about a reset button. One of the great things this reset button may achieve is to look at what we have locally in our own backyards, how to enjoy it with best practice, and without damaging the environment, and how to do it well. South Australians are staying home more and Australians are getting around Australia more than they ever have before.

For this four-wheel driving and off-road access inquiry, it is really important to look at areas such as the Coorong. I have a really strong constituent down there who runs a business in ecotourism, sport, recreation and fishing. He has had a real battle not only to look after that business but to grow it, enhance it and promote it to be what it could be. I do not just mean the Coorong; this extends right along South Australia's coastlines with all the opportunities that may be there for tourism to take place.

It is not only that: when tourism takes place in these areas there are a lot of flow-on effects. I think one of the things we just heard about today was witnesses from Green Adelaide speaking about Green Adelaide's interactions, with its tentacles into the other landscape boards and promoting the environment that it has to promote for our population to engage and belong to and take responsibility for.

I think one of the things I have probably got out of this four-wheel drive inquiry is that there are people out there who want to participate in not only enjoying these resources but in building and managing them so that they are not only better today but better for future generations. Among all the things that came out of this inquiry were the longevity and future aspirations and the role of governments, be they local or state or even perhaps federal, in managing these types of areas so that they can be enjoyed by all who wish to use them.

I will not go on any further because I know there might be other speakers on this. It is a very good report. I thank all my participating fellow colleagues on the committee for their input and their bipartisanship and the presiding officer, the member for Heysen, and everyone for all the efforts that have been made.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (11:25): I rise to speak very briefly in support of this report. I am on the Natural Resources Committee, and I must say being on that committee is one of my greatest pleasures of this term in parliament. It is a committee where I think every member is truly dedicated to better management of our natural resources, and by that I mean that human beings must flourish within the context of the environment flourishing.

This report reflects exactly an attempt to find that pathway through. I will not use the word 'balance', because that gives an impression of always having one element sacrifice in order to accommodate the other. What we know we need to do in order to have a sustainable future is find a way where we can satisfy both the demands and needs of humans and the demands and needs of the planet on which we depend. That is a greater challenge than simply trading off elements, one against the other. Indeed, it is that trade-off mentality, I think, that has largely led us to the very difficult circumstances we find with the growing climate crisis and biodiversity loss crisis.

This report is specifically aimed at working out how one manages a recreational activity, the right that many people feel they have and, indeed, that we hope all people do have, to enjoy the natural environment, to enjoy the great outback, whether that be beaches or not, along with the desire for tourism to flourish, particularly in our regions. We want people to want to come out and spend time and money, ideally, in the regions and we also want to make sure that the very thing that people enjoy in going out into the regions is protected so that it is sustained in the long term.

That is particularly acute when it comes to the question of managing off-road driving. Driving in four-wheel drives can be damaging; there is no question about that. A large vehicle with big tyres can get bogged on occasion—

Members interjecting:

Dr CLOSE: It has been known. Shall we say, it has been known. We will not go into detail, because what happens on trips stays on trips, largely. But you can see that a four-wheel drive on a beach, on a sensitive dune system, can cause damage. How is it that we make sure that people are able to enjoy the environment, that they are able to go out and spend money and have tourism operations and that we do not do the kind of damage that no-one wants to see left behind? This report was done with the intention of highlighting those issues, and I think it has done that very successfully.

I would like to take the opportunity to thank Dr Monika Stasiak, who was our research officer who wrote this and several other reports that have come out in this term of parliament. She has now gone on probably to higher and better things, working in the environment department, but did an enormously useful body of work for us.

I have said in the committee and I will put on the record here that her capacity to take very disparate views presented through evidence, and probably disparate views and ideas expressed around the table by the members, and to form a coherent report that advances our collective understanding of the issues being addressed was, I think, second to none—and I have been on many committees in the eight or nine years that I have been in parliament. So I very much thank Monika for her work.

I thank my colleagues and of course the Presiding Member of the committee for the work on this report, and I look forward to being able to rise to speak on many other reports in the remaining 18 months.

Mr TEAGUE (Heysen) (11:29): I rise to thank the deputy leader and the member for MacKillop for their thoughtful contributions. I very much appreciate it. I certainly would echo their sentiments. I note that the member for Finniss was very interested to make a contribution to the debate, and there may be another opportunity for him.

I thank all members of the committee. Certainly, I echo once again those thanks in particular to Dr Stasiak and just observe, to take up the remarks of the deputy leader, that sometimes when working collectively as a committee we all get in and do the digging together. Sometimes that is metaphorical and at other times, particularly in the work of the Natural Resources Committee, that is literal.

When that happens, you know very quickly who is actually in there doing the work, and I am very proud to say that we have a committee that is populated by people who dig in, who get in and do the work. That ensures the kind of excellent outcome that we have seen here today. The report that is the subject of this inquiry is no exception, so thanks to all who are involved. Once again, I commend the motion.

Motion carried.

Matter of Privilege

MATTER OF PRIVILEGE, SPEAKER'S STATEMENT

The SPEAKER (11:32): I wish to speak on the matter of privilege that was raised with the Premier in relation to the Minister for Trade and Investment's alleged failure to declare an investment property on his register of interest. That was raised by the member for West Torrens. I make the following statement with regard to the matter of privilege raised by the member for West Torrens in the house yesterday.

Before addressing that matter, I wish to outline the significance of privilege as it relates to the house and its members. As I have reiterated in the past, it is not a device by which members or any other person can seek to pursue matters that can be addressed by debate or settled by the vote of the house on a substantive motion.

I have referred on a number of occasions to McGee in *Parliamentary Practice in New Zealand*, which in my view forms the relevant test. Generally speaking, any act or omission which obstructs or impedes the house in the performance of its functions, or which obstructs or impedes any member or officer of such house in the discharge of his or her duty, or which has a tendency, directly or indirectly, to produce such a result, may be treated as a contempt and therefore be considered a matter of privilege, even though there is no precedent of the offence.

I refer to the matter raised by the member for West Torrens in relation to answers given by the Premier to a series of questions in the house yesterday, where the member for West Torrens alleges that the Premier has deliberately and intentionally misled the house. More specifically, the member for West Torrens asked the following question to the Premier:

Has the Premier's Minister for Trade and Investment failed to declare on his register of member's interest his ownership of a holiday rental apartment in the seaside town of Victor Harbor over a period of several years? With your leave, sir, and that of the house, I will explain.

Leave was granted and he continued:

It was made public on 18 October 2018 that Mr Ridgway not only failed to declare his family home on his register of member's interest, he misspelt his name, and public reports today show that he has failed to declare an investment property in Victor Harbor.

The Premier provided the following answer:

I thank the member for bringing that to my attention. I wasn't aware of that, but I am happy to look into that matter.

The member for West Torrens then asked the following question:

My question is to the Premier. Has the Minister for Trade and Investment breached the Ministerial Code of Conduct by failing to declare an investment property on his register of member's interest?

The Premier provided the following response:

I just refer the member to my previous answer.

The member for West Torrens then refers to the following question asked by the Leader of the Opposition in the other place to the Minister for Trade and Investment:

Supplementary arising from the original answer: minister, when did you first inform your Premier of your oversight for the second failure to declare property that you own?

The Minister for Trade and Investment provided the following answer:

I thank the honourable member for his question. As far as I know, the Premier's office was [made] aware yesterday.

The member for West Torrens alleges that the Premier has deliberately and intentionally misled the parliament as his denial of knowledge of the Minister for Trade and Investment's ownership of a holiday investment property in Victor Harbor and the minister's failure to declare it on his register of interest does not accord with the minister's account that as far as he knew, 'the Premier's office was aware yesterday'.

I have had the opportunity to carefully read the Premier and minister's responses. As far as the Minister for Trade and Investment is concerned, the Premier's office may have been aware of his failure to declare his ownership of a holiday investment property on his register of interest declaration; however, at no time has the minister indicated that he conveyed that information about his failure to declare a holiday investment property on his register of interest to the Premier.

That said, there is nothing that can be brought to my attention to confirm or suggest that the Premier was in possession of the information conveyed to his office which the member for West Torrens alleges he has withheld from the parliament. Therefore, in the Chair's opinion this is not a matter of privilege for the reason I set out above.

Accordingly, I do not propose to give the precedence that would enable any member to pursue this matter immediately as a matter of privilege. However, my opinion certainly does not prevent any member from pursuing this matter by way of substantive motion.

Parliamentary Committees

PUBLIC WORKS COMMITTEE: KAPUNDA HIGH SCHOOL REDEVELOPMENT

Mr CREGAN (Kavel) (11:37): I move:

That the 61st report of the committee for the Fifty-Fourth Parliament, entitled Kapunda High School Redevelopment, be noted.

Kapunda High School is located on West Terrace, Kapunda, in the Light Regional Council area. The high school was allocated funding of $10 million as part of the Department for Education's capital works program. In February 2019, a further funding amount of $3 million was announced. The Department for Education allocated even further funding of $2 million to provide facilities to deliver STEM (science, technology, engineering and mathematics) in 2017. As a result the total project funding is $50 million.

The Department for Education has advised that the high school's ability to provide 21st century learning principles is currently inhibited by the existing teaching spaces that are mainly situated in aged, timber transportable buildings. The proposed redevelopment will include new construction works as well as the refurbishment and demolition of existing facilities to accommodate up to 700 students on the Kapunda High School site. The redevelopment project will be staged and construction is expected to be completed in November 2021.

The committee examined written evidence in relation to the project and received assurances that the appropriate consultation in relation to the project had been undertaken. The committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for the 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 scope of the proposed public works.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (11:39): I thank the Public Works Committee, particularly the Chair (member for Kavel) and his colleagues, for this report. Kapunda High School is an absolutely outstanding South Australian school and it does a tremendous job. It caters for students based in the Kapunda township and also a broad range of country-based students, often on farms, from the wider district.

Locally, it is held in very high regard. If I am not mistaken, I think the member for Ramsay attended Kapunda High School as well, and that also speaks for the school. A lot of people have done very well since leaving that school. There are a lot of outstanding teachers and other staff, and there is a tremendous cohort of students in it and who have passed through it. I have come to know many of them over the past 10 or so years.

The school does need an upgrade; there is no doubt about that. I was fortunate to visit the school specifically to look at this need. I have been there many, many times for other reasons. On this occasion, the school principal, Ms Kristen Masters, who does an outstanding job, her deputy principal and the chair of the governing council took me around to see what was needed.

It was interesting to note in the Public Works Committee's report, as the member for Kavel has just mentioned, that there is $10 million plus $3 million plus $2 million—so $15 million in total—for a body of works to be done. I am sure it is completely resolved, but it is only fair that I put on the record that there has been a bit of confusion on the site with regard to a $15 million upgrade versus a $12 million upgrade versus a $13 million upgrade.

One of the reasons I want to put this on the record is that I was part of that confusion. I included the wrong number in information that was sent out to locals in the Kapunda area, so I offer my sincere apologies for that and will also find other ways to correct that mistake. The reality is that what the Public Works Committee has endorsed, and what the South Australian government intends to do for that school, is absolutely outstanding.

There is still more that needs to be done. I am fully supportive of the school leaders (the principal, deputy principal and chair of the governing council) continuing to engage with me and with the education department about some of the things they hoped would be in this body of work but unfortunately could not quite be afforded. I will again say that what can be afforded and what is going to be done will be absolutely outstanding for Kapunda High School.

Like so many high schools around South Australia, Kapunda High School will shortly be receiving year 7 students. Part of this plan is to be able to make sure that happens. The student population at Kapunda High School is expected to grow even just with the existing years 8 to 12. It is a tremendous community and a tremendous school in a tremendous growth area, and in a tremendous part of our state. I, for one, cannot wait until November 2021 when this work is expected to be completed.

I know that the entire school community, including students, staff, families, and people who no longer have children in the school yet still feel very connected to the school—there are an enormous number of former Kapunda High School students who live in the district and are still very connected to that school—will be incredibly pleased to see this work. We will all be incredibly pleased to see this work, no doubt to the full benefit of students, very early in the 2022 school year.

Fairly quickly, in the short amount of time I have left, I would like to highlight the Kapunda High School Centenary Foundation. An outstanding group of community members, in partnership with the school, have essentially established a fundraising body. The most important part of that is what they do with the funds. This group uses the funds they raise to support past students in their ongoing learning endeavours. It is an absolutely fabulous program.

Very wise people with great foresight and understanding have put this program together. They have raised a lot of money. They share a lot of money with the students. Once a year, they have a bit of a celebration, I suppose, with regard to announcing the next group of financial support recipients. Some people might get a little bit more, some people might get a little bit less, some people might get it for shorter times or longer times.

Importantly, I believe very strongly that it is not just about university. There are a lot of Kapunda High School students who go on to university and certainly some of those receive some support from the Kapunda High School Centenary Foundation, but there are also people who are going into trades and other very important learning opportunities who receive financial support from the centenary foundation. In some cases, that makes their ongoing learning easier with regard to removing some stress and pressure financially. In some cases, that makes their ongoing learning possible because I know that in many cases, if it were not for that support, those students would not be able to go on and continue learning in whatever capacity it may be because they would not have the financial means.

It is an absolutely outstanding part of the broader Kapunda High School effort and community. It is a truly outstanding school in a truly outstanding town and I am incredibly pleased that the Public Works Committee has seen fit to approve this very significant investment in the high school's ongoing future.

Mr CREGAN (Kavel) (11:47): As the member for Stuart has rightly emphasised, Kapunda High School is an outstanding school community. Of course, the community comprises students who are drawn not just from the township but from the wider district. It is right also to acknowledge and place on record the member for Stuart's ongoing commitment to this project over a long period of time and also ensuring the school has the general resources that it requires to carry out its work and encouraging the school community in all its endeavours. We are very grateful in this place for his commitment and contribution to those ends.

As the member for Stuart has rightly observed, it is also an opportunity to recognise the work of Kristen Masters and also the chair of the governing council. The school will of course shortly accommodate year 7 students. It is a growing community. The scope of works meets the needs of the school community and we certainly recommend the project and recognise the work of the governing council, the principal and the member for Stuart for bringing this project forward.

Motion carried.

PUBLIC WORKS COMMITTEE: SEATON HIGH SCHOOL REDEVELOPMENT

Mr CREGAN (Kavel) (11:48): I move:

That the 62nd report of the committee for the Fifty-Fourth Parliament, entitled Seaton High School Redevelopment Project, be noted.

Mr Speaker, as you know, Seaton High School is situated in the western Adelaide metropolitan region and is located on Glenburnie Street in Seaton in the City of Charles Sturt. The Department for Education has advised that the student population has diverse socio-economic and cultural backgrounds.

Seaton High School is expected to experience growth in student enrolment numbers. The school was allocated funding of $20 million as part of the Department for Education's capital works program. The proposed redevelopment of the high school will deliver a total school enrolment capacity of 1,200 student places by 2022 and that will of course include the transition of year 7 students into high school. The proposed redevelopment will also include the replacement of aged infrastructure at the school site and provide, as a consequence, more contemporary learning facilities.

When complete, the Seaton High School redevelopment project will provide a fully integrated secondary school facility, contemporary learning areas aligned with 21st century pedagogy, creative flexible learning spaces to enhance student engagement and allow for collaborative teaching practices, additional spaces to support expected enrolment growth—including the transition of year 7 students into high school, as mentioned earlier—and new and efficient facilities to replace the aged buildings that are extant on the school site. The Department for Education has advised that the works for the redevelopment will be staged, with construction anticipated to be complete by December 2021.

The committee examined written evidence in relation to this project and received assurances that the appropriate consultation in relation to this project had been undertaken, and the committee is satisfied that the proposal has been subject to the appropriate agency consultation and meets the criteria for the examination of projects, which you would know are set out in the Parliamentary Committees Act 1991. Having regard to 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 scope of the proposed public works.

The Hon. S.C. MULLIGHAN (Lee) (11:51): I thank the member for Kavel for bringing this report to the house from the Public Works Committee. The redevelopment of Seaton High School is an important project not just for the school but for the community of the western suburbs. Seaton High School is a school with a strong reputation in the western suburbs, let alone in my electorate. It is a school that has proudly continued on with the Students with High Intellectual Potential (SHIP) program, and that has attracted families to the high school from different parts of the western suburbs.

You may be aware that the school also hosts the very well-regarded baseball program in the western suburbs. It was my pleasure as the local member, and as a supporter of the Henley and

West Lakes baseball team, to watch one of their matches, before the end of the season and before the coronavirus restrictions were put in place, to see one of their students walk out to bat and promptly smash the ball out of the park; in fact, I think it was even on the first pitch, which is pretty impressive for a high school student in an A-grade men's league match. Clearly, they are doing very well—not just that player but the program being delivered at Seaton High School.

As the report outlines, the $20 million was announced in 2017 as part of the $698 million commitment to upgrading and improving school infrastructure. It was gratefully received by the school's community, led by the principal, Richard Abell, and also the governing council. There are a number of buildings on the site of Seaton High School that are no longer fit for purpose. They are very old and need to be replaced. I remember being there with the former minister for education and now Deputy Leader of the Opposition, the member for Port Adelaide, and also the former member for Cheltenham, former premier Jay Weatherill, to announce the $20 million of funding.

We made that announcement in the library building at Seaton High School—a small, prefabricated low-ceiling building, unfortunately constructed in the era where it was common to use asbestos construction materials, which of course raises in itself the need to be replacing these sorts of buildings.

At the election of the new Liberal government, the priorities somewhat changed for the education capital works program. There was a change in focus away from the priorities as announced by the previous Labor government to focus initially on high school upgrades so as to accommodate the new policy of the Liberal government of accommodating year 7 into high schools. In itself, that should not have meant any change to Seaton High School and the $20 million that they were to receive.

In that regard, I am pleased to say that it did not change Seaton High School and their proposed receipt of $20 million for an upgrade, but it did do two things. It did delay the commencement of the upgrade at Seaton High School because the project had to be substantially rescoped to the point that, here we are, more than two years and approximately 27 or 28 months on from the election of the Liberal government before this project can be considered and approved by the Public Works Committee and also noted in this house.

It has changed the scope of the project so that a larger focus of the project is on the refurbishment of existing buildings rather than the demolition and construction of new education buildings. That is to ensure that the high school can accommodate year 7 students, rather than just provide new and fit-for-purpose facilities for the existing high school cohort of years 8 to 12. That has meant that there has had to be a shrinking of focus on replacement of existing buildings and an increased focus on refurbishing older buildings, unfortunately with some of the inefficiencies that some of those older buildings provide.

Aside from that, it is very welcome news for the community of Seaton High School that the $20 million will go on to be spent, hopefully to be delivered by December 2021, which will mean that no doubt I will have the pleasure, at the invitation of the education minister as the local member, of cutting the ribbon on that redevelopment. I look forward very much to that. Of course, it would be appropriate also for me to share those duties with the member for Kavel, given his role and responsibility of stewarding this project through the necessary formal approval processes.

Certainly, as a former transport minister, it was my pleasure to have a large ceremonial, chromed yet still sharp pair of scissors on hand for these sorts of duties.

The Hon. V.A. Chapman: Did they get your name engraved on them?

The Hon. S.C. MULLIGHAN: No, it did not have the name engraved on it. Just as we had for the ceremonial sod turning of the Torrens to Torrens project, where the now infamous photo was taken of the former premier Jay Weatherill, former prime minister Tony Abbott and former member for Mayo Jamie Briggs—it seems I escaped the kiss of death that that photo seems to have provided all of its participants—it was necessary to have not just one but in that case four chromed shovels. Unfortunately for me, the photo was taken at the point when I had already disgorged my chrome shovel of soil.

Mr Pederick: You went early.

The Hon. S.C. MULLIGHAN: I went early, as the member for Hammond said. It gave the appearance that I was not putting my back into it in the same manner that the other three photograph participants were.

The Hon. L.W.K. Bignell: A rookie error.

The Hon. S.C. MULLIGHAN: A rookie mistake, as someone who spent a lot of time with the former minister for transport and infrastructure would say. I learnt my lesson, and so I made sure that I timed my subsequent efforts on other projects, like the Northern Connector, the O-Bahn City Access Project and the Torrens junction project well.

However, it is regrettable to say that I will not have the same pleasure for the other announced projects that were part of the former Labor government's $698 million contribution to education capital upgrade projects. I am speaking specifically of the $6 million allocated to the Grange Primary School because in that regard that money had to be delayed so that high school projects could be brought forward by the Liberal government for their year 7 programs. I think that is also the case for the $5 million that was allocated to the West Lakes Shore primary school upgrade project. My poor timing aside, I support the noting of this report.

Debate adjourned.

Bills

TRAINING AND SKILLS DEVELOPMENT (MISCELLANEOUS) AMENDMENT BILL

Introduction and First Reading

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (12:00): Obtained leave and introduced a bill for an act to amend the Training and Skills Development Act 2008. Read a first time.

Second Reading

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (12:00): I move:

That this bill be now read a second time.

The bill is the outcome of a thorough consultative review of the Training and Skills Development Act 2008. Training and skills development underpin economic growth and industry diversification and provide people with the lifelong skills to share in economic wealth through gainful employment.

The current act commenced operation in 2008. Since then, the workforce development needs of the state and the associated training and skills landscape has changed significantly. We have seen changes to industry structures, the nature of work and the tools and technologies used in the workplace, particularly as Industry 4.0 is rapidly transforming how businesses operate.

The training system needs to be flexible and responsive, both in relation to the kinds of skills that are required and the way that training is accessed and delivered. The training system is important in supporting pathways into work and avenues for upskilling. The specific skills required by occupations increasingly need to be supported by a strong base of foundation skill and digital competencies on the one hand and opportunities for upskilling and specialisation on the other.

Apprenticeships and traineeships have proven to be a very effective way of combining learning and employment. As a matter of fact, with an apprenticeship or a traineeship you get two tickets to learning: you get a ticket to learning and a ticket to a job. The bill preserves the importance of this well recognised and respected form of training in a broader context of new forms of mixed delivery training. This flexibility is increasingly important in supporting industries that find it difficult to recruit and retain skilled employees.

The bill proposes amendments that respond to this changing context. The proposed changes improve the governance and regulatory framework for apprenticeships and traineeships. The objective of enabling employers, apprentices and trainees to engage in training and skills development remains. It is crucial that the bill continues to meet the needs of modern workplaces and the rapidly changing nature of work. The bill has been informed by input from stakeholders and

the Training and Skills Commission's 'Future-proofing the South Australian apprenticeship and traineeship system' report and accompanying recommendations.

The amendments introduced by the bill, developed through extensive engagement with stakeholders and end-users of the system, and tested by an expert review panel established for the review of the act, aim to strengthen, increase flexibility and relevance to the South Australian training system by:

- ensuring the act reflects changes to the state and national training and skills architecture, including the transfer of VET regulatory powers and international student complaint handling services to the commonwealth;
- reducing complexity and improving clarity by using plain English descriptions of the key concepts and articulating the responsibilities of apprentices, trainees, their employers and training providers; and
- refreshing the act's objectives and mechanisms to reflect the importance of partnerships between industry, the post-school education system and the contemporary environment in which apprenticeships and traineeships operate and their importance to the development of the economy.

The bill establishes a new body, the South Australian skills commission, to lead workforce development, promote apprenticeships and traineeships, support parties under training contracts to resolve disputes and promote pathways between secondary school, vocational education and training and lifelong learning.

The change supports the emphasis on skills and training at the national level, including reforms to promote and streamline training and workplace development as a key part of economic recovery. To support the operations of the commission and the fulfilment of the act's objectives, the bill establishes a new statutory office, the South Australian skills commissioner, which will advise and assist the minister in relation to the training and skills portfolio and report each year on the performance of his or her functions.

The commissioner is responsible for the operations of but not bound by recommendations of the commission. The commission will consist of the commissioner and up to 10 other members, appointed by the minister, who have abilities and experience required for effective performance of its functions. The model will build on the success of the eight industry skills councils established under this government to inform the government's training objectives and investment.

Further reforms introduced by the bill include clarifying and streamlining regulatory requirements while maintaining adequate protections and support structures for employers, apprentices, trainees and training providers. This includes amendments to:

- simplify employer registration for the majority of employers who are suitable to employ apprentices and trainees;
- streamline training contract and training plan approvals for quicker turnaround on applications—we are improving the processes there;
- give powers for the commission to declare an employer a prohibited employer and preclude him or her from employing apprentices or trainees where it is demonstrable that the employer is unfit for prescribed reasons;
- provide more rigour for apprenticeship and traineeship transfers to new employers with the aim of reducing the instance of poaching productive apprentices and trainees and recognising the training investment—in other words, the time and cost of the previous employer;
- include statements of responsibilities of apprentices, trainees and employers to improve transparency around the financial, training and other commitments associated with apprenticeships and traineeships;
- improve enforcement of training contract compliance by providing appropriate penalties for significant instances of noncompliance;

- permit the parties to a training contract to seek an extension of the term of the probation period for the apprenticeship or traineeship up to a maximum of six months;
- place greater emphasis under the act on the role of registered training organisations (RTOs) in relation to the development of the training plan and monitoring processes and reporting underperforming apprentices, trainees or employers;
- allow for more flexibility in training pathways, including by enabling the commission to identify vocational training pathways that support entry to, establishment in and upskilling required by declared vocations. This is critical for our changing economy;
- recognise trade skills that have been acquired outside a training contract subject to specified standards and conditions being met;
- empower the commission to direct parties to disputes and certain applications, including an application to continue an apprenticeship or traineeship with another employer, to mediation; and
- modernise the form of the legislation in accordance with the principle of legislating where statutory support is necessary and utilising regulations or guidelines to address operational and administrative matters.

I commend the bill to the house and I seek leave to insert the explanation of clauses into *Hansard* without my reading it.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary

1—Short title

2—Commencement

3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Training and Skills Development Act 2008*

4—Amendment of long title

This clause amends the long title of the principal Act to reflect the changes made by the measure.

5—Amendment of section 1—Short title

This clause amends the long title of the principal Act to reflect the changes made by the measure

6—Substitution of section 3

This clause substitutes a new section 3 into the principal Act, setting out the objects for the Act as amended by this measure.

7—Amendment of section 4—Interpretation

This clause amends section 4 of the principal Act to delete obsolete definitions, and to define key terms and phrases used in the principal Act.

8—Amendment of section 5—Declarations relating to universities and higher education

This clause repeals section 5(1)(b) of the principal Act.

9—Substitution of section 6

This clause substitutes a new section 6 in the principal Act, providing the Minister with a power to declare an occupation to be a trade or declared vocation for the purposes of the Act.

10—Insertion of section 6A

This clause inserts a new section 6 in the principal Act, clarifying the relationship between the principal Act and other legislation.

11—Substitution of Parts 2 and 3

This clause substitutes Parts 2 and 3 of the principal Act as follows:

Part 2—Role of Minister

7—Functions of Minister

This section sets out the functions of the Minister under the Act.

8—Delegation by Minister

This section is a standard power of delegation.

Part 3—South Australian Skills Commission

Division 1—South Australian Skills Commissioner

9—South Australian Training Commissioner

10—Term of office and conditions of appointment

11—Remuneration

12—Acting Commissioner

13—Functions of Commissioner

14—Reporting obligations

These clauses provide for the creation of the SA Skills Commissioner, including setting out the terms and conditions of appointment as well as the Commissioner's functions and reporting obligations under the Act.

Division 2—South Australian Skills Commission

15—South Australian Skills Commission

16—Terms and conditions of membership

17—Remuneration

18—Procedures of Commission

19—Functions of Commission

20—Delegation

21—Committees

22—Validity of acts

23—Staff

24—Use of staff etc of Public Service

25—Conflict of interest under Public Sector (Honesty and Accountability) Act

These clauses establish a new SA Skills Commission to replace the current Training and Skills Commission.

The Commission will consist of up to 11 members (including the SA Skills Commissioner, who is an ex officio member). Its functions are set out in new section 19.

The remaining clauses effectively reproduce the existing arrangements for the Training and Skills Commission.

Division 3—South Australian Skills Guidelines

26—Commission to prepare South Australian Skills Guidelines

This section requires the SA Skills Commission to prepare guidelines for the purposes of the Act. Compliance with the guidelines is required in respect of many decisions and actions taken under the Act.

The guidelines must be reviewed at least every 5 years.

12—Amendment of heading to Part 4

This clause makes a consequential amendment to the heading of Part 4 of the principal Act.

13—Insertion of Part 4 Division 1A

This clause inserts new Division 1A into Part 4 of the principal Act as follows:

Division 1A—Certain training to occur under training contract

45A—Training in trade must occur under training contract

This section creates an offence for a person to undertake to train a person in a trade other than under a training contract. The maximum penalty is a fine of $5,000. The section also disapplies the offence provision in the circumstances set out in subsection (2).

45B—Training in declared vocation may occur under training contract

This section clarifies that an employer may train a person in a declared vocation under a training contract.

14—Amendment of section 46—Training contracts

This clause makes consequential amendments to section 46 of the principal Act, and clarifies the operation of the Act in relation to training contracts for children under 15 years of age.

15—Substitution of section 48

This clause substitutes section 48 of the principal Act to insert 2 new sections as follows:

48—Training contracts to be approved by Commission

This section requires an employer to obtain the approval of the Commission for approval of certain agreements as training contracts, and makes procedural provision as to how the approval is to be granted or refused.

An employer who continues to train a person in a trade where an application under the new section has been refused is guilty of an offence carrying a maximum fine of $5,000.

48A—Transfer of training contracts between jurisdictions

This section sets out how training contracts from other jurisdictions can be recognised, and modified, by the Commission.

16—Substitution of section 49

This clause substitutes section 49 of the principal Act, setting out when training contracts commence and finish under the Act.

17—Insertion of section 49A

This clause inserts new section 49A into the principal Act, allowing the Commission to extend a probationary period under a training contract up to a total of 6 months in total.

18—Amendment of section 50—Commission may vary hours under training contract

This clause amends section 50 of the principal Act to allow the Commission to vary the hours under a training contract on its own motion (in addition to on application) and makes a consequential amendment.

19—Substitution of section 51

This clause substitutes a new section 51 into the principal Act, allowing the Commission to suspend a training contract (either on the application by a party to the training contract or on its own motion).

20—Insertion of sections 51A, 51B and 51C

This clause inserts new sections 51A, 51B and 51C as follows:

51A—Termination of training contract during probationary period

This section provides that parties to a training contract can terminate the contract during the probationary period of the contract simply by giving written notice to the other parties to the contract. The Commission must be notified of any such terminations.

51B—Commission may terminate training contract

This section allows the Commission to terminate a training contract (either on the application by a party to the training contract or on its own motion).

51C—Offence to terminate etc training contract

This section creates an offence for a person to terminate, or purport to terminate, a training contract if they are not authorised to do so under the Act.

21—Substitution of section 52

This clause substitutes a new section 52 into the principal Act, allowing the Commission to require the parties to the training contract to undertake dispute resolution of a specified kind before the Commission determines certain applications under the relevant Part.

22—Substitution of section 53

This clause substitutes a new section 53 into the principal Act, providing that any time spent by an apprentice or trainee attending a course as part of their apprenticeship or traineeship will be taken to be part of their employment.

23—Insertion of section 54A

This clause inserts new section 54A into the principal Act, which requires the Commission to issue a certificate of proficiency to an apprentice or trainee on specified events happening.

24—Substitution of Part 4 Division 3

This clause substitutes a new Division 3 into Part 4 of the principal Act as follows:

Division 3—Prohibited employers

54B—Prohibited employers

This section empowers the Commission to declare an employer to be a prohibited employer where the Commission reasonably believes the employer is not a suitable person to employ an apprentice or trainee. The clause sets out matters to which the Commission must have regard when deciding whether to do.

54C—Revocation of declaration

This section provides that the Commission can revoke a declaration that an employer is a prohibited employer, on application or on the Commission's own motion.

54D—Offence for prohibited employer to employ etc apprentice or trainee

This section creates an offence for a prohibited employer to do the things specified in the section, with a maximum penalty of $10,000 applying for a contravention of the section.

54E—Offence to make certain false representations relating to prohibited employers

This section creates an offence for a prohibited employer or other person who makes certain false representations relating to status as a prohibited employer, with a maximum penalty of $10,000 applying for a contravention of the section.

Division 3A—Provisions relating to employers

54F—Registration of employers

This section requires the Commission to register an employer for the purposes of the Act, providing they meet the specified requirements under the guidelines and assuming the Commission is of the opinion that it is appropriate to do so. However, a prohibited employer cannot be registered under the section. The section also makes procedural provision in respect of applications and registration.

54G—Variation, suspension and cancellation of registration of employer

This section sets out the circumstances in which the registration of an employer must be cancelled, as well as conferring powers on the Commission to deal with an employer's registration in the ways specified (including suspension and cancellation of registration, or varying the conditions attached to the registration).

54H—Substitution of employer under training contract following cancellation, suspension or variation of registration

This section allows the Commission to substitute an employer under a training contract to deal with situations where the registration of the original employer under the training contract has been cancelled or suspended, or varied in a way that makes it inappropriate for the employer to continue in that role. The section makes further procedural provisions in relation to such substitutions, and allows for an unregistered to be substituted where their application for registration is pending.

54I—Offence to make certain false representations relating to registration

This section creates a number of offences where a person makes a false representation of respect of the registration of an employer. The maximum penalty for an offence is a fine of $10,000.

54J—Employer's obligations under training contract

This section sets out the obligations that an employer has under a training contract, and imposes those obligations as conditions on the employer's registration. Subsection (3) sets out the actions the Commission may take if an employer fails to satisfy their obligations.

54K—Employer to notify Commission of certain matters

This section requires an employer to notify the Commission if certain specified events occur, and creates an offence where an employer fails to do so.

54L—Making and retention of records

This section requires an employer to keep such records as may be required by the regulations, and to keep them for at least 7 years after the expiry of the relevant training contract, and creates an offence where an employer fails to do so.

Division 3B—Provisions relating to apprentices and trainees

54M—Obligations of apprentices and trainees under training contracts

This section sets out the obligations that an apprentice or trainee has under a training contract. Subsection (2) sets out the actions the Commission may take if an apprentice or trainee fails to satisfy their obligations.

Division 3C—Substitution of employer under training contract and transfer fees

54N—Commission may approve substitution of employer under training contract

This section enables the Commission to substitute an employer under a training contract on the application of a party to the training contract, or a proposed employer.

The Commission may only approve the substitution in specified circumstances, and must have regard to any submissions made by the current employer. This provision in particular is intended to lessen instances of 'poaching' of apprentices and trainees as they near the end of their training.

54O—Transfer fee payable in relation to certain substitutions of employer in relation to training contract

This section sets out a scheme whereby a transfer fee is required to be paid to an employer where it is proposed to substitute a new employer under proposed section 54N. Again, this is to mitigate some of the expenses incurred by the original employer, particular in instances of poaching. The size of the fee is determined by reference to the size of the employer's business, and the fee must be paid in accordance with the regulations and the SA Skills Guidelines.

Division 3D—Provisions relating to nominated training organisations and training plans

54P—Nomination of training organisation for apprentice or trainee

This section requires that each apprentice or trainee have a nominated training organisation, whose responsibilities include the preparation of the apprentice or trainee's training plan. The section sets out how that NTO is to appointed, and clarifies that an apprentice or trainee can have more than 1 NTO.

54Q—Training plans

This section requires the NTO for an apprentice or trainee to prepare a training plan for the apprentice or trainee. The training plan must be prepared in accordance with the SA Skills Guidelines, and must be endorsed by each party to the training plan, and the Commission notified when that has happened.

54R—Obligations of nominated training organisations

This section sets out the obligations that a nominated training organisation under the training plan, and requires an NTO to comply with the SA Skills Guidelines.

54S—Nominated training organisation to notify Commission of certain matters

This section requires an NTO to notify the Commission if certain specified events occur.

54T—Substitution of nominated training organisation

This section allows an employer and the apprentice or trainee under a training contract to substitute an NTO. Such a substitution must comply with the SA Skills Guidelines. The section makes further procedural provisions in relation to such substitutions.

54U—Making and retention of records

This section requires an NTO to keep such records as may be required by the regulations, and to keep them for at least 7 years after the expiry of the relevant training contract.

54V—Offences by nominated training organisations

This section creates an offence for a nominated training organisation to refuse or fail to comply with requirement under this proposed Division, carrying a maximum penalty of $5,000.

54W—Commission may notify Department or ASQA where contravention of Act

This section authorises the disclosure of information by the Commission where a registered training organisation has contravened the Act.

25—Amendment of section 63—Compliance notices

This clause amends section 63 of the principal Act to extend the persons to whom a compliance notice can be given to include a nominated training organisation, consequent upon the amendments made by this measure.

26—Amendment of section 64—Employer may suspend apprentice or trainee for serious misconduct

This clause amends section 64 of the principal Act, and provides a mechanism by which disputes arising about the conduct of an apprentice or trainee can be mediated, in accordance with any determination of the Commission, before it can be referred to the SAET for consideration. This is in addition to the existing capacity under the section for the employer to suspend the apprentice or trainee pending such referral.

27—Amendment of section 65—Other matters to be dealt with by SAET

This clause amends section 65 of the principal Act to make consequential amendments, but also to allow SAET to make orders requiring an employer to pay to another employer specified costs associated with the early termination of a training contract, where that termination occurs wholly or partly due to the use of a financial or other inducement or reward, for example where one employer 'poaches' an apprentice from another.

28—Amendment of section 67—Representation in proceedings before SAET

This clause makes a consequential amendment to section 67 of the principal Act to reflect the fact that the Training Advocate is abolished.

29—Repeal of Part 4 Division 5

This clause repeals Division 5 of Part 4 of the principal Act.

30—Insertion of Parts 4A, 4B and 4C

This clause inserts new Parts 4A, 4B and 4C into the principal Act as follows:

Part 4A—Recognition of other trade training etc

70A—Application for recognition of other trade qualifications etc

This section enables a person to apply to the Commission for recognition of their qualifications or experience in relation to a particular trade or declared vocation where those qualifications etc were not obtained under a training contract. The section sets out procedural matters in relation to such applications, including in circumstances where the Commission may require an examination or independent assessment of the applicant's competencies.

70B—Commission may determine person adequately trained

This section provides that, where the Commission is satisfied (on an application under proposed section 70A or on its own motion) that an applicant for recognition of qualifications or experience in a particular trade or declared vocation has acquired the competencies of the trade or declared vocation, the Commission may determine that the applicant is adequately trained to pursue that vocation and may then issue a certificate of proficiency to the applicant in respect of the relevant trade or declared vocation. However, the Commission cannot do so in the case of a prescribed vocation, being a vocation in relation to which a certificate of proficiency may be recognised as a basis to obtain a licence, permit or other authority necessary under an Act to enable a person to work in the vocation.

Part 4B—Additional powers of Commission etc

70C—Commission may require information

This section confers a power on the Commission to require certain persons and bodies to provide the Commission specified information or documents that the Commissioner reasonably requires for the performance of functions under the Act. An offence carrying a maximum penalty of $10,000 applies where a person or body refuses or fails to do so.

70D—Sharing of information between certain persons and bodies

This section empowers the persons and bodies specified to exchange certain information and documents for purposes related to their functions and duties under the Act.

70E—Other powers of Commission and authorised persons

This section sets out additional powers that the Commission, or a person authorised by the commission, has under the Act, and also creates offences related to the exercise of the powers.

Part 4C—Review of certain decisions by South Australian Civil and Administrative Tribunal

70F—Review of decisions by Tribunal

This section sets out decisions under the Act that are able to be reviewed in the South Australian Civil and Administrative Tribunal.

31—Insertion of section 70G

This clause inserts new section 70G into the principal Act, creating an offence for a person to exert undue influence or pressure on, or use unfair tactics against, another person in relation to the matters specified in the section. The maximum penalty is a $10,000 fine.

32—Amendment of section 71—South Australian Skills Register

This clause amends section 71 of the principal Act to continue the current Training and Skills Register as the South Australian Skills Register.

33—Repeal of section 72

This clause repeals section 72 of the principal Act.

34—Amendment of section 72A—Confidentiality

This clause amends section 72A of the principal Act to clarify that certain confidential information obtained in the course of the operation or enforcement of the Act, or corresponding Acts, is protected from disclosure.

35—Substitution of section 73

This clause substitutes a new section 73 into the principal Act, allowing the Commission to correct determinations, decisions and statements to rectify certain minor errors.

36—Amendment of section 76—Evidentiary provision

This clause makes a consequential amendment to section 76 of the principal Act.

37—Amendment of section 79—Regulations

This clause amends section 79 of the principal Act to modernise that section, and to allow the regulations to prescribed fee, and expiation fees.

Schedule 1—Related amendments and transitional etc provisions

Part 1—Amendment of *Controlled Substances Act 1984*

1—Amendment of section 30A—Interpretation

This clause makes a related amendment consequential on this measure.

Part 2—Amendment of *Education Act 1972*

2—Amendment of section 75D—Approved learning programs

This clause makes a related amendment consequential on this measure.

Part 3—Amendment of *Education and Children's Services Act 2019*

3—Amendment of section 3—Interpretation

This clause makes a related amendment consequential on this measure.

Part 4—Amendment of *Fair Work Act 1994*

4—Amendment of section 4—Interpretation

This clause makes a related amendment consequential on this measure.

5—Amendment of section 105A—Application of Part

This clause makes a related amendment consequential on this measure.

Part 5—Amendment of *Flinders University Act 1966*

6—Amendment of section 21—Power to confer awards

This clause makes a related amendment consequential on this measure.

Part 6—Amendment of *Labour Hire Licensing Act 2017*

7—Amendment of section 6—Interpretation

This clause makes a related amendment consequential on this measure.

8—Amendment of section 8—Meaning of worker

This clause makes a related amendment consequential on this measure.

Part 7—Amendment of *Return to Work Act 2014*

9—Amendment of section 4—Interpretation

This clause makes a related amendment consequential on this measure.

Part 8—Amendment of *Tobacco and E-Cigarette Products Act 1997*

10—Amendment of section 4—Interpretation

This clause makes a related amendment consequential on this measure.

Part 9—Amendment of *University of Adelaide Act 1971*

11—Amendment of section 6—Power to confer awards

This clause makes a related amendment consequential on this measure.

Part 10—Amendment of *University of South Australia Act 1990*

12—Amendment of section 6—Powers of University

This clause makes a related amendment consequential on this measure.

Part 11—Transitional and saving etc provisions

13—Abolition of Training and Skills Commission

14—Vacation of office of Training Advocate

15—Revocation of charter

16—Appointment etc of Training Advocate to represent person etc to continue

17—Requests for information

18—Training plans

19—References

This Part makes transitional provisions related to the amendments made by this measure.

Debate adjourned on motion of Hon. S.C. Mullighan.

FREEDOM OF INFORMATION (MISCELLANEOUS) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 16 June 2020.)

The Hon. S.C. MULLIGHAN (Lee) (12:09): We were previously discussing this bill and I had, in my contribution thus far, placed onto the record my understanding of the submissions from the media and the Law Society. Given that the Office of the Ombudsman is such an important entity with regard to the freedom of information legislation, it would be helpful, in my view, for the house to understand the Ombudsman's view of the act and the Ombudsman's view of any recommendations.

I do not have a copy of a submission from the Ombudsman in the event that the current Ombudsman has made one to the government for the purposes of the drafting of this bill. We would be very interested to hear from the government and from the Deputy Premier what discussions or what feedback or what contribution to the consultation process the current Ombudsman may have made to the formulation of this bill because there are those of us who are frequent applicants under the terms of the Freedom of Information Act who seek his external adjudication of determinations from time to time.

Understanding his current views would be very helpful for us because, aside from those people who are practised applicants, and aside from those officers within government who are responsible for formulating and making the determinations, it is certainly the Ombudsman who would have the most frequent and thorough understanding of the act and also how the act is in practice being applied in making determinations on applications.

But what we do have access to—and I think the Deputy Premier made reference to this in her remarks—is the report from the previous ombudsman, which was made in May 2014, which was an audit of the state government department's implementation of the Freedom of Information Act as it stands. Notwithstanding that this report is six or so years old now, I think that it is reasonable to assume that there probably would not be too much daylight between what the former ombudsman saw as current practices, good or bad, in making determinations under the act and perhaps recommendations for how the act can be improved.

In my earlier contribution, I questioned why some of the bill's proposed amendments to the act were being made, particularly with regard to the proposed amendments to the act's objects. I note that it seems the government has taken some of the wording from the previous ombudsman's recommendations into account when formulating the bill when it comes to changing the objects of the act. I am sure that will be something we will have a longer discussion on when it comes to the committee stage. Some examples of other recommendations that the previous ombudsman made in his 2014 report include:

> The Act should expressly clarify that an accredited FOI officer (or the principal officer) must make the agency's initial determination.
>
> …agencies must ensure they have appropriate designations by the principal officer of their FOI staff who have undergone training approved by the Minister.

And also:

> Accredited FOI officers of the agencies should undertake refresher training on a 12 monthly basis, as a matter of policy.

That I think is important because, when an applicant receives a determination, which they believe is not in accordance with the provisions of the act, they seek an internal review, and they still remain unsatisfied with the outcome of the internal review and choose to pursue it with an external review through the Ombudsman. It has certainly been my observation and perspective in some of these matters that agencies continue to be found to have incorrectly applied certain elements of the FOI Act, and those external reviews have varied the agencies' determinations in those regards. I will speak in a bit more detail about that a little later.

For example, if you have had the unlucky experience, as I have, of submitting a number of applications to the Department of Planning, Transport and Infrastructure, or even to the Minister for Transport and Infrastructure's office, quite often determinations will come back with all names and email addresses redacted from documents that are released, and it is claimed by the officer making the determination that that is consistent with the provisions of the current act that the personal affairs of an individual should not be released in documents.

It is a little ridiculous, I am sure you can agree, Deputy Speaker, when the names of departmental staff, the names of ministerial staff are redacted from those documents, even though they are openly and freely disclosed in other documents, such as government gazettal notices or agency annual reports, and so on. It may seem a trifling matter, but it demonstrates that FOI staff are going, in some cases, to inordinate lengths and expending quite a significant amount of time to incorrectly redact basic information from documents in contravention of the act.

Putting aside the fact that it is a contravention of the act, and has been found to be so on a number of occasions by the Ombudsman, it is also not consistent with the objects of the current act, and that is to encourage disclosure of information. What it means in practice is that an amount of time, which contributes usually to the breaching of the current act's 30-day time period, is dedicated to this futile endeavour, which also happens to be contrary to the current legislation.

There have also been examples where determinations have been appealed to external review to the Ombudsman, where really any agency advice, even within the agency or from the

agency to the minister, was claimed to be exempt from release because the documents contained information that was a matter of opinion, or that was in some form a draft, and attempting to use the provisions of the act to exclude what would otherwise be regarded as routine minutes and correspondence, either within the agency or from the agency to the minister, and clearly designed to frustrate attempts to gain access to government documents, in contravention of the act.

Then there is perhaps the most contentious part of all of this—and certainly my experience, and I am not sure whether it is the experience of other members of parliament, members of the public or the media—but the part relating to the application of the schedule 1 provisions, which preclude access to certain types of cabinet documents. It has seen a proliferation in recent years and, I am happy to admit, presumably under the tenure of the former government as well. Documents, whether they are in any form cabinet documents, or not, are marked, perhaps with a header or a footer or with a watermark, or similar, as being cabinet documents when they are clearly not.

They even may be extended to emails between departmental staff well before or well after the period of time of what they perceive to be a relevant document and claiming that merely with the addition of the marking of those emails or documents with the expression 'Sensitive SA cabinet' or similar these are exempt documents. That is clearly designed not necessarily to designate for internal filing purposes or document management purposes that these are cabinet documents but to try to preclude the release of these documents from any applications made under the FOI legislation.

When an applicant tests these determinations, through an internal review and subsequently through an external review, and the Ombudsman finds that those parts of the FOI Act were incorrectly applied to the determination, that in fact they were not cabinet documents, and in some detail, to the Ombudsman's credit, sets out in clear and specific legal terms why he believes they are not legitimately cabinet documents and provides a copy of his determination to both the applicant and the agency, it is not unusual for that same agency to receive multiple external review determinations from the Ombudsman finding that officers have incorrectly used those parts of the act.

You might think that would cause a principal officer or even that officer themselves to pause and think about whether they should consider changing the way in which they make the determinations with these types of documents when applications come in. In my experience, unfortunately it does not. The practice is continued, which further serves not only to frustrate the applicant getting what would be their legal right of access to these documents but also to cause a headache for the agency, as they are asked for an internal review by the applicant, and then a more significant headache for the Ombudsman, when usually the internal review merely confirms the initial determination of the agency.

Deputy Speaker, you may well be familiar with an ombudsman's external review, but they tend to be somewhere in the order of, say, 12, 15 to 20 pages long. They are time consuming for the Ombudsman to put together, merely to have to make similar sorts of findings to the same agency about similar sorts of documents for the same applicant. Training of FOI officers is something that in my view should be pursued by government departments. I am not saying it does not happen at all because, of course, by being accredited clearly there must be some induction or training and, in some form or another, certification that those staff have gone through a process in which they are required to become familiar with the requirements of the act and can demonstrate that they can apply those requirements.

That might perhaps also be an opportune time to point out that for many agencies, particularly larger agencies, the role of an FOI officer is certainly not one sought out by a lot of staff. It is considered an onerous, burdensome, repetitive and, perhaps in the view of some people, tedious role to have to respond to applications for documents, particularly when they might find themselves in receipt of applications from someone they regard as being persistent or unwilling at face value to accept the determinations which are made perhaps with regard to documents which are determined to be cabinet documents when in fact they may not be.

I also raised in my earlier contribution the inherent conflict which arises when a principal officer is also a minister, and the minister is making determinations about applications for documents held by that minister's office. You can see the incentive for a minister who believes that they might be embarrassed, or they might be releasing information that they otherwise would prefer not to see

released to determine those matters in favour of themselves rather than the applicant clearly against the objects of the act.

So, if we are to see a change to that as we propose in one of our amendments—or a couple of our amendments, I think—then the chief executive to whom the minister must delegate that role, and then the staff that that chief executive might delegate subsequently that role to, to other staff in their agency, should have (a) training and (b) regular refresher training. I quote:

> The status of the officer required to conduct an internal review should be clarified in the Act, as well as the principal officer's ability to delegate their power.

Now, that is something that we will certainly be talking about further during the committee stage, because, on my reading of the bill, that is not something which is specifically provided for. I continue:

> The Act should require agencies to promptly acknowledge receipt of an access application and an application for internal review. Both acknowledgements should inform the applicant of the relevant review and appeal rights and timelines, particularly in the event of the agency failing to make an active determination within the statutory time frames.

I am pleased to say that, in my experience, that is something that does already seem to happen. I am not sure whether it happens across all government agencies, but certainly for the agencies to which I have made applications that seems to be a matter of policy. I continue:

> The Act should allow applicants and agencies to negotiate extensions of time to deal with an access application both at their initial determination and internal review level. However, applicants' rights of review and appeal must be preserved.

This is an important area, because this is an area where there is already this practice within agencies where an FOI officer may contact an applicant and say, 'Look, we're not confident we're going to meet the 30-day time line, and we realise that that would trigger a failure to determine under the act. However, it's my anticipation, given my current workload and where your application is at in the batting order, that we'll probably get to it in just a few more weeks. Can you wait that long? Do you believe it's urgent?' etc., and thereby negotiate that outcome.

Even if that outcome is negotiated, if the agency breaches it—say, for example, they give an indication that, 'Well, we can't do it in 30 days, but we're pretty confident we can do it in 60 days,' if the applicant thinks, 'Hey, it's been 90 days or longer and they still haven't got back to me,' then they are still able to trigger those internal review rights as if the time frame was only 30 days. I think that is important.

It is a matter of practice at the moment, and I think it is a reasonable matter of practice. Of course, the necessity for maintaining the 30 days is important not so much for applicants, like members of parliament who are seeking to better understand why certain policy decisions are made, but you can see, casting your mind back, Deputy Speaker, to my very much earlier comments about one of the reasons why we have a Freedom of Information Act, and that is to allow citizens to have access to information that the government holds about them, and in particular to make corrections to incorrect information that the government might hold about them. That might be something that is indeed urgent for a citizen to be able to remedy, and maintaining that 30 days in that regard is important. The Ombudsman goes on to recommend:

- agencies must refund the fees to an applicant if they exceed the initial determination or internal review time limitations under the Act

That is something which is not countenanced in the Deputy Premier's bill completely—it does so partially but not completely. The recommendation continues:

- agencies have a discretion to impose a ceiling of 40 hours for processing access applications following consultation with the applicant.

That is something that will be discussed at some length during the committee stage of the bill. The next recommendation provides:

> The Act should allow an external review authority [i.e. the Ombudsman] to remit deemed or inadequate determinations back to the agency for consideration.

I understand why the Ombudsman would seek to do that—because it would relieve the Ombudsman of the burden of having to essentially do the agencies' work in making a determination at the end of

the external review process. I can also see why it would send a clear message to an agency that they have basically been seen not to apply the act accurately. Hopefully, that would be a sufficient goad to action to determine these matters properly. The next recommendation states:

> The Act should be updated to recognise technological advancements in electronic communications and storage, and modern records management practices.

That is something the government's bill does seek to do. You might scratch your head, Deputy Speaker, wondering why the government has placed on file amendments to countenance the government's bill in that regard. I think it is because we should be very careful that we are providing the most open-ended definition of what constitutes a document.

By trying to be modern and contemporary in our wording of the act, we may in fact have the opposite effect to what the Ombudsman seeks here. Rather than throwing the parliament's arms as widely as possible around all different types and manner of documents, we may be inadvertently narrowing the scope, just as when the act was initially mooted in the 1980s, let alone passed at the very beginning of the 1990s.

Certainly, things have moved on in the last 30 to 40 years in how the government creates, compiles and stores documents. Of course, I agree with the government that we need to think through very carefully how we recognise those advances. This is no longer such an administrative task so reliant on paper—certainly, many of the documents that are created are electronic, and even if they are paper documents they are transmitted electronically or converted to electronic form for ease and efficiency of storage.

I understand all those points, but who is to say how documents will be stored in the future? If we go to lengths to specify the electronic nature of documents, then it is the concern of the opposition that we may not be casting as broad a definition as the current act, also in operation with State Records Act, does at the moment. We may be inadvertently casting some documents aside from being considered as documents suitable for release. The next recommendation of the Ombudsman is another difficult one for the parliament to deal with, that is:

> The Act should include a provision similar to section 26 of the Freedom of Information Act 1992 (WA), that an agency can determine to refuse access on the basis that 'documents cannot be found or do not exist'.

That, understandably, would be a very contentious point for us to consider. You only need to cast your mind back to 2013 when the horrific sexual assault occurred of a student at Largs Bay Primary School, in the former designation of the seat of Lee, when the opposition raised many questions and concerns over what the Premier at the time new about those allegations.

There was an extraordinary demand, firstly, and effort subsequently—demand of the opposition and then effort of the Department of the Premier and Cabinet—to try to ascertain whether there was any document or any communication that might have informed the Premier at the time that this incident had occurred in 2013.

I think I am correct in saying this: it went as far as requiring the telecommunications company to try to recreate transmissions that were made to government storage servers because they are refreshed on a regular basis—I think every 24 hours—to make sure that documents are captured and that nothing had inadvertently been lost. So you can see that a provision recommended by the Ombudsman in that regard may serve to undermine some people's confidence that, merely because a search by an FOI officer has been unable to locate or uncover a document, the agency can then refuse access to that document on the basis that it cannot be found or does not exist.

Put yourself in the shoes of—again, that example that I use—a member of the community, a citizen, who is seeking to get access to some older documents for the purposes of trying to ascertain what information the government is holding about them or trying to do that for the purpose of correcting that information that the government might hold about them. If that information is, say, contained in a document that the applicant suspects is maybe 10 years old, it may not be the case that agencies are expected to or required to maintain storage of those documents on their premises, particularly their premises of the normal course of their business.

It may be that they have a policy that, say, after five years or after seven years or similar, those documents are refiled in a manner which can see them located or transported to another

storage location, perhaps another physical location some distance away from where the accredited FOI officer is searching for those documents.

Merely because the nature of the search that officer has undertaken has not been able to establish the existence of the document, because they have searched an area which is approximate to their place of work, or they have just gone into the document management system which is currently in use by the agency, you can easily see how documents may not be found or located.

To then advise an applicant that that document that has been sought does not exist may not only be incorrect but, in the case of that citizen who is merely seeking to ascertain what information the government holds about them, that could be for many reasons disheartening, dispiriting or even distressing. So that is a vexed issue for us to consider in receiving the Ombudsman's recommendations in that regard. The next recommendation states:

> Chief Executives of the agencies should issue a written directive to all of their staff about the need for them to respond promptly and thoroughly to FOI internal searches for documents.
>
> The directive should remind staff of their compliance obligations with the South Australian Public Sector Code of Ethics and the State Records Act 1997.

I guess that is an adjunct to what I was just talking about earlier: how thoroughly does an FOI officer conduct a search for documents? Certainly, when I worked in government it was usual for an FOI officer to say, 'We have received an application for documents. These are the terms of the application. If you believe you have any documents that may meet the terms of that application, could you please advise accordingly, and could you, if possible, provide access to those documents.'

That may mean, for example, that you think, 'Did I get an email about that or similar?' That is quite easily searchable for staff within a public sector agency, but in the context of somebody having a recollection that at some point they might have seen a minute or a letter or a piece of correspondence about it but cannot recall any further examples of that, you can see how easily a person's confidence in the thoroughness of the search can be either confirmed by somebody who is very rigorous, or undermined if really the only search is tapping some search terms into the document management system and/or sending out an email to staff that that officer deems to be relevant to the search terms.

The thoroughness of the search for documents is a key concern for applicants and should be a key concern for us. Earlier we touched on the modernisation of the creation of documents and the storage of documents, and there is the modernisation of types of documents as well. For example, it is not uncommon to request access to documents from one agency and the documents are searched for and perhaps located but are merely minutes or letters or other hard copy forms of documents that come back.

A search by another agency under similar terms might discover text messages between officers within an agency and that, of course, raises questions such as: was the search that was done by the first agency as thorough as the one done by the second agency? Are text messages considered in scope? Are they records? You can certainly construct very robust arguments under the provisions of the State Records Act that whether you have scribbled on a post-it note or whether you have flipped off a WhatsApp message to a colleague, that constitutes a document. Are they searched for? Are they discovered, let alone are they assessed as to whether they should be released? I think it is clear that there is varying application about whether that occurs between different agencies.

The next recommendation states that as a matter of policy senior management in the agencies should be required to sign off on the searches undertaken by agency staff in response to an internal request for documents from FOI officers. That is a very specific recommendation, but what I understand lies beneath that recommendation is a requirement that senior staff of the agency are to play a role in ensuring that the conduct of the FOI officers has been as robust as it should be and, as far as they can be concerned, in accordance with the provisions of the act. While the opposition's amendments do not quite go so far as the Ombudsman recommends here, we do try to insert some requirement that senior staff of agencies—in particular, executive level staff of agencies—must play a greater role in the determination of applications.

The next recommendation perhaps harks back to the previous matter that we were discussing, and that is that in the event of being unable to locate requested documents under the act, agencies need to be able to demonstrate to applicants in their determination that they have conducted reasonable and sufficient searches showing how, when and where searches were conducted, and the records management systems and databases searched, along with a relevant description of the contents of these databases and any search terms used.

That is an onerous requirement, that the Ombudsman suggests should be replaced, on FOI officers. I am sorry to hackney this, but if you, again, put yourself in the shoes of a citizen wanting to understand what information is being held about them by the government, or if you want to do that for the purposes of ensuring that that information is correct, you would want to be sure that the searches conducted by the agency have been as thorough as they possibly can be and have been conducted as accurately as possible, because you would be very disappointed, if not distressed, if a cursory search of documents and government databases had occurred or if a search had been undertaken and the search terms used were incorrect.

The Deputy Premier, I am sure, does not suffer this as much as I do, but it is a surprise and it is infrequent when, for example, I receive correspondence where my last name is spelt correctly. For somebody who has a particular or peculiar spelling of their name, if that was the basis of a search used for documents, it might easily demonstrate how documents about that citizen or that individual could be missed. So the requirement for a determination to set out exactly how those searches were done and according to, for example in using electronic databases, which search terms were used I think would be very important to people as well, but I do understand that that could be very, very onerous.

There is I will not say a form letter for agencies in responding to FOI applications, but the responses to applicants tend to be of very similar terms, and I can imagine how that one or two page letter, with a schedule, might easily become a very extensive, particular and unique piece of correspondence if that obligation was placed on them, but it is an important issue nonetheless.

I certainly do not have this experience, but perhaps the Deputy Premier and the member for Heysen do: in the event that in their previous lives and their other occupations they were seeking discovery of documents, I am sure that they would have expected that not only thorough searches had happened but that they were able to understand exactly how those searches were conducted so that in the pursuit of the subsequent court proceedings they felt that they had access to everything that was required and that enabled them to represent their clients appropriately. The report recommends:

> The agencies should develop an information disclosure policy highlighting, in the context of the objects and intent of the FOI Act:
>
> - their discretion to give access even if a requested document is exempt
> - the fact that merely because a document might satisfy an exemption does not mean that access to the document must be refused.

It is very rare and, in fact, in my case I think it is unprecedented to receive access to a document that has otherwise been deemed as one exempt under the terms of the act. I certainly do not recall—in fact, I am sorry; now that I say that, I can think of one instance. But it is almost never the case that an applicant receives documents which are deemed as exempt.

The practice of an FOI officer, in my experience, has been to do a search for documents, to receive the results of that search, to sift through those to see which documents might meet the exemptions provided for under the act, to hold those documents back and to release the remainder of the documents or to make some redactions to parts of documents which might satisfy an exemption under the act.

The exception to that practice that I cast my mind to is the request for correspondence I had made of the current Minister for Transport and Infrastructure. I sought access to the correspondence that he had received on federal budget night in 2018, not just the correspondence that he received from his federal counterpart, the federal Minister for Infrastructure, but in particular the large document and spreadsheet that is attached to that document. That large document and spreadsheet set out in very specific and granular detail every program and initiative under that portfolio for which

the federal government is providing funds to the state government and in which financial year those funds are to be provided.

Naturally, I was interested in that because in May 2018, only a relatively small handful of weeks after the last state election, the state government was claiming that they had been awarded $1.4 billion in infrastructure funding for the next stages of the South Road upgrade. That quickly did not seem to be correct because media interviews given by federal ministers, including the Prime Minister, the Treasurer and the federal infrastructure minister, did not quite accord with the comments being made publicly by state government ministers about when those moneys were to be received.

As we subsequently found out, rather than $1.4 billion being provided by the federal government in the budget, $144 million was being provided in the federal budget, with the balance of more than $1.2 billion being promised at some point over the next 10 years but beyond the forward estimates. I was keen to get access to that document from the federal infrastructure minister because that would demonstrate whether or not we were being given the full and accurate details of the federal government's funding commitment to South Road.

As it turns out, I was given access to that document eventually, after I had appealed the matter to an external review of the Ombudsman. I was given access to that document after the release of the subsequent year's federal budget and also the further claim made that, rather than $1.4 billion being provided for South Road, $2.5 billion was now being provided for the upgrade of South Road.

Rather than initially claiming, as it did in the initial determination and then in the internal review of that determination, that these documents should be exempt because they constituted correspondence between the commonwealth government and the state government, and that there are exemptions in the act that apply to those documents, the agency took the view that, 'Oh well, due to the effluxion of time, you may as well have access to it now because it's out of date.'

That event in itself raises all sorts of questions about whether the agency and its conduct in determining that FOI application does satisfy the objects of the act, that is, to favour disclosure of information, or whether instead, rather than first considering the objects of the act they were first considering which exemption could be applied by the act to prevent disclosure of information. That is, unfortunately, a common way in which determinations are made by the government. There are many other recommendations from the Ombudsman. Following on from that:

> The Act should expressly provide that nothing prevents an agency making a determination to give access to an exempt document.

The circumstances under which that might happen would be of interest, I think, particularly during the committee stage, about whether the government agrees in that regard with the Ombudsman and to whom they are seeking to provide an improvement in the act, whether it is to frequent flyers under the act, members of parliament, or whether it is to individuals or to everyone. A further recommendation is that:

> The act should be amended to:
>
> - lessen the number of exemption provisions
> - provide that information must be disclosed unless, on balance, disclosure would be counter to the public interest
> - expressly direct agencies to consider the objects and discretions in the act before applying exemption provisions.

That is interesting, because I contend that many of the amendments the government proposes to the act do not really favour disclosure of more documents or improve the ease of access to documents, that they in fact provide a greater ability for agencies to consider the documents exempt. That finds itself as early on as the proposed amendments to the objects of the act, and that is something we will certainly speak about further in the committee stage of the bill. Furthermore:

> The act should provide that a schedule of documents must be developed to accompany a notice of determination.

In my experience, that is something that usually does happen, but the quality and the detail of the schedule are variable. In some instances, there will be a very basic description of the document; indeed, it might just be called a document. It might not be called a letter or an email or a cabinet submission or a text message or some other form of communication; it might just say 'document'. It might list the date the document was created and then it might show whether that document is to be released, refused or partially released.

Some other agencies go into quite some detail. They would not only show the date of the document but also more accurately describe the document, the type of document. They might even provide a title of a document if one exists and, in some instances—not quite so commonly—if not the author themselves, then the designation of the author as well as whether it is to be released, refused access to or partially released. That is something the government, across all agencies, would do well to standardise, preferably in favour of making those schedules more detailed rather than less.

What it does is provide some comfort as to whether or not the determination is likely to be accurate in the mind of the applicant. If a document is just described as a document when it is, in fact, a cabinet submission, and the remainder of the schedule says that access to it is refused, you think, 'Why is access to this document being refused?' If it is set out as a cabinet submission, then you think, 'Fair cop, it's a cabinet submission and I can understand why we wouldn't get access to that, given the provisions of the act.'

It makes it very difficult for an applicant who seeks an internal review, let alone an external review, of a determination when there is insufficient description of the document in that schedule, even to the point when the Ombudsman is considering an external review and makes a provisional determination, and provides that provisional determination to the applicant as well as to the agency concerned. The applicant is in no real better place to judge about whether the Ombudsman has made or proposes to make an accurate determination about the release or otherwise of that document because we do not know the nature of the document, as it has not been sufficiently described.

While an agency might provide the actual documents to the Ombudsman so that the Ombudsman can make an accurate determination, the applicant is none the wiser. I understand how this is tricky because you cannot provide those documents to the applicant so that they can assess what they are for the purposes of the external review. I seek leave to continue my comments at another time.

Leave granted; debate adjourned.

Sitting suspended from 12:59 to 14:00.

Petitions

BUS SERVICES

Mr MURRAY (Davenport): Presented a petition signed by 133 residents of South Australia requesting the house to urge the government not to proceed with the proposed removal of all route 106 bus stops in Vine Street, Church Street and St Bernards Road.

Members interjecting:

The SPEAKER: A good member.

Parliamentary Procedure

ANSWERS TABLED

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

PAPERS

The following paper was laid on the table:

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

Children and Young People in State Care in South Australian Government Schools 2009-19—
Office of the Guardian for Children and Young People Report, 2020

Parliamentary Committees

PUBLIC WORKS COMMITTEE

Mr CREGAN (Kavel) (14:02): I bring up the 96th report of the committee, entitled Aldinga Beach B-7 School Redevelopment Project.

Report received and ordered to be published.

Mr CREGAN: I bring up the 97th report of the committee, entitled The Heights School Redevelopment Project.

Report received and ordered to be published.

Mr CREGAN: I bring up the 98th report of the committee, entitled Heathfield High School Redevelopment Project.

Report received and ordered to be published.

Mr CREGAN: I bring up the 99th report of the committee, entitled Adelaide Secondary School of English Redevelopment Project.

Report received and ordered to be published.

Mr CREGAN: I bring up the 100th report of the committee, entitled Granite Island Causeway Project.

Report received and ordered to be published.

NATURAL RESOURCES COMMITTEE

Mr TEAGUE (Heysen) (14:03): I bring up the sixth report of the committee, entitled 'Fact-finding visit, Alinytjara Wilurara natural resources management region'.

Report received and ordered to be published.

Question Time

MEMBERS, ACCOMMODATION ALLOWANCES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:04): My question is to the Premier. On what date did the Premier stay at the Victor Harbor property of Terry Stephens? With your leave and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: Yesterday, the Premier informed the house, and I quote, 'I am happy, proud, to confirm that I have visited Victor Harbor and I have stayed at the house of the Hon. Terry Stephens,' and later, and I quote, 'My understanding is that this occurred in early 2017.'

The Hon. S.K. KNOLL: Point of order, Mr Speaker: the question contains matters which are before the time when the Premier was actually the Premier of South Australia and relate to conduct of a private member, under which standing order 96 should apply.

The SPEAKER: I have the point of order. I have to give due consideration to what has already been provided to the house. There is plenty of background, if you like, to the question. Leave was granted. So, given all that, and we are a minute in, I am going to allow the Premier an opportunity to respond.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:05): February 2017.

MEMBERS, ACCOMMODATION ALLOWANCES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:05): Supplementary question: is the Premier willing to take on notice the specific date and return to the house with an answer?

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:05): I'm not really sure what interest the Leader of the Opposition has in this matter. Maybe he could make that clear. My understanding is that I had been in McLaren Vale during the day, heading to Kangaroo Island the next morning, and rather than coming back to Adelaide and then heading down to Kangaroo Island I stayed in Victor Harbor overnight. That allowed me the opportunity to go to the Victor Harbor market, which is a very fine market and one which provides information on local product. It sells local product and is very much loved by the people in Victor Harbor.

MEMBERS, ACCOMMODATION ALLOWANCES

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:06): My question is to the Premier. On what date did the Premier stay at the home of the member for Chaffey? With your leave, sir, and that of the house, I will explain.

Leave granted.

Mr MALINAUSKAS: Yesterday, in the parliament the Premier said, and I quote, 'I have stayed with the member for Chaffey in his fine electorate.'

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:07): I provided that information to the house yesterday. My question to the Leader of the Opposition is: where is he staying at the moment? We are not sure that he is living in his electorate. We are not sure that many of those opposite are living in their electorate. I like to visit the people around the place.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Where are you living at the moment?

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: What possible requirement can there be from the Leader of the Opposition? Perhaps he can give some indication to his rather opaque questions so far today.

COST REDUCTIONS

Dr HARVEY (Newland) (14:07): My question is to the Minister for Transport, Infrastructure and Local Government. Can the minister update the house on how the Marshall Liberal government is delivering lower costs to South Australians and if the minister is aware of any alternative approaches?

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:08): I do note this question from the member for Newland, a champion in his electorate of helping to lower the costs of CWMS for people in the north-east. It is a fantastic project that was championed by him and able to achieve results within a matter of months under this government from the great work of the Minister for Environment and Water as well as the entire cabinet.

We were elected on an agenda to lower costs here in South Australia. As of yesterday, we can show the people of South Australia that we are delivering. We are delivering lower costs for the people in South Australia, whether that be water itself, which is something that has been ventilated in this chamber and outside, or whether it be electricity, where we are starting to see the fruits of our energy plan come to fruition.

But there are so many other areas where we are providing relief to South Australian households, such as the $90 million that we put back into the pockets of hardworking South Australians every single year, saving them an average of $163 for an average value house. There are also CTP insurance reductions of up to $114 per year provided for a private passenger vehicle, saving collectively $80 million per year for the owners of vehicles in South Australia.

We have provided payroll tax relief for small business. We have provided now $70 million worth of land tax relief for South Australians, taking us back to being one of the most competitive in the country. We have also in this house and in this parliament moved to cap NRM levies, a fantastic achievement that again is going to provide support for South Australians right across the state. We are also, from the great work of the Minister for Sport, providing a doubling of sports vouchers here in South Australia from $50 to $100.

All of this adds up to over $600 worth of relief for an average household per annum, a phenomenal step forward for helping to lower costs for people here in South Australia—

Members interjecting:

The SPEAKER: Member for Lee and member for Badcoe!

The Hon. S.K. KNOLL: —and one that is going to pay benefits year after year after year, that is going to help grow jobs in our economy as we allow South Australians to spend their own hard-earned money. But I was asked by the member for Newland about whether or not there are any alternative approaches.

Mr Malinauskas interjecting:

The SPEAKER: Leader!

The Hon. S.K. KNOLL: Well, there is an alternative approach, and that is the high-tax, high-spending former Labor government in South Australia. Whether it be under the last two years of their government with a $477 increase—

The SPEAKER: Minister, there is a point of the order.

The Hon. A. KOUTSANTONIS: Sir, talking about a previous Labor government is debate, and the last is just silly.

The SPEAKER: I will try to be consistent with my earlier rulings. I can tell whoever is writing those questions looks at the question time in Canberra. Our standing orders are a little bit different. I have allowed some compare and contrast to former governments to a point, and if I feel the need to step in, I will.

The Hon. S.K. KNOLL: Well, we have had the compare and now we are going to see the contrast: a $477 average increase over the past two years of the former government, and over the life of their government a 232 per cent increase in water bills.

Members interjecting:

The SPEAKER: Order!

The Hon. S.K. KNOLL: The emergency services levy was jacked up by an average of $168 per annum for the average household. No land tax relief, no permanent payroll tax relief, no relief—

Mr Brown: No land tax relief? Are you joking?

The SPEAKER: The member for Playford is warned.

The Hon. S.K. KNOLL: —on NRM levies. This is a government that was elected on a platform of lowering costs for South Australia, and that is precisely what we are delivering.

Mr Pederick interjecting:

The SPEAKER: Member for Hammond!

The Hon. S.K. KNOLL: Especially at this time during a coronavirus pandemic when we need to help stimulate our economy, there can be nothing better than putting money back into the pockets of hardworking South Australians so that they can spend money in the way that best suits them. Especially at this time when we all know that there are people out there who are doing it tough, this kind of relief helps to ease the burden, and it is the best thing that this government can do to help stimulate the economy here in South Australia.

The SPEAKER: I do remind members that, per standing order 96, at the time for giving notices of motion, questions relating to public affairs may be put to ministers. I am just going to ask them to reflect on that.

REGISTER OF MEMBERS' INTERESTS

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:12): My question is to the Premier. Does the Premier think it is satisfactory that the Hon. David Ridgway has a track record of repeatedly failing to declare properties he owns on his register of member's interests?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:12): What I know is that the minister has an excellent track record of being an excellent minister in this excellent government.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: He works very diligently on behalf of all the people in South Australia—

Mr Brown: He can't even spell his own name!

The Hon. S.S. MARSHALL: —and he will continue to do so for a very long time into the future.

The SPEAKER: The member for Playford will contain himself. He is warned for a second and final time. He's going red; he might need a glass of water.

REGISTER OF MEMBERS' INTERESTS

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:13): How many times can the Hon. David Ridgway, spelt D-a-v-i-d, breach his obligations under the Members of Parliament (Register of Interests) Act 1983 before the Premier actually takes some action?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:13): I am certainly not going to take any lessons on how I should look after members of my party from those opposite.

The Hon. S.C. Mullighan interjecting:

The SPEAKER: Member for Lee!

The Hon. S.S. MARSHALL: These are the very same people who failed to take any action whatsoever when it came to the likes of Bernie Finnigan and when it came to the likes of the member for West Torrens, who was not once but on multiple times investigated by the ICAC in South Australia for blatantly swearing and abusing public servants in South Australia, and what do we get? 'Oh, he's been spoken to.' We know how the Labor Party speaks to and treats the people of the Public Service in South Australia, so I will look after members of my party and I hope that the Leader of the Opposition can do the same with his own.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. A. KOUTSANTONIS (West Torrens) (14:14): My question is to the Premier. Has the Premier ever claimed, as leader of the opposition, an accommodation and meal allowance while travelling in regional South Australia?

The Hon. S.K. KNOLL: Point of order, Mr Speaker: this is clearly within the purview of standing order 96.

The SPEAKER: In that the question related to matters when the Premier was the leader of the opposition—

The Hon. S.K. KNOLL: And a private member, and not to do with the register of interests.

The SPEAKER: —and a private member at the time. Yes, I am going to uphold the point of order. The member for West Torrens may want to rephrase or ask another question.

The Hon. A. KOUTSANTONIS: Thank you, sir. My question is to the Premier. Would the Premier support the release of all applications made over the last 10 years for receiving an accommodation and meal allowance while travelling in regional South Australia?

The SPEAKER: Would someone like to answer that question?

Members interjecting:

The SPEAKER: Can we have the question again and could I have the interjections cease.

The Hon. D.G. Pisoni: He's making it up as he goes along. That's the problem.

The SPEAKER: The Minister for Innovation and Skills is called to order.

The Hon. A. KOUTSANTONIS: Thank you, sir. My question is to the Premier. Would the Premier support the release of all claims against an accommodation and meal allowance for the Leader of the Opposition and the Deputy Leader of the Opposition, and ministers and cabinet ministers while travelling in regional South Australia?

The SPEAKER: I am going to allow the question.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:16): Can I tell you that we have abided by the rules which have been in place in this arrangement for an extended period of time. If the member has anything that he would like to suggest, any issues that he's got with regard to claims that have been made, then I suggest he make those assertions.

Mr Malinauskas: Supplementary, sir?

The SPEAKER: No, I'm going to move to the member for King. I will come back to the leader. It has been 6-2.

WATER PRICING

Ms LUETHEN (King) (14:16): My question is to the Minister for Environment and Water. Can the minister update the house on how the Marshall Liberal government is lowering the cost of living through reducing water and sewerage costs?

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (14:16): I am very happy to update the house on the member for King's question. The member for King is a powerful advocate for reducing cost-of-living pressures across all of South Australia, but of course particularly among those residents she passionately advocates for in the seat of King. She is an incredibly hardworking and focused local member of parliament.

I can update this house on how we are going with regard to reducing cost-of-living pressures caused by the price of water and the price of sewerage connections here in South Australia. The member for King specifically asks about her electorate, and that is what I will refer to in the first instance. We know that under the new pricing regime brought into effect by the Marshall Liberal government from 1 July 2020—brought into effect from yesterday—people all across South Australia will see their water bills, and that includes their sewerage connection costs, significantly reduced.

If we look at the largest suburb in the seat of King, and that's the suburb of Golden Grove, where the median house price is $530,000, the annual savings based on water use for those who use a reasonable amount of water is $250 to $330 per annum. For those who use a good amount of water, the savings would be $310 to $440 per annum. That's based on a median house price in the community of Golden Grove. Those figures should not be underestimated. They will make a significant difference to people living in the member for King's electorate.

That means people in control of their own finance, not handing that money over to government but instead spending it in local cafes in the seat of King, spending it with local tradies in the seat of King, spending it in shops and retail organisations located within the seat of King, perhaps putting a little bit of money away and going out into a regional community and having a weekend away.

This sort of money will actually make a difference across a household budget on an annual basis. This is part of our reforms around water management. Why do we need to deal with this water pricing? Because we know that the books were cooked for many, many years under the former Labor government. A bit of compare and contrast, Mr Speaker: we know that you encourage this—

Mr Brown: Fourth time lucky.

The SPEAKER: The member for Playford will leave for the remainder of question time under 137A.

The honourable member for Playford having withdrawn from the chamber:

The Hon. D.J. SPEIRS: —and that contrasting is required because we know that well-respected South Australian businessman Lew Owens said in his independent inquiry into water pricing that SA Water's regulated asset base, that is, the accumulation of assets, is used to calculate how SA Water pricing is determined.

We know that under 16 years of Labor the books were cooked. That regulated asset base was pushed right up and that resulted in, year on year, South Australians having the cold hand of government ripping money out of their bank accounts and out of their wallets and not having control over as much of their household income as they could have. We are changing that. We are getting on with reforming the way that water prices are charged in this state. Of course, it is not just the seat of King that benefits.

The average reduction across South Australian households is $200 per household on the average water bill. We know that South Australian businesses will save on average $1,350. It was great to go out to Bickford's in the northern suburbs earlier in the week with the Premier and speak to them about how they were going to save on their very significant water bill—$37,000 a year that business will save, and they said they would invest it in plant, equipment and staffing and be able to invest in South Australia as opposed to handing that money over to the government. We are reforming water prices, we are reducing cost-of-living pressures and South Australians, I believe, will be really grateful for this approach.

Mr Patterson interjecting:

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

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. A. KOUTSANTONIS (West Torrens) (14:20): My question is to the Premier. Is the Premier aware of any claim for an accommodation and meal allowance made by eligible members, including leaders of the opposition, travelling in regional South Australia that is not proactively disclosed, and would the Premier support a system of proactive disclosure going forward and a retrospective disclosure for his tenure as leader of the opposition?

The Hon. S.K. KNOLL: Point of order: ministers are responsible to this house for their conduct as ministers for the duration of their time as minister. The question is asking about and pertaining to matters that are before this government's tenure in office. They also relate to matters pertaining to private members, so whilst the question may be asked of the Premier, it relates to matters for which the Premier is not the Premier but a private member in this house.

The SPEAKER: I am going to allow the Premier an opportunity to respond, but I take the member's point on board. I again refer members back to standing order 96, that questions must relate to public affairs. Because it was quite broad, it could be caught within it. We are treading a fine line here. Premier.

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:22): Thank you very much, sir. I support what the Manager of Government Business said to the house and that is that these matters

do relate to a prior period when, in fact, we didn't have the travel allowance arrangements—in fact, we did have travel allowance arrangements where members would put in a per diem for intrastate, interstate and overseas travel. That was what had been in place for an extended period of time—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —but sometime after the 2014 election there were changes with regard to this. That is my understanding of what occurred. As the Manager of Government Business—

The Hon. A. Koutsantonis interjecting:

The SPEAKER: Member for West Torrens!

The Hon. S.S. MARSHALL: —has made abundantly clear, I was not the Premier during that time and I was not in government at that time. Any of those details would have to be asked of somebody who was a member of the government at the time—maybe the person who was the treasurer at the time. Ask yourself about what arrangements—

Members interjecting:

The SPEAKER: Member for Hammond!

The Hon. S.S. MARSHALL: —were in place during that period of time.

Members interjecting:

The SPEAKER: Order! Minister for Police, be quiet. Member for West Torrens.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. A. KOUTSANTONIS (West Torrens) (14:23): Can the Premier assure the house no-one from his party room has contacted the ABC regarding Terry Stephens and the claiming of allowances?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:23): I have no information regarding the question that the member for West Torrens has just asked.

Members interjecting:

The SPEAKER: Order! The Minister for Education, if he continues, will be leaving today.

Members interjecting:

The SPEAKER: The member for Hurtle Vale is called to order and the Minister for Transport is also called to order. The member for Elizabeth has the call.

KEELTY REVIEW

Mr ODENWALDER (Elizabeth) (14:23): My question is to the Minister for Emergency Services. When did the minister receive the Keelty review into the state's 2019-20 bushfire response? With your leave and that of the house, sir, I will explain.

Leave granted.

Mr ODENWALDER: A media release from the Premier and the Minister for Emergency Services dated 28 January 2020 stated, and I quote: 'Findings of the review are anticipated to be delivered by the end of June 2020 well ahead of our next bushfire season.'

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:24): Thank you very much. I did receive them by that date. In fact, I received a hard copy late last week and was emailed an e-copy at 8.45 on Friday night.

KEELTY REVIEW

Mr ODENWALDER (Elizabeth) (14:24): My question is again to the Minister for Emergency Services. Will the Keelty review be released in full and unredacted?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:24): I thank the member for his question—

The Hon. V.A. Chapman interjecting:

The SPEAKER: The Deputy Premier is called to order.

The Hon. C.L. WINGARD: —and note a number of reports that have been tabled by the previous government many, many months after they were received. We have received that report; it's before cabinet. We will consider our findings on that and make an announcement very shortly.

Members interjecting:

The SPEAKER: Order! Settle! The member for Finniss.

Members interjecting:

The SPEAKER: Settle down! I might chuck you out today, member for Hammond.

ENERGY PRICES

Mr BASHAM (Finniss) (14:25): My question is to the Minister for Energy and Mining.

The Hon. A. Koutsantonis: The man who found the pot of gold.

The SPEAKER: The member for West Torrens is warned.

Mr BASHAM: Can the minister update the house on how the Marshall Liberal government is lowering the cost of living for South Australians through reducing energy bills?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:25): Thank you to the member for Finniss—

Ms Stinson interjecting:

The SPEAKER: The member for Badcoe is warned.

The Hon. D.C. VAN HOLST PELLEKAAN: —another government member of parliament sticking up for his electorate for lower cost of living. The member asked me specifically about electricity and you would know very well that—

Mr Boyer interjecting:

The SPEAKER: Member for Wright!

The Hon. D.C. VAN HOLST PELLEKAAN: —we made a firm commitment to reduce the cost of electricity for all South Australians. We took that to the election; we are delivering it after the election. Of course, that is in stark contrast to what South Australians experienced in the lead-up to the election. In the previous two years leading up to the March 2018 election, South Australians unfortunately experienced a 26 per cent increase in their electricity. They experienced an average $477 per year per household increase in electricity bills in the two years leading up to the last election.

It has now been two years since the last election and things are very different. We have just seen Origin Energy announce a reduction for households of 5.6 per cent, an average $127 per year per household. We have just seen AGL announce a reduction. AGL is putting their electricity prices down 2.7 per cent, an average of $62 per year. This is, of course, in addition to the $62 that was delivered last financial year.

What we have seen so far under this government is for households that are getting the best deals available—a $190 per year per household average reduction in electricity bills.

Mr Malinauskas interjecting:

The Hon. D.C. VAN HOLST PELLEKAAN: The leader yells out that it's meant to be $300—

The Hon. S.C. MULLIGHAN: Point of order, sir: debate. The question was very specific: it was about government initiatives, not initiatives taken by non-government organisations.

The SPEAKER: I am listening carefully to the minister's contribution. I thank the member for Lee.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: Of course, as the member for Lee knows very well, our Marshall Liberal government energy policies, in conjunction with industry, in conjunction with regulators, are delivering—

The Hon. S.C. Mullighan interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: —these reductions. I did hear the leader interject. He said, 'It's meant to be $300.' Let me just share, for the benefit of this house. We are now 56 per cent of the way through our term in government and so far we have delivered 63 per cent of the savings in electricity costs that we said our policies would deliver in conjunction with industry and the regulators. So, true to our word, the Marshall Liberal government is delivering lower cost of living for South Australians. Whether it's reduced land tax, whether it's reduced water bills, whether it's reduced electricity costs, we are working across the board—reduced emergency services levies—we are making sure that under a Marshall Liberal government, South Australians are much better off.

We know that our Home Battery Scheme is supporting South Australians to receive cheaper electricity. We know that our grid-scale storage scheme is supporting South Australians to receive lower electricity prices. In fact, as we speak right now, the Tesla battery at Hornsdale is being tested. What was the biggest battery in the world we have made 50 per cent bigger in partnership with Tesla and Neoen, and that will save enormous amounts of money for South Australians.

We know that the interconnector will save an enormous amount of money. The interconnector between South Australia and New South Wales will deliver enormous electricity savings for all South Australians. It's about time the opposition stopped dilly-dallying and flip-flopping on this issue and agreed with the experts and also the government that that interconnector with New South Wales is vitally important for all South Australians.

Mr Pederick: You hate it.

The SPEAKER: I do not hate it, member for Hammond. I have no comment.

KEELTY REVIEW

Mr ODENWALDER (Elizabeth) (14:30): My question is again to the Minister for Emergency Services. Is the Keelty review critical of how SAFECOM operated during the 2019-20 bushfire season?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:30): That will all be revealed when the report comes out. What I can say is that it's a little bit rich coming from the opposition. This is an opposition—

The Hon. V.A. Chapman: They set up SAFECOM.

The Hon. C.L. WINGARD: —yes—that did set up SAFECOM a number of years ago, had done a number of reviews into emergency services and dragged their heels on all the findings. In fact, that is something that came back very heavily to me speaking to people throughout the emergency services sector: they dragged their heels and sat on their hands. In fact, they just shoved their hands in their pockets and did nothing—nothing—to help the emergency services sector. I think it's 2 July today.

The Hon. S.S. Marshall: Doubled the emergency services levy.

The Hon. C.L. WINGARD: That's what they did do—doubled the emergency services levy. They were out there today questioning when the report will be released, when it will be made public, two days after the date it was expected. Can I say to Mick Keelty, who did this review, given that South Australia is the first state, to my knowledge, to have the review handed down, we went to great lengths to make sure this was done in quick time to make sure we can help out our emergency services ahead of the summer ahead. This was the intent and the plan.

Bear in mind, we had to go through a COVID pandemic, of course, which made it incredibly hard for the reviewer to do his work. To his credit, he was very proactive, engaging with more than 600 people, and having countless community meetings online to hear what people had to say, all through COVID. The date wasn't pushed back. It wasn't shoved back. We want to make sure we receive this review with time to make an assessment and implement actions ahead of the summer. That was the intent and that is what we have delivered.

What we have already delivered, bearing in mind the mess we were left by those opposite and those with CFS brigades in their regions would know, is our Project Renew, putting millions of dollars back into upgrading resources for our emergency services, our Country Fire Service, and they appreciated it. Right throughout the great work they did through the summer, they were all saying thank you, thank you for that wonderful work.

There was also $4.4 million to make sure that our CFS and emergency service vehicles were maintained properly. Those on the other side neglected them, let them go to rack and ruin, and didn't care if they were travelling in unsafe vehicles, but we put that money in. Of course, there was $9.2 million into aerial firefighting, increasing our capability from 17 to 26 planes in the air, and weren't they invaluable through the fire season just gone—absolutely sensational. If we look back to previous reports—

Mr Odenwalder interjecting:

The SPEAKER: The member for Elizabeth is warned.

The Hon. C.L. WINGARD: When this opposition was on the other side and they were in these seats the Labor government oversaw the Burns review. One of the recommendations was about AVL. AVL is the automatic vehicle location system in trucks and vehicles. What did they do with that? They were very, very quiet on that—shoved it under the carpet and didn't want anyone to know. In fact, they wanted to take it off the radar. Well, we have put money towards AVL. We know it's important and this government is delivering.

On that side, they talk about emergency services and delivered nothing for emergency services, yet we do a review on the back of the bushfire season we had. It was one of the worst in this state's history and our emergency services went over and above and delivered absolutely outstanding results for our communities and they want to attack them. Their record on emergency services is appalling. We on this side have delivered.

The Hon. S.K. Knoll: It's interesting that obviously this line of questioning isn't important enough.

The SPEAKER: Minister, be quiet.

KEELTY REVIEW

Mr ODENWALDER (Elizabeth) (14:34): My question is to the Minister for Emergency Services. Minister, is the Keelty review critical—

Members interjecting:

The SPEAKER: Member for Elizabeth, one moment. The Minister for Infrastructure is called to order and the Leader—

Members interjecting:

The SPEAKER: I might chuck him out today. Be quiet so that the member for Elizabeth—

Members interjecting:

The SPEAKER: I'm sorry, member for Elizabeth. I am trying to give you a question.

Mr ODENWALDER: I appreciate your support, sir. My question is again to the Minister for Emergency Services. Is the Keelty review critical of the new leadership of SAFECOM appointed by the minister?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:34): SAFECOM was put in place by the previous government, just to be clear on this, and the outcomes of the review will be made public in due course.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: But you are drawing me to reviews and reviews that the previous government undertook. I look to the Holloway review that was done in August 2013, and released in October 2015, and the list of recommendations that were not followed is endless—it is endless. The Burns review was the one that suggested AVL—

The SPEAKER: Point of order.

The Hon. C.L. WINGARD: —but he doesn't want to hear about this. He always jumps up—

The SPEAKER: Minister!

Members interjecting:

The Hon. C.L. WINGARD: —when his government is called to account.

The SPEAKER: The minister will be seated. There's a point of order.

The Hon. A. KOUTSANTONIS: Point of order: that's debate. The question was very specific about the current Keelty review.

The SPEAKER: The review critical of leadership. I write them down, member for West Torrens. I do try.

The Hon. A. KOUTSANTONIS: Thank you, sir.

The SPEAKER: At times, it's challenging to keep track of debate when there are such hearty interjections, especially from the member for Hammond. I have given the minister some opportunity to provide some relevant preamble. I know he was talking about other reviews, and it's his prerogative to do so, but I would ask him to come back respectfully to the substance of the question.

The Hon. S.C. Mullighan: Corey thought he was running into goal.

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

The Hon. C.L. WINGARD: Sorry again, sir. Before my ears rang with the shattering of a glass jaw, I was talking about the previous reviews done by those when they were in government and the fact—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —that they were not delivered. I was talking about the AVL, the automatic vehicle location tracking system that, again, those on the other side refused to fund, refused to accept, refused to acknowledge, yet on this side we know it is an important resource for our emergency services and something that we will be delivering for the emergency services of South Australia.

DROUGHT ASSISTANCE

Mr TRELOAR (Flinders) (14:36): My question is to the Minister for Primary Industries and Regional Development. Can the minister update the house on how the Marshall Liberal government is lowering the cost of living for farmers during drought?

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (14:36): I can, and I want to commend the member for Flinders for his outstanding work and leadership through the course of the drought. It's not just a drought that has happened this year or last year; it's a drought that has affected a lot of South Australia over three and four seasons. His work and leadership through those drought-affected communities have been outstanding.

I also want to commend the Premier for his ongoing support and visitation to those drought-affected communities in regional South Australia, and that has been the basis of the Marshall Liberal government's drought support program: $21 million has been put out into those drought-affected communities. It's about giving a level of support, not just financial support. Health and wellbeing has been our absolute priority.

What we have also done to help stimulate household economies is to put a significant amount of money into rebates for council rates. The rent relief for pastoralists in the Far North has been widely applauded because governments not only go out there and give support. It's about listening and what is the best way to spend taxpayers' money on putting a level of support out there for those who are doing it very, very tough over an extended period of time.

Currently, 151 farmers have been successful with the rent rebate and 196 pastoralists have seen their rent rebate relief, and that is just part of the drought package. Another initiative is the $5 million for the Emergency Water Infrastructure Fund. We have seen over 400 farmers apply for this, and to date we have rolled out 386 successful packages to help with that emergency water infrastructure. That is a great outcome.

There is also, of course, the $25 million, the collaboration between the state and commonwealth governments to rebuild the dog fence. Not only is that rebuilding a piece of generational infrastructure but it is allowing an industry to rebuild, particularly the sheep industry. We have rolled out the first 26 kilometres that have been rebuilt, and that is an outstanding achievement in a very short time. Also, 719 wild dogs have now been trapped through not only our trapping program, and the coordinated baiting program, but the $130 bounty that has been put on those wild dogs and that is doing the job. It is a job that has been a tireless task by the government and those communities that have been ravaged by the wild dogs.

Of course, we continue to roll out the $330,000 community drought recovery events program. That is about bringing those communities together through the hardship of drought and making sure that gives the government an opportunity to further listen to their concerns, the best way that the government can support them and also go out there into those regional communities.

The average country resident's water and sewerage bills will be cut by 13 per cent. We have heard quite a bit about the water savings here in South Australia, but what I would say is that those farmers are reliant not only on their household water but what about the troughs that need to be filled? What about the intensive husbandry pens for poultry, pork, lamb and beef that are high water consumers? They will now see a significant water saving that will help with their bottom line.

It is also the non-residential water bills that will be reduced by 18 per cent. That is an outstanding achievement, particularly for some of those farms that have been through drought or are going through drought. That is another hand up for them. But the $1 million primary production property will also save $85 on the ESL bill. This is an outstanding drought package, because we know #RegionsMatter.

FACILITIES SERVICES

The Hon. G.G. BROCK (Frome) (14:41): My question is to the Minister for Transport and Infrastructure. Can the minister advise the house if a Regional Impact Assessment Statement has been made regarding the proposed outsourcing of the facility maintenance services and what communication or consultation has been undertaken? If so, how was this carried out with regard to

the proposal to outsource the facility services management across the Yorke and Mid North? With your leave, sir, and that of the house, I will explain further.

Leave granted.

The Hon. G.G. BROCK: Three weeks ago, the minister indicated on radio that these facility maintenance services currently in operation would be outsourced. These maintenance services currently service over 70 preferred DPTI contractors, who employ well in excess of 330 employees, who in turn not only provide local employment but also purchase materials that are utilised locally, which generates economic opportunities for these locations.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:42): I do thank the member for Frome for his question. I want to make something a little bit clear here because there is some confusion as to what outsourcing means in this regard. Apart from a very small number of government employees who provide pockets of actual service delivery across Adelaide, the vast, vast majority—I think it is about $300-odd million worth of work that is done under the facilities management contracts—is already outsourced and has been outsourced for a long period of time.

What we are talking about here is the outsourcing of the facilities management, i.e., the people who manage the contractors and make sure that everything is done in accordance with what is right and make sure that all the risk assessments and the appropriate occ health and safety requirements in relation to maintaining facilities are done properly. So we are not talking about people doing the work; they are already all outsourced and will continue to be. There is a small number of internal staff that did perform some work. That is also being outsourced, but that is a very, very small portion of the $300 million.

Of that facilities management layer, around 60 per cent of the work done is already outsourced under an AGFMA arrangement—when I say 'AGFMA', Across Government Facilities Management Agreement—that has been in place for about 20 years. All we are doing is essentially extending a structure that has been in place for two decades to make it consistent. So, instead of having some DPTI internal facilities management staff and then these AGFMA contract staff, we are going to just a single external contractor.

In terms of local contractors being able to undertake the work, that will continue. In the question that the member for Frome put, he was talking about contractors who employ local people. Those local people are already employed. They are already private outsourced contractors. Those arrangements will continue. The structure of the contract—this was again in response to a question from the member for Mount Gambier, I think, yesterday—is such that we are actually improving the contestability of these arrangements.

Some of the feedback we've received from agencies—and what I'm saying to agencies is that, essentially, DPTI here is actually just the agency that looks after these things; the other agencies are actually the clients. There are about 5½ thousand sites across South Australia that get managed under this AGFMA contract.

What we're doing is giving greater opportunity for small low-risk work, for that work not to necessarily come through the AGFMA contract. Let's say there's a school which wants to undertake some handyman work or undertake what we call planned small construction or soft facilities management. Instead of the school needing to go through the AGFMA contract to get that work, what is going to happen moving forward with the new procurement is for the school to be able to use their local preferred people.

Again, these arrangements are complex, but what I want to dispel is a myth that is being put around, that somehow—and this is where the confusion lies—we are going to be outsourcing contract work that is already outsourced. I just want to assure small to medium-sized businesses across South Australia that currently do work under the AGFMA contract, as well as ones that are contracted with DPTI, that those opportunities are still going to exist.

As part of these arrangements, there has been no change to the budgets of client agencies and the money that they have to manage their sites. All we're doing is, instead of having DPTI

facilities management and AGFMA facilities management, we're going to have one arrangement instead of two.

FACILITIES SERVICES

The Hon. G.G. BROCK (Frome) (14:46): Supplementary: has this been explained to the 70 prequalified DPTI contractors out in the regions currently at the moment, specifically in Yorke and the Mid North, who are very confused about how this is going to go? If the message hasn't got out there, I would strongly request that this be clarified with those contractors out there—

The SPEAKER: Member for Frome, we have the question.

The Hon. S.K. KNOLL (Schubert—Minister for Transport, Infrastructure and Local Government, Minister for Planning) (14:46): To outline the process, there has been consultation. Essentially, this is a decision that the government has taken in recent weeks. The procurement arrangements for the new contract haven't started. The existing arrangements are still in place and are going to be in place until sometime next year.

What's happened is that we have undertaken consultation processes with the internal government employees that are affected. There has certainly been consultation with those employees because they are directly affected, and those arrangements and consultation processes will happen, as they should, according to the enterprise bargaining and normal industrial relations agreements.

What happens next in terms of discussions with contractors who undertake work currently, that will certainly start as of now but, again, cabinet only took this decision a few weeks ago. The procurement has not as yet started, so there is still quite a way to run before we award that contract and then for those arrangements to change.

Again, what I want to assure contractors is that there is no reduction in budgets from agencies being able to undertake work. Second of all, under the new arrangements, we have as part of this moved to improve contestability. What we know, and the feedback we've got, is that especially for low-risk work, local sites know their sites well. They know which contractors know their sites and have previously done work, and who can come and fix things up and do it cheaper. It is a truncated arrangement that is not as bureaucratic.

We're actually improving those opportunities. Handyman services, soft facilities management, small planned construction works under $1 million—for all these things we're actually providing greater opportunity now. What we can't guarantee is that every single contractor is going to keep the work that they have had before.

We're spending taxpayers' money here and we need to make sure that we are doing that fairly, honesty, transparently and with a great degree of probity to make sure that we are getting value for money for South Australian taxpayers. But that pool of money is there and it's not going to be undertaken by anybody else except for businesses in South Australia.

I certainly can understand, and I have received correspondence with my office about individual contractors wanting to know if they can hold onto individual contracts. Again, that's very difficult, but even under the current system, you would not expect individual contractors to get a job for life. We undertake procurements to make sure that we spend taxpayers' dollars wisely and that we get the best deal, the best value for money and the best quality for the cheapest price, as well as making sure those industry participation policy arrangements are also managed through the procurement process. All of those things will continue.

KEELTY REVIEW

Mr ODENWALDER (Elizabeth) (14:49): My question is to the Minister for Emergency Services. Is the Keelty review critical in any way of the minister's role and/or his office's role during the 2019-20 bushfire season?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:49): As I have outlined, we received the review—

The Hon. A. Koutsantonis: Easy—just say no.

The Hon. C.L. WINGARD: Well, no.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: We received the review last Thursday. We are working our way through the review. Just to educate—

Mr Picton: You haven't read it? Have you not read it?

The SPEAKER: The Member for Kaurna is warned.

The Hon. C.L. WINGARD: Sorry, no, we are working our way through the recommendations—

Members interjecting:

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

The Hon. C.L. WINGARD: —and our responses to the recommendations.

The Hon. S.K. Knoll: He's not Leesa Vlahos!

The SPEAKER: Minister for Transport!

Members interjecting:

The SPEAKER: Minister, be seated for one moment. If this level of interjections continues, members will be departing.

Mr Picton: Stephen Wade didn't read the ICAC report.

The SPEAKER: It's got nothing to do with Stephen Wade. Leave Stephen Wade out of this one. The minister has the call. I would like to hear his answer.

The Hon. C.L. WINGARD: The answer is no.

SPORTS FUNDING

Ms HILDYARD (Reynell) (14:50): My question is to the Minister for Recreation, Sport and Racing. Can the minister guarantee that funding to each of Sport SA, Recreation SA and Inclusive Sport SA will not be cut by the Marshall Liberal government?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:50): All of those organisations just received funding in the most recent round of funding.

NATIONAL LEGAL FUNDING AGREEMENT

Mr TEAGUE (Heysen) (14:51): My question is to the Attorney-General.

Members interjecting:

The SPEAKER: Order!

Mr TEAGUE: Can the Attorney update the house on the national legal funding agreement recently signed with the federal government and how that will bring benefits to the South Australians accessing legal services?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General) (14:51): Indeed, I am very happy to and I thank the member for Heysen for his contribution in this regard because, as a member of the legal profession before coming to our parliament to provide the service to this parliament—

The Hon. A. Koutsantonis: Yes, wasn't that a good idea?

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

The Hon. V.A. CHAPMAN: —obviously he had been a valued member in the profession for many years. He is familiar, as some others would be, of the need to ensure that where people are alienated from access to representation and advice at a professional level in legal services there needs to be some supplement. He is possibly a bit too young to remember when the Law Society used to provide all of that service. They have got out of the business in the last few decades and that is largely now undertaken to provide support for people who are unable to financially avail themselves of those services.

The legal services commissions around the country—every state has one—are independent organisations with a board. They make decisions about who gets legal aid, what the terms are and who gets to do the legal work. They are quite independent. That has been a process undertaken for some years. I will say that JusticeNet is a service that allows a coordination of practitioners who are still prepared to do pro bono work—and we thank them for that—but largely the Legal Services Commission, complemented by a number of our community legal centres across the state and the Aboriginal Legal Rights Movement, which has had a very long-standing contribution to the representation of Aboriginal people in our state, has had the bulk of the responsibility.

When the Premier signed up to the new funding agreement, it was a great day because the negotiations that had taken place between attorneys-general—including the federal Attorney-General, the Hon. Christian Porter—landed in a circumstance where we now have, over the next five years, a near $150 million arrangement. Of that, $95 million under the new agreement will go to the Legal Services Commission, $26 million to the community legal services centres, and $27 million to the Aboriginal Legal Rights Movement over those next five years.

What is particularly important to me is that we have negotiated funding to include $7.2 million for the CLCs to deliver family law and family violence services, $1.708 million to the Legal Services Commission to provide family advocacy and support services, and $5.249 million for domestic violence units and health justice partnerships. For our side of government, this is a priority area. It was important to have it incorporated.

The other thing I think is very important is that with the restructuring of the ATSILS—the only one of which we have in South Australia is the Aboriginal Legal Rights Movement (ALRM)—we preserve their right to be able to provide other non-legal services to the people that they provide services to. That was critical to the ALRM and very important to our government.

This is a landmark agreement. It does restructure how this has been delivered, and we have continued to champion as a government the most important services—and not just an expansion of dollars, but where there are vulnerable citizens, especially where they are experiencing homelessness, families in need of legal assistance and communities that otherwise have no access to representation.

This has been the plea of the law councils and law societies around the country for decades. This government has listened. The federal government has put the money on the table. We have signed up. We are very proud of it, and I am pleased to report that to the house today.

BRIGHTON OVAL

Ms HILDYARD (Reynell) (14:55): My question is to the Minister for Recreation, Sport and Racing. Under what grant program did the Brighton Oval receive $2 million of state government funding in addition to $5 million from the federal government and $6.7 million from the City of Holdfast Bay?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:55): Thank you very much. That was an election commitment made at the last election, and from memory I think it was matched by your side of the chamber.

The Hon. S.K. Knoll: Do as we now say, not as we used to say.

The SPEAKER: The Minister for Transport is warned.

The Hon. C.L. WINGARD: And if I can just help the member for Reynell out with her last question, which was about—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —the grant program for the organisations she mentioned, Sport SA and Rec SA and Inclusive Sport SA. They are through the Development and Inclusion Program, which, again, was the same as it was under the previous government. They apply for a grant, they get given a grant to run several programs, and they do a really great job. I think that Sport SA gets some money as well for the Disputes Centre, which they have for quite some time.

Those programs are still in place. They can still make those applications. They can still do that. As I said, they did get money at the last round of grant applications. But when it comes to sport—and I know that she will be very passionate about this because we want to make sure that we are delivering for South Australia—we have delivered millions and millions. More than $100 million has gone back into sport here in South Australia since we have come into government—right around the state—and that has been a really great outcome.

We have also launched our Game On program, which is a really great initiative about getting South Australians active and making sure we do it right across the board. A good body of work was done by the Office for Recreation, Sport and Racing, and what we learnt from that was that getting people active can actually save our state a lot of money. Not only will it make people fit and healthy and keep them out of hospital, but if we can get people doing 150 minutes of exercise per week we have the potential to save the budget $804 million—all part of our Game On program where we are investing our money to take South Australia forward and keep South Australians active, keep them moving, keep them healthy.

The Hon. A. Koutsantonis: But eating is not exercise.

The SPEAKER: The member for West Torrens can leave for the remainder of question time for that interjection.

The Hon. A. Koutsantonis: It was for his own good, sir.

The SPEAKER: Yes, you can leave.

Mr Patterson interjecting:

The SPEAKER: And the member for Morphett is close to joining the member for West Torrens.

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

BRIGHTON OVAL

Ms HILDYARD (Reynell) (14:57): My question is to the Minister for Recreation, Sport and Racing. Did the minister personally sign off on the $2 million in state government funding for the Brighton Oval upgrade?

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:57): No, I think, again, that was an election commitment, and I am pretty sure that was done through Treasury.

GRASSROOTS FOOTBALL, CRICKET, AND NETBALL FACILITY PROGRAM

Ms HILDYARD (Reynell) (14:58): My question is to the Minister for Recreation, Sport and Racing. Can the minister advise why no sporting clubs in Labor electorates shared in the $6 million round 2 of the Grassroots Football, Cricket, and Netball Facility Program?

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (14:58): It is an absolute disgrace, Mr Speaker—

Mr Picton interjecting:

The SPEAKER: Minister, be seated for one moment. The member for Kaurna can leave for the remainder of question time.

The Hon. S.K. Knoll: Lasted longer than Playford at least.

The SPEAKER: Minister for Transport, I don't need your commentary right now. The minister has the call.

The honourable member for Kaurna having withdrawn from the chamber:

The Hon. C.L. WINGARD: This just shows how much those on the other side of this chamber want to play politics. What we have done, and what we did very clearly through our grassroots football, cricket, and netball program, was we put a program in place where we encouraged South Australians, councils, sporting clubs and communities to come together, work with government, work with local council, work with their local member as well, if they so chose, and clearly they didn't choose on that side. They don't rate and they can't do any work over there.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: They just sit there and do nothing and don't support their communities. Good local members get out and about and they work with their councils, they work with their local sporting bodies and they put forward good applications and good projects to be supported.

Added to that, to make sure that this got the best results we got the SANFL and the SACA, and they actually put money into this project along with Netball SA—they got involved—and they went and had a look. They looked across South Australia and they found that $87 million was lacking in projects left by those opposite, $87 million worth of projects that had not been funded over a long period of time.

A lot of work needed to be done, and we were happy to roll up our sleeves and do that work. We were happy to do that work, so we went out into the communities and we asked, 'Come forward, put forward projects, work with your local council, work with your local member, work with those sporting organisations.' We know there is an increase in the number of people playing football and cricket in particular, especially women joining the sports; so we wanted to make sure we delivered the facilities they needed.

Again, the SANFL and the SACA went and assessed it. If those on the other side are accusing organisations like the SANFL, the SACA and Netball SA, of looking at where electoral boundaries sit, shame on them! What they did identify was where projects were needed, who was putting forward a good project, and they delivered against them. So, again, we put $15 million into this project—$15 million.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Assessments were made. They came to me and I accepted those recommendations, and we turned that $15 million into $59 million worth of projects. That doesn't sound like good maths to those opposite. Why would you take $15 million of taxpayer money and turn it into nearly $60 million of projects for South Australians?

And please take a moment to have a look at some of the comments of those organisations that said, 'We have been looking and we have been fighting for five, six and seven years to get this project delivered in our community, and they have not been delivered.' Yet they partnered with the SANFL, they partnered with SACA, they partnered with Netball SA, in most cases they partnered with their local council as well, and those councils put them forward—and we were happy to partner with them.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: So we put facilities out there. Don't get me wrong: is there more that needs to be done? Yes, there is—because they left us plenty to do and we are doing it. They don't like to hear it, but we are delivering to the communities, and the communities are happy. Come with us, please speak to your local communities, put an application in.

Members interjecting:

The Hon. C.L. WINGARD: Your electorate got a really great project. In fact, I was down at West Lakes last week and they were ecstatic. You should have come along. You didn't even know it was happening. You're a disgrace. Seriously, get on board, go out and head down to your local sports club and have a chat to them. See what they need, help them with their application and get it in because those that do get good results. And guess what? All those sporting communities have big smiles on their faces. They are out there ready to play sport. Get nice and healthy, get nice and happy, keep doing it, get involved and you, too, may be able to help your local community.

The SPEAKER: If the minister did that for 150 minutes a day he would be very fit. The member for Florey has been patiently waiting and I move to her.

COMMUNITY WASTEWATER MANAGEMENT SYSTEM

Ms BEDFORD (Florey) (15:03): Nothing for calisthenics then, sir, is there? My question is to the Minister for Water. Why was it not possible for you to respond sooner than 17 June 2020 to my letter to you of 22 August 2019 suggesting a meeting with the Tea Tree Gully council on progressing work on the Community Wastewater Management System?

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (15:03): I thank the member for Florey—

Members interjecting:

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

The honourable members for Morphett and Reynell having withdrawn from the chamber:

The SPEAKER: I would like to hear the minister.

The Hon. D.J. SPEIRS: I thank the member for Florey for her question. I know this is an issue that means a lot to her and her community. I have highlighted in this place before that, along with the very significant advocacy from the member for Newland and the member for Morialta, the member for Florey has written to me about this issue, in sharp contrast—and we are allowed a little compare and contrast—with Labor members in this house, who haven't made any attempt to talk about the CWMS in the north-eastern suburbs until their startling epiphany a few weeks ago.

The Hon. S.C. MULLIGHAN: Point of order: the member for Florey was interested particularly in why her correspondence had been neglected, not what correspondence might have come from other members of parliament.

The SPEAKER: The member for Lee doesn't have a grieve. I am not going to throw him out, but I will take it on board. I would like to hear the minister's answer.

The Hon. D.J. SPEIRS: Thank you, Mr Speaker. Just that little bit of compare and contrast was important, but I will move straight on.

The SPEAKER: Yes, come back to it, thank you.

The Hon. D.J. SPEIRS: Member for Florey, I understand that my office has been attempting to set up a meeting between us over the last 24 hours or so. There is a huge amount of work being done in the CWMS—

Members interjecting:

The SPEAKER: Order!

The Hon. D.J. SPEIRS: —and we have been working on this issue for many, many months. We signed the direction to SA Water many days before Labor's policy announcement on this. We do

look forward to working with the member for Florey, her community and those members of Tea Tree Gully council who feel they want to work in a proactive and responsible way, serving their community. I look forward to getting on and delivering this upgraded CWMS alongside that community. This will start very, very soon

People will not need to wait for some distant Labor Party commitment to get this done. They had to wait for 16 years, but we are getting onto it. I have talked before about that oxymoronic Labor Listens tour. They stumbled upon the CWMS issue. We knew about it a long time ago and we are getting on with fixing it.

Ms Bedford: Following on—

The SPEAKER: With all respect, member for Florey, the time has expired, I do apologise, and the question before the Chair is that the house note grievances. Before I call the member for Reynell, member for Florey, I will remember that for next question time to ensure that you get due opportunity for your question.

Grievance Debate

GRASSROOTS FOOTBALL, CRICKET, AND NETBALL FACILITY PROGRAM

Ms HILDYARD (Reynell) (15:06): Sport is powerful. It includes people, gives a sense of belonging and improves physical and mental health and wellbeing. Clubs across South Australia bring people together and are there for them. Sport has the power to change people's lives. It therefore must be an exemplar of inclusion and equality.

Governments must facilitate the equal participation of all who seek to engage in organised sport by delivering grant programs that enable that equal participation by fairly funding club infrastructure upgrades and by sending a message to all people that they are welcome to be involved. This government's Grassroots Football, Cricket, and Netball Facility Program absolutely does not do this. In rounds 2 and 3 of the program, just one of 27 grants went to a club in a Labor area. The remainder has gone almost exclusively to Liberal areas.

Given the furore caused by the federal Liberal sports rorts scandal, you would expect those opposite would want to avoid a similar scandal, particularly given their candidate for Mayo's role in kicking off that whole sorry saga. But the figures clearly show clubs in Labor electorates, representing roughly half the state's population, are missing out on vital infrastructure because of how these grants are allocated.

Over the program's three rounds, just six clubs in Labor areas have received funding from 47 successful bids. What is the minister's response to these stark numbers? Denial, of course. 'We won't be accused of favouring Liberal seats,' he told *The Advertiser* on 19 June. He also told *The Advertiser* that people, quote, do not 'give a rat's' about electorates. Well, if your club is one that has missed out, you do.

Just days after these comments, he releases another round with just one club in a Labor area successful amongst 15 bids. What does the minister say in the face of these appalling numbers? He blames somebody else of course. 'It's not us,' he says, 'It's the three sporting codes that pick the projects.' I am not sure what is worse: saying you are outsourcing decision-making on $15 million of public funds or the fact that he did have the final say on these grants.

Some clubs have missed out on federal and state government infrastructure funding, whilst others have received funding from both. Some clubs that received grants in this latest round have already been successful in securing considerable federal funding. We know all about the Morrison government's grant process of pork-barrelling $100 million in pre-election infrastructure grants, some of which went to clubs not even meeting the Sport Australia guidelines.

The minister says clubs in Labor electorates are not applying. Well, minister, tell that to the South Adelaide Football Club, who cannot afford the co-contribution. Tell that to any basketball, soccer, hockey, rugby, baseball or club of any code that is locked out of applying altogether. Tell that to SUNA or the Gawler and District Netball Association and others who have missed out on funding for vital infrastructure upgrades again and again—absolutely disgraceful. The Grassroots Football, Cricket, and Netball Facility Program formula is fundamentally flawed. The cold hard numbers

absolutely show that it is geared toward more financially secure clubs who can access the 50 per cent co-contribution.

Clubs that have received funding are, of course, worthy recipients. The issue is that this is taxpayer money only being spent on the half of our community with more access to capital. Under Labor's $24 million dedicated female facilities program, cruelly cut by those opposite, projects were fully funded, merit-based and available to all clubs and all codes, unlike this government's program that is just for Australian Rules, netball and cricket.

Our program was structured that way because no matter where you live, no matter what sport you love, you deserve the opportunity to participate and equally access appropriate facilities that support that participation. The numbers make it abundantly clear that this government's taxpayer-funded program is not about providing appropriate facilities for all: it is utterly unfair. Rather than denying the bias or blaming clubs for not being able to afford to apply, this minister must explain to clubs in particular areas, to the sports excluded from the programs and to particular communities, why his government will not fund vital sporting infrastructure very much needed for their clubs.

CHAFFEY ELECTORATE

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:12): I would like to speak about some of the activities that have recently happened in the great electorate of Chaffey. As we head into the school holidays, many people will be on the roads holidaying and travelling into the regions of South Australia. Obviously, having previously dealt with border closures and COVID, people now have the opportunity to explore the regions of South Australia. What better place to visit than the Riverland.

Many families will be heading up to the Riverland and my message to them is to head up, enjoy the hospitality, but do not bring your fruit and vegetables. Leave your fruit and vegetables at home because we know the Mediterranean fruit fly outbreak in metropolitan Adelaide will have an impact on the Riverland if people bring fruit and vegetables into the food bowl of South Australia.

I also want to talk about the speedy internet that has now been rolled out across South Australian schools. I am pleased that 24 schools in the Riverland now have access to high-speed internet thanks to the Minister for Education, the member for Morialta. Many schools in my electorate have, over the past years, expressed their concerns. We know that the speeds were slow and the learning capability was restricted by the lack of internet access. Slow internet inhibits the teacher's ability to teach students, but hark, there has been change. There is a new government with a priority for education in South Australia, and schools now have fibre-optic cable.

It is great news for Barmera Primary School. It is great news for Berri Primary School, Blanchetown Primary School, Cadell Primary School, Cobdogla Primary School, Glossop Primary School, Glossop High School, the Kingston-on-Murray Primary School, Loxton High School, Loxton North School, the Loxton Primary School, the Monash Primary and Preschool, the Moorook Primary School, the Morgan Primary School, Ramco Primary School, Renmark High School, Renmark North Primary School and Renmark Primary School.

The Renmark West Primary School, where my children went to school, has now received this fantastic facility, as have the Riverland Special School, the Swan Reach Area School, Waikerie High School and, of course, the Waikerie Primary School. This is an outstanding outcome for regional schools, particularly in Chaffey, because we know that under a previous government they did not even recognise the regions were out there and so it is great news for those schools.

I would like to congratulate two outstanding students from the electorate who this year have been successful recipients of the Dame Roma Mitchell Scholarship. Glossop High School year 11 students Sebastian Mapley and Toby Kassulke have been awarded and recognised for their academic drive and dedication to their schooling and for providing the foundations for Aboriginal students to prepare for their careers.

The awards are a part of the government's Aboriginal Education Strategy. It is wonderful to see Riverland Aboriginal students acknowledged not only for their efforts and hard work but for the hope it gives to other Indigenous students in the Riverland, of which there are many. It is a great outcome. Of course, this is not the first time that Glossop High School has been the recipient of this

prestigious award. It is a great reflection on the program and the support that it is providing on behalf of the teaching staff and their school.

The Riverland continues to provide outstanding achievements. We know that currently the citrus season is upon us and prices are very buoyant. The markets are open and they are enjoying what is being classified as the world's best citrus. For those of you who are listening, please get out there and try some of the new varieties of mandarins that are out now. There are seedless varieties with high colour and high sugar that are just outstanding. There are new varieties, the curacao and some of the M7 navels, just to name a few. These are outstanding varieties and they really are an experience.

I might also reflect on the great work the representative groups within horticulture are doing at the moment. They are working with government to make sure we keep Queensland fruit fly at bay and that phylloxera is kept at bay because we know that the threats against biosecurity in the horticulture zones have never put more pressure on our borders.

The zero tolerance approach is working. We have not had continual outbreaks in the fruit bowl of South Australia. The electorate of Chaffey is breathing somewhat easier today than it was at this time last year because we know that the impacts of biosecurity are profound not only in horticulture but right across all the primary industries in South Australia.

LIGHT ELECTORATE, CORONAVIRUS

The Hon. A. PICCOLO (Light) (15:17): Today, I would like to bring to the house's attention some of the feedback I received from people across the community regarding the impact the COVID-19 crisis has had on the electorate of Light. Quite rightly, in the media we have heard about the effect COVID-19 has had on economic activity and therefore, by extension, the number of businesses in the town. Throughout, the electorate has suffered enormously. With small businesses suffering, we also have their employees suffering.

One of the factors I found out is that, without the JobKeeper program, our communities would be suffering a lot more. I am very concerned about the JobKeeper program being cut short and the impact it will have on the community and also the recovery process itself because there are a number of businesses that are doing it really tough at the moment. They are not ready to carry the whole burden of the labour they require to undertake their businesses. That has been well canvassed in the media and various commentaries to date.

What perhaps has not been as well canvassed are some of the other effects that the COVID-19 crisis has had on the community. I would like to bring attention to some in my own electorate. One of the groups or community organisations in my electorate are the various service clubs. The feedback I received from service clubs is that a lot of their fundraising activities have ceased as a result of the COVID-19 crisis and that many of them are now finding it difficult to support various community projects, which they do on an ongoing basis. This may also have the effect of perhaps motivating the various volunteers who work in that sector, so we need to support our service clubs.

Another important role that service clubs play is that they keep people active in their communities. The fact that they have not been able to get together for meetings and other events means that some of their members have become socially isolated. I will come back to the issue of social isolation because it is very important and it is having a negative effect on the mental health and wellbeing across a number of our communities.

Obviously we are all aware of the increase in unemployment as a result of the COVID-19 crisis. I would like to particularly mention that one thing that may hinder the recovery is the uncertainty around economic activity. At the moment that uncertainty is stopping small businesses from starting to recruit and employ people, so the recovery might be much slower than it should be.

Local sports have basically closed down over this period. Local clubs, especially with their winter sports, rely on the fundraising that takes place with various activities, and they are suffering as well. Another major concern that sporting organisations have is, again, motivating their volunteers and keeping up the motivation for their volunteers who are not involved at the moment. We need to work out ways to support our sporting groups and to help those volunteers get back into the game.

I have received quite a bit of feedback from my local schools. Over the last two weeks, I have spoken to 17 principals in the schools either located in my electorate or those that service my electorate in some way. Some of the feedback I have received regarding the effect that COVID-19 has had on their schools, their students and their communities generally is that, obviously, businesses are doing it tough and the opportunities for VET students to undertake work experience has come to a halt. That has had an effect on the students' ability to obtain offsite training.

We do not understand yet what the full impact will be, but it is certainly not helped by students not being able to do work placements. There are some schools that specialise in the area of Vocational Education and Training and they have been hit the hardest. Schools have also seen an increased spike in the need for counselling and mental health support services for young people who are feeling the impact. This applies also to their families where, if a family member is unemployed, etc., they are feeling the stress.

We often talk about online learning and one thing that schools have noticed is that there are some young people who actually do not have those devices at home. Schools have had to go into their basic funds to support those students to make sure that they do not miss out on their education.

GRASSROOTS FOOTBALL, CRICKET, AND NETBALL FACILITY PROGRAM

Mr PATTERSON (Morphett) (15:22): Here in parliament today I take this opportunity to speak about how the Marshall Liberal government is helping community clubs to bounce back from the impacts of having their seasons either ended or delayed because of coronavirus. It certainly has had an impact with clubs not being able to play. Community clubs are run by very hardworking volunteers. The players who make use of the clubs and who enjoy their sport rely on these volunteers, and volunteers are really what make the clubs work.

However, apart from volunteers, the clubs still need to pay for certain necessities to keep the wheels of the club moving. There are things such as equipment and training facilities. Football and netball need balls, cricket needs cricket bats, and there are other things that the money is used for as well. Often games are played under lights, or training is done under lights, so the clubs have to pay for electricity. There is also ground maintenance and team uniforms. Match days are when many of the clubs make their money, either from raffle tickets or barbecues, and without the ability to do that these clubs are not able to keep moving.

It was great that, as a state, we worked very hard and made sacrifices in order to battle coronavirus and get to the stage where we can now have competitive sport again. Last weekend, contact games were able to start. Prior to that, obviously tennis and those non-contact sports could start. This weekend is fantastic because we have moved into stage 3 easing of restrictions, which means it is now a principles-based approach and we can have spectators back to these games, one person per two square metres. That really opens up the opportunity for games to start again.

I think this season gets underway for many of the community football clubs as well, so that will be really welcome for those clubs. One aspect where these clubs really need a lot of help is in terms of their facilities. That is why the Marshall government is helping so many community clubs across this state via the Grassroots Football, Cricket, and Netball Facility Program. This sees not only contributions from government but also matched funding from the clubs or the councils, and also money provided by the peak bodies for those sports, the SANFL, SACA and Netball South Australia. That certainly is very important for those clubs.

Round 3 of this program was brought forward and offered up to $5 million that could be matched, dollar for dollar or even more. Thankfully, 15 of those projects have been approved most recently and announced this week. I was really pleased that one of the projects that was given approval was for the Glenelg Football Club, where $487,000 is to be provided, which will go towards two new unisex change rooms. It will also include umpire facilities, a first-aid room, a meeting space and storage at Glenelg Oval.

This will be fantastic for the club. They support over 37,000 underage players in their zone, with 32 primary schools, 32 kindies and 20 high schools making use of this ground. Prior to that, the facilities were run down. This will be a fantastic new facility for not only the players but also the support staff and umpires.

I will just touch on the benefit of unisex change rooms. The idea is that they are very interchangeable. It does not matter if you are male or female, you have separate cubicles. This makes a really flexible space for the game. Quite often, at Glenelg Football Club you might have a men's game followed by a female game, or vice versa. By having these unisex change rooms, it really does not matter whether the male game happens first or the female game; they can be interchanged.

With modern design standards, there are roll-up doors, etc., where you can actually open these spaces out to have both the seniors and the reserves get changed out of the one facility or, if you close it down again, then you can have two separate teams, allowing for either a female or a male team to play there. I congratulate the Glenelg Football Club and I congratulate the federal member for Boothby, Nicolle Flint, on her hard work on this. I wish all my clubs in my electorate a successful season coming up.

BUS SERVICES

Ms WORTLEY (Torrens) (15:28): We saw an extraordinary response to the government's planned axing of bus routes across the metropolitan and Hills areas. As the news hit social media and mainstream media, the phone calls to my office at Gilles Plains started, emails flooded in and the front door to my office, with people coming in and going out, was like a turnstile during a sale.

But let me tell you: the people were not happy. They were angry, they were worried, they were anxious, they were outraged and some of them were even in tears. Frankly, I could not believe that such a decision, such a plan could be put together without consulting those who rely on public transport and without thought of those who rely on public transport—those who cannot afford cars, those who are unemployed heading to interviews and cannot afford petrol, the elderly, school students, TAFE students, university students and students who come from overseas to study here in Adelaide, who rely on public transport to get around.

Members interjecting:

Ms WORTLEY: Yes, I can hear comments coming from across there, but it must have been really difficult for the members opposite, particularly the members for King and Newland, to support such a plan. I know that these issues raised by my residents did not stop at the electoral boundaries. Do you know how I know that? I know that because your residents came to my office. They came to my office because they wanted someone to stand up for them.

One of the local not-for-profit organisations, Barkuma, provides a range of support for people living with disabilities and is based in Holden Hill. They have 21 employees living with a disability who catch the 503 bus every day. The axing of that bus stop would have meant that they would have had to walk along two busy main roads, up to an extra kilometre a day. I went out there with the CEO of Barkuma and walked that bus stop, and we put the footage on Facebook. The people who saw that footage were also outraged. I can tell you firsthand how ridiculous it seemed, walking that route, to take these bus stops away from those who need them most.

Let me tell you about Jenny, who lives in Oakden, which is in my electorate. Jenny's daughter Kyla lives in supported care. Kyla is legally blind and has multiple disabilities. When she lived in Oakden, she would catch the 208 bus to the Royal Society for the Blind on Blacks Road three to four times a week. Kyla has a lot of friends who continue to live there, and she and her friends had learned the bus route to get to the RSB.

Jenny told me how worried she was when these proposed cuts were announced, as Kyla and her friends would not have any alternative transport options in the local area. Walking the extra distance would not have been a safe option for them. Jenny does not drive, having had two knee operations in the past 12 months, so she would not have been able to assist.

Let me tell you about John and Kathleen, both in their 80s. John and Kathleen sat in my office and were very worried. They did not know what they were going to do. They said that if bus route 208 were canned, they would end up housebound. They use it to go everywhere. The day I rang them, they were already out looking to buy mobility scooters so that they could get around. They could not afford to get taxis, but they needed to get to places or they would be housebound.

I know of families who have been so distraught by this, and the anxiety they have suffered is unspeakable. I want to tell you what one of the residents said to me. I think he summed it up quite well when he said, 'The government's Go Zones are no-go zones for us because we couldn't get to them. We would not be able to get to those Go Zones.' That is the impact these bus cuts would have had on people in our electorates.

WAITE ELECTORATE

Mr DULUK (Waite) (15:33): Like almost every other country in the world, Australia has a system of honours and awards so that its citizens can be recognised for excellence, achievement or meritorious service and contribution to our society. I would like to acknowledge the special Queen's Birthday Honours recipients from my electorate. I am so proud to have such a vibrant community of volunteers who actively participate in the improvement of our society.

The following recipients epitomise the concept of going above and beyond to serve others and are exemplars, demonstrating high standards so outstanding that their peers have taken the initiative to reflect and share them with all of us. Firstly, Dr Karen George of Crafers West, was awarded a Member of the Order of Australia for significant service to history preservation and research and to professional associations.

OAM recipients in my electorate include Mr Robert (Bob) Arnold of Eden Hills, for services to the community through Blackwood Rotary Club. Bob is a keen environmentalist as well. Other recipients are Mr Graham Davis of Crafers West, for services to sport in South Australia; Professor Adrian Linacre of Blackwood, for services to forensic science; and Dr Joseph Montarello of Netherby, for services to medicine, particularly in the field of cardiology.

Mr John Mudge of Eden Hills received the Australian Fire Service Medal for nearly 40 years of service to the Eden Hills CFS and Region 1 Operation Brigade, which is a fantastic achievement. On a personal note, I would also like to congratulate the Hon. Alan Ferguson AM, Morry Bailes AM, Kathryn House AM, Peter Wadewitz OAM and Krzysztof Balcerak OAM for their Queen's Birthday Honours recognition for their contribution to their fields and to civic service.

I would also like to discuss this afternoon and bring to the parliament's attention some great news from around my electorate in the sporting field. Sport is such an important aspect of our lives and for me and my constituents. Indeed, I welcomed round 3 of the Office of Recreation, Sport and Racing's Grassroots Football, Cricket, and Netball Facility Program, the winners of which were announced earlier this week. This program is providing much-needed economic stimulus to our local communities, whilst also developing the function of community space to allow the enjoyment of sport to prosper.

I am pleased the following organisations from my electorate have received much-needed funding to upgrade and build important facilities: firstly, the Unley Jets Football Club and Unley Cricket Club. The Unley Gunners are set to receive $700,000 from the facility program as part of a $2.1 million upgrade to the existing clubrooms and change rooms. This development will provide unisex change rooms, rooms for umpires and medical staff as well as a match day office.

This funding will be matched by the City of Mitcham and a contribution from the federal government and the member for Boothby as part of the 2019 federal election commitments, as well as the 2018 state election commitment through my assistance as the member for Waite. A big congratulations to Jets president, David Heaslip, and Gunners president, Oliver Smith, for taking the lead in this project. Of course, this Saturday, the Jets have a home game against the mighty Adelaide University Football Club, so good luck to both those teams.

The Coromandel Valley Ramblers Cricket Club is set to receive $326,000 from the facility program as part of about a $660,000 project to construct a new modular multipurpose sports complex with unisex change rooms, an umpires' room, equipment storage and an all-access toilet facility at their Hawthorndene Oval.

This project has been about 10 years in the making and huge congratulations go to president, Matt Smith, Glen Rosie and so many others from the club on their years of perseverance. The Coro Ramblers Cricket Club has been around since 1926, and it will only be in 2020 that it actually has some change rooms built for them. For me, it is a great project to be involved with. It is almost six

years ago that I first met with Glen Rosie and Adrian Howard to discuss how this project could progress.

In our community, we have so many fantastic sporting achievements and developments and, of course, just before the COVID outbreak, I was proud to be at the unveiling of the Hewett Oval development, which once again was a state government, local government and federal government initiative, with new facilities for the Sturt Lions Football Club, the Blackwood Tennis Club, Woods Panthers Netball Club, the Coromandel Cricket Club, and the mighty Woods Blackwood Football Club. It is going to be fantastic to see those new facilities being used as winter sport begins, really, at so many levels this weekend.

Parliamentary Procedure

SITTINGS AND BUSINESS

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:38): I move:

That the house at its rising today adjourn until Tuesday 21 July 2020 at 11am.

Motion carried.

Bills

CORRECTIONAL SERVICES (ACCOUNTABILITY AND OTHER MEASURES) AMENDMENT BILL

Second Reading

Adjourned debate on second reading.

(Continued from 1 July 2020.)

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:38): It is a pleasure to rise on the Correctional Services (Accountability and Other Measures) Amendment Bill 2020 on behalf of the people of Stuart. This is actually very important, and I would like to give the Minister for Correctional Services great credit for the work he has done here, including the very broad and deep consultation he has done on this bill as well. I think it is also important to point out that this bill did originate back in 2017 under the previous government. I think it is only fair to mention that, given the very kind comments made by the shadow minister yesterday with regard to the current minister.

Much has been canvassed about the bill. The member for Hammond I know has gone into great detail on it, and certainly the minister's second reading explanation was very thorough, so let me just be sure that anybody who takes an interest in my speech understands that what this is really about is several different areas: disclosure of information relating to criminal history; remotely piloted aircraft, that is, drones, and that is very much about security and also the delivery of contraband; buffer zones; official visitors; the Parole Administrative Review Commissioner; restraints that are or are not to be used on prisoners in certain circumstances; and management of officers/employees of the department.

I mentioned consultation previously. I will not name all the people the minister and the Department for Correctional Services have engaged with, but some who really stand out to me are the Commissioner for Victims' Rights, the Director of the Legal Services Commission, the Chief Executive of the Australian Criminal Intelligence Commission, the Chief Executive Officer of the Aboriginal Legal Rights Movement, the General Secretary of the Public Service Association, the head of the Offenders Aid and Rehabilitation Services and the Presiding Member of the Parole Board.

There are about the same number again, but those ones jump out at me as an illustration of extremely thorough consultation and with a wide range of organisations and people who I know would have a very wide range of views as well—not all of them complementary views, and that is 'complementary' with an 'e'. The minister has done a very good job in bringing all of this together in a tough situation.

Speaking of tough situations, as a local member of parliament with Port Augusta Prison in my electorate, and previously with a different boundary having had the Cadell Training Centre in my electorate, and also in fact having been a shadow minister for correctional services for a long time and having visited all the prisons back then and had very thorough discussions with all the managers and many staff back then, one of the highest priorities from my perspective is with regard to the treatment of the people who work in the prisons.

Of course, treatment of the prisoners is vitally important, that goes without saying, as are right care, the right treatment, the right nourishment, the right access to medication and the right access to training. All those things are very important, but the treatment of the people who work there is incredibly important as well. It is tough work.

I have friends who have worked in Correctional Services as prison officers for 20-plus years, and they love it. It is just right for them. They really enjoy the work. I have other friends who would never consider it, just would not do it. I even have half a dozen or so friends who, over the last probably four years when DCS was really trying to recruit and increase their staffing numbers, had a go at it thinking that it might be right for them, but it was not and so they ended up deciding to leave, and there is no shame in that. It is very difficult, very challenging work.

I find corrections, I have to say, fascinating. At one end of the spectrum it is the simplest of areas of government work: you have criminals and you take them off the streets and you keep them off the streets, but that is an extraordinarily extreme simplification of it. At the other end it is extraordinarily complex, interesting and incredibly important work as well. So I take my hat off to the people who work in these prisons.

Simultaneously, though, there is much in this bill which is about making sure that those people do the right thing. As in any workplace not everybody is perfect, and the prison system is no different from the legal system or the legal fraternity, perhaps, or the medical fraternity or the political fraternity. Members of parliament are not perfect, and that would be true of whatever workplace you wanted to look at: sportspeople or cleaners, bus drivers or accountants. It would not matter; the laws of averages apply to most things.

An enormous amount of work goes into making sure that people who enter DCS as staff members, and particularly as corrections officers, are tested and assessed and considered very deeply, but there are from time to time still difficulties. Some of those difficulties start with the staff member. Some of those difficulties, very unfortunately, are almost not of that person's making.

I remember very well, probably six or seven years ago, a prison officer was found to have been doing the wrong thing in his job. As it turned out, his son had actually got himself into a whole lot of strife. His son had been put under extreme pressure by a bikie gang, and part of that pressure then came to bear on the prison officer, who was told without any doubt whatsoever that if the prison officer did not do what the bikie gang wanted him to do, his son would suffer the consequences—a terrible situation for any parent to be in. I am not singling anybody out as good or bad or right or wrong, I am just illustrating that people can find themselves in situations they should not be for a wide range of reasons, and that is certainly one example that I came across.

This bill is about many things, as I have already said, but one of them is about trying to make sure that prison officers do the right thing. I am so pleased that Nev Kitchin, the General Secretary of the PSA, was involved in this. I have had very productive conversations with him over quite a few years up until a few years ago when I was in that role. I have also had very productive conversations with friends and acquaintances who work in the prison system in Port Augusta, in Cadell and in Adelaide, as it happens, with regard to how you try to find the right balance. This same discussion, as we know, often applies to police officers and some other people in other critical-type roles with regard to security and behaviour, including security and behaviour after hours when they are not actually at their job.

It is about finding the right balance. On the one hand, there is the view that the Department for Correctional Services has employed a person and done incredibly thorough background checking, behavioural analysis, mental and psychological testing to be sure that the person has the best chance to be cut out for this type of work, etc. and, beyond that, when they are working in the system, they should not have to be under any other personal scrutiny with regard to what they do or

how they operate because it should all have been taken care of and they are working in a system which should mean that those risks are eradicated or, at the very least, significantly minimised.

At the other extreme, some people hold the view: 'Just search them anytime. Even away from work do drug testing and alcohol testing anytime. These people have incredibly vital roles and we must take no chances with them and go through them like a dose of salts.' Of course, as is almost always the case, the best practice is somewhere between those two extremes. I know that the Minister for Correctional Services has tried very hard to get that right. I also know that in my discussions with Nev Kitchin previously and with friends, as I mentioned, over time the profession—if I can put it that way—has more and more willingly accepted the reality that more scrutiny of them is required and is warranted.

I would go so far as to say that the people I have come across who struck me as extremely good at their work generally said, 'I would pretty much be happy for just about any scrutiny you would like. I don't want to be dragged over for a sample of something too many times and have that interfere with what I'm trying to do to get on with my work and my life, but, really, I'm open for scrutiny.' This is perhaps a bit of a harsh comment but the people I might personally have assessed as perhaps not so good at their job were typically the ones who took the other view and said, 'There's no place for that and I shouldn't have to put up with it. It's not necessary.'

I am sharing a personal value judgement there, but that is not really the point. The point I am trying to make is that in all these discussions, over a very long time, the weight of opinion has shifted in the minds of the people who do the work towards, 'Let's be more open, let's be more transparent, let's open ourselves up to scrutiny.' I am not suggesting the full, intense, completely over-the-top type of scrutiny that I used as the extreme example before.

In that vein, it is important to be sure that the people we trust to do one of the toughest jobs that you could ever imagine—please do not for a second think that being a prison officer is a cushy job and that you just sort of turn up, you walk up and down the halls on the other side of the bars from the criminals and have no stress in your life, as is sometimes portrayed in old movies. In my experience, that is a long way from the reality. It is a tough and stressful job, mentally and occasionally physically. Overwhelmingly, prison officers throughout South Australia and no doubt other places are trying to do the very best they can.

I am very aware of how difficult it is to find the right landing in that area with regard to this bill. I am very pleased that the minister has done such a thorough job in determining where he is going to land. I am very pleased that the shadow minister in his speech yesterday said that he was very comfortable with this. Just on the off chance that he did not hear it earlier on, I am very pleased that this is a bill that was essentially initiated under the previous government and is now being implemented and delivered under the current government. In our way of democracy, that is probably a pretty good way to get things done and get both sides of politics on board for a very good result.

This is a good bill. It is imperfect, because it is just not possible to get everything 100 per cent right—I know that from my own area of work—but this is a really positive, good step forward. I know it will be good for people who work in the corrections system. I know it will be good for the general public at large, who are the primary beneficiaries of the corrections system. I am also confident that it will be good for prisoners, understanding that some prisoners might not think that much about being in prison is good, but I am sure that the work of the Department for Correctional Services and this bill, when it is implemented, will at least improve things for prisoners.

I support the bill. I am very grateful for the work that prison officers and other corrections staff, whether they be in Community Corrections—it is important to point out that there are two or three times as many people being managed through the community corrections part of the Department for Correctional Services than there are actually in prison. I am very grateful for the work that prison officers, other staff in prisons and the community corrections component staff and officers do.

Interestingly, Port Augusta Prison is now the largest employer in Port Augusta. It used to be the Port Augusta power station before it was closed a few years ago. Port Augusta Prison has also been expanded. That work is ongoing and there is still a great deal of construction happening there. When that is completed, Port Augusta Prison will be the largest prison in South Australia and all the

people who work there, from the general manager all the way through to the most recent arrival in the office outside of the prison walls, are to be appreciated for the work that they do—the very important, very difficult, very complex work that they do on behalf of our whole state.

The Hon. T.J. WHETSTONE (Chaffey—Minister for Primary Industries and Regional Development) (15:54): I, too, rise to make a contribution to the Correctional Services (Accountability and Other Measures) Amendment Bill. Just listening to the Minister for Energy and Mining, the member for Stuart, he obviously has a very keen interest in Corrections, being a previous shadow minister. It really does open up a conversation about the bill improving the corrections system.

As the member said, the minister for corrections has worked well with the opposition spokesperson for Corrections, because, as we say, this will be a good outcome; it will be an improvement to the bill and it will be an improvement to Corrections. As the member for Stuart rightfully said, for a corrections officer, the corrections system is a tough space. It is always evolving and it is always having to be improved. Corrections officers have a very tough job and they are often supported by good staff and a level of culture. We know those officers in many instances support one another so they can continue with their role as a protective officer.

My electorate of Chaffey is home to the Cadell Training Centre, a minimum security prison located just outside Cadell, about 180 kilometres north-east of Adelaide and 10 kilometres outside Morgan. It is a critical facility in our state's prison infrastructure, as it is a low-security prison farm, accommodating low-security male prisoners.

I have visited Cadell Training Centre on a number of occasions. There is always a sense of family in the office as people have been there for an extended period of time. It is also supported by the local community that primarily has part of the management of the centre. The Cadell Training Centre has been there since 1960 as a training facility for prisoners to learn vocational skills, which may not be available within other prisons and it is quite an impressive facility.

Having previously been a member of the Public Works Committee, I travelled to all the state's prisons and looked at the different aspects of high, medium and low security prisons. Visiting Port Lincoln Prison gave me an understanding that prisons are not just about concrete walls and iron bars: they are also about rehabilitation and providing a level of training for those who have offended and are looking to rehabilitate and come out on the other side with a level of skill. What I have seen at all the corrections centres is that element to be able to do that.

Cadell Training Centre's major focus is obviously on rehabilitation, but also preparing prisoners to take their place back in the community upon release. The 210 male cell block cottage-style accommodation, as it is fondly known, runs a really successful community works program, which utilises prisoner labour by supporting many of the not-for-profit projects in the local community. One of the shining examples of partnerships with inmates from the facility is that they can become members of the local fire service, working alongside members of the community to help deal with any disaster or natural event. As well, the Cadell Country Fire Service is staffed by custodial staff, members of the public, and, as I just stated, the prisoners.

Cadell Training Centre not only provides great services to the local township but it also provides services to the wider community. Obviously, there is a horticultural sector there. There are chook houses and also a small dairy that give the opportunity for those prisoners to be upskilled or skilled in some way, shape or form so that once they have potentially been rehabilitated they come out with a level of skill, particularly in the primary sector.

Some of the other great services provided there are for Meals on Wheels preparation, and it provides an outstanding service. Volunteers go into Cadell to pick up the food packages and distribute them far and wide. We know that Cadell is a small hub to that Riverland West area, with Cadell, Morgan and Waikerie and, to a lesser degree, some of those more outlying properties that Meals on Wheels provides support to. The program also provides prisoners with a sense of responsibility and a sense of community, and that has very much been evident over its entirety.

As I said, inmates can gain certificates in horticulture, dairy and commercial cookery while they are there, as well as take part in programs that give them the opportunity to realise the sins they have committed so they can then get on with life and come back into society a better person.

Rehabilitation is a hugely important part of the justice system, and these types of farm projects or education programs are quite rewarding and provide an opportunity for people to appreciate not only the work that the prisoners do but the staff who facilitate and supervise these programs.

In conclusion, I want to congratulate and thank corrections staff and corrections officers, who do a great job as part of a very small community at Cadell. They protect the public, and it is important that management will be a part of these reforms, while also ensuring that our inmates are provided with a secure, safe and humane environment while they are there. The training centre at Cadell is a real landmark along the river corridor. Some people would say it is more of a holiday camp than a corrections centre.

What I would say is that they are doing an outstanding job. They are rehabilitating, and what better way to do it than out in the primary sector in the great aspect of what the Riverland climate and its hospitality offer. I give the bill my full support and I congratulate the minister and the shadow spokesperson on coming together and working through this so that it is an improvement to the corrections system and an improvement to the working relationship here in this parliament.

Mr TRELOAR (Flinders) (16:03): I rise to make a contribution to the Correctional Services (Accountability and Other Measures) Amendment Bill 2020. Of course, it is creating quite a bit of interest. It is a significant bill, and it has been arrived at after much discussion, much consultation and much agreement across the chamber. I know that the shadow minister has an amendment or two he wishes to bring to committee, but essentially there is support from both sides.

This particular bill is closely based on the Correctional Services (Miscellaneous) Amendment Bill 2017, which was introduced by the former government in October of that year but not assented to due to parliament's prorogation for the 2018 election. It is important to recognise the work that has gone into this particular bill. I have a special interest in this bill, given that on the outskirts of Port Lincoln is one of the state's prisons.

Not too many years ago, the Hon. Peter Malinauskas was the minister responsible for prisons at that time and he visited Port Lincoln Prison. It must have been in 2016 because we were celebrating the 50th anniversary of the building of that prison in 1966. It is one of a number of times that I have had the opportunity to visit the prison in Port Lincoln. It is a bit daunting the first time you go into a prison because it is an environment like no other. Port Lincoln is a medium and low-security prison with 178 male inmates, and not too long ago it had an increase in the occupancy rate with the addition of some extra accommodation.

Another interesting thing about the Port Lincoln gaol is that it sits within about 200 hectares (or 500 acres) of farming country on the outskirts of Port Lincoln, just over Winter Hill. It is not great country, but it does have good rainfall. The prison population over the last 50 years has licked the property into shape, and it now grows annually crops of barley and canola, and I assume wheat, although I am not sure about that, as it is more barley country. They certainly run some livestock, including cattle, and there is an extensive garden within the grounds of the prison. I know much of the produce from that garden not only supplies the kitchen and the servery at the prison itself but also goes to shops and outlets in Port Lincoln.

Anther significant industry that occurs there is the manufacture of oyster baskets and, as everyone knows, aquaculture is a significant industry around the coastline of Eyre Peninsula. More than 90 per cent of the state's oysters are grown around that coastline, and the oyster baskets manufactured by the prisoners in Port Lincoln Prison find their way to many of the oyster farms around Eyre Peninsula. All in all, it makes a significant contribution to the broader community, which is exactly what we want from our prisons and our prisoner population.

I will make special mention of Grant Shepperd, who is the farm manager and whom I have known for a long time. His background is in agriculture and he supervises and oversees the operation of the farm. His knowledge and understanding of the property, and the requirements of agriculture and growing crops with good rainfall but harsh soil, are not to be sneezed at.

Port Lincoln Prison is a significant building that dominates the entrance of the western approach to Port Lincoln; there is no doubt that, and there is no way you would ever miss the building. I recall being a young boy when it was first built and my grandparents retired to Port Lincoln from their farm. My grandfather was often described as 'having more front than John Martins'. That is a

very South Australian term, isn't it? I do not think you could use it anywhere else. He was not at all intimidated by the fact that there was a prison there, and he would often drive the Valiant, with us kids in the back, up to the prison gates and around it. We were petrified, of course, but my grandfather had no qualms about doing that. My memory of Port Lincoln Prison goes back a long way.

The most recent time I visited Port Lincoln Prison was when both my wife and I and some other, dare I say it, dignitaries from the town, including the mayor and others, were invited to dinner in the dining room there. The prison had offered some TAFE courses and TAFE certificates were achievable in catering. That night, we were the guests of some prisoners who prepared our meal, served us and undertook conversations. I must say that it was a thoroughly enjoyable evening: the food was brilliant and the service was fantastic. Those prisoners, men in this case, will go on to achieve their TAFE certificate in catering. I think it was catering, but I stand to be corrected. That was my most recent opportunity to visit that prison.

Going back to the bill itself, it will address the priorities of our government, including the introduction of provisions to support the Better Prisons Program, and strengthen the safety and security of our correctional system. There are some highlights of this bill. The first I want to talk about is the disclosure of information relating to criminal history. Amendments have been made to the criminal intelligence provisions within the bill, which now allows the chief executive to obtain certain information from the Commissioner of Police. DCS have consulted with SAPOL to ensure these provisions were operationally feasible for both agencies. As I mentioned earlier, there was extensive consultation in relation to the drafting of the bill.

Drones have been talked about by previous members, or remotely piloted aircraft (RPA); most of us know them as drones. The use of RPAs being flown over prisons is a security issue for all correctional jurisdictions, even more so now with the remotely piloted aircraft becoming increasingly advanced in technology and more accessible to the general public. The bill now makes it an offence to operate an unmanned aircraft within 100 metres of a correctional institution without the permission of the chief executive.

Drones can also be seized if found in a prison environment. Buffer zones will be established, and the bill will introduce those prison buffer zones, for the purpose of possession of drugs under the Controlled Substances Act 1984. The intention is for these zones to be similar to school zones in many ways, in which the sale, supply or administration of a controlled drug is prohibited.

The official visitors scheme will establish a group of independent appropriately skilled visitors who meet OPCAT requirements, otherwise known as the Optional Protocol to the Convention against Torture, while also meeting the contemporary needs of a prisoner population, including specialists in mental health and wellbeing and Aboriginal representatives.

The Parole Administrative Review Commissioner (PARC) also provides for an amendment. This amendment will provide greater protection to victims and the community by providing a further level of review in regard to decisions to release on parole offenders who have been sentenced in relation to serious offending relating to the offence of murder.

The bill also covers off on restraints to be used on prisoners in certain circumstances, obviously. There are currently no provisions for the use of restraints on prisoners during their transfer and/or movement within or outside of the prison system to ensure their own safety, the safety of staff and the safety of the public. The bill provides for the circumstances in which restraints may be applied to prisoners, and this inclusion allows DCS to use restraints in some circumstances without constituting a use of force. Of course, this will allow restraints to be used during the transportation of prisoners or if they are temporarily detained in a non-secure location, for example, during hospital treatment or while attending a funeral, in addition to internal movement.

It is a really important bill. I am pleased to be able to speak to it and I look forward to it going into committee. In closing, I will acknowledge, as have other members, the work of those who work within Correctional Services. As the member for Stuart said, I know quite a number of the prison officers, for want of a better term, who work within Port Lincoln Prison, and they do a wonderful job. They take their job very responsibly and, almost to a person, they enjoy their work and are pleased to have the opportunity to undertake that as a career. I admire their dedication also.

I also have a friend who works within the education area of Port Lincoln Prison. A lot of that is about literacy and numeracy. I think the member for Florey mentioned the high percentage of prisoners who have a low level of numeracy and literacy competency. That makes it all the more difficult for prisoners, once they are released, to integrate back into normal life if those skills are not there. Once again, my friend is very dedicated to the task. She enjoys her work and has undertaken to build skills within the Port Lincoln Prison population around literacy and numeracy. I very much congratulate her on that effort and admire her work.

In summary, Port Lincoln Prison is a significant building. It is a significant employer within the Port Lincoln community. It engages a good number of prison workers and others associated with the farm, the garden and the oyster fabrication industry. It is not just prisoners, of course, as they have to be overseen. The produce from that farm makes a significant contribution to the broader community of Port Lincoln. Well done to all those involved in that institution. I commend the bill.

Mr TEAGUE (Heysen) (16:15): I rise with some brief words to commend this bill and more particularly, as I understand it, to commend the minister and shadow spokesperson for their collaborative work to bring this bill to the house, setting out as it does a range of measures to reform Correctional Services in the state.

Those who have contributed already to the debate have referred to the range of measures that will be applied. I am pleased to see in particular that there will be provisions to respond to technology—for example, the prevalence of drone technology will be addressed in the bill—as well as further measures to establish meaningful buffer zones, with a view to ensuring the prevention of the possession of drugs in prisons and, to that end, applying some strict measures in relation to the unauthorised use of mobile telephones in correctional institutions. Those are among the range of measures.

I also note the amendments to the official visitors arrangement that are subject to part 3, division 2. They are in connection with the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the associated Optional Protocol to the Convention against Torture, and I am pleased to see that that official visitors scheme will apply subject to provisions that are set out in the bill.

The part that I wish to address briefly and more specifically is that aspect of the bill that goes to the reform of the offenders who will now be the subject of prescribed class of prisoners who are serving sentences in connection with the offence of murder. Presently, the circumstances under which a decision of the Parole Board in relation to the release of a prisoner serving a sentence of life imprisonment being subject to a review by the Parole Administrative Review Commissioner is specific and somewhat limited with respect to those serving a sentence for murder.

The amendments will expand that class of prisoner to include a range of offences that are in connection with the principal offence of murder. What that would do in a very practical way is introduce that further level of review in relation to parole decisions, which it is anticipated will provide that greater level of protection and perhaps comfort to victims and also to the community in relation to the determination of questions of parole of that prescribed class of prisoners.

With reference to the Parole Board, I take the opportunity to observe that the Parole Board has been in existence since 1969. In that 50-year history, its chair, the present chair, Frances Nelson QC, has been in that role since 1983. So a really substantial majority of the life of the Parole Board itself has been presided over by Frances Nelson who, apart from being the very long-serving chair of the Parole Board, is one of the state's most senior Queen's Counsels and very much a respected senior member of the bar. She has discharged that public role over a period of many decades and it is well to recognise that extended period of service.

I also recognise the important role that the Parole Administrative Review Commissioner undertakes in the context of this process. The commissioner is necessarily a retired judge of a superior court and serves in that capacity as reviewer of that particular class of decisions of the Parole Board. Those are important public functions in the context of corrections more broadly and I do recognise and acknowledge all those who serve on the Parole Board, particularly the chair and also the commissioner. I am pleased to note that among the wideranging consultation that has

occurred in the course of preparing the bill over the period that it has been in the works, consultation has, I understand, included a consultation with the Presiding Member of the Parole Board.

It might be well further to observe that the Parole Board, and its functions, actually provides a very important bridge from our correctional facilities back into the community for prisoners. I understand and want to recognise the work of organisations with which the Parole Board continues to work closely, including the Offenders Aid and Rehabilitation Services of South Australia (OARS), the Aboriginal Prisoners and Offenders Support Services (APOSS), the Exceptional Needs Unit and the Forensic Mental Health Service, as well as South Australia Police.

I understand that the board also receives assistance from non-government agencies, including Anglicare, the Salvation Army and Second Chances SA, which are non-government organisations. Those organisations assist, in certain cases, by helping to provide accommodation for offenders, with some level of supervision and support associated, and, in other respects, by helping to support the families of those offenders to ensure that, as far as possible, that return into the community is with good prospects of a long-term return to making a contribution in the community and, for those who have served a sentence, getting back to living a constructive life outside the correctional facility.

With those brief words, focusing as I have on those amendments in relation to the review, I once again commend the bill and commend the work of the minister and shadow spokesman working together to bring it to the house.

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing) (16:25): I would like to thank all the members for their contributions to this debate. I take this time to address some of the matters raised by members during the second reading, noting that we will flesh them out further during committee.

With regard to comments made by the member for Elizabeth on recidivism, I have received advice from the Department for Correctional Services that the final 10by20 report will be released in the first quarter of 2023 as detailed in the previous State Government Response and Action Plan. Offenders are tracked for a two-year period and therefore, as the member for Elizabeth has pointed out, the reoffending rate for prisoners released in the financial year 2019-20 will not yet be known until the latter part of 2022 and documented in the final report in 2023.

The 2020 progress report, which details highlights of key 10by20 initiatives, will be publicly released shortly. This progress report will provide the reoffending rate for prisoners released in the year 2016-17. The 2020 progress report outlines the progress that DCS has made to date with the 10by20 strategy, in particular key milestones that were achieved throughout 2019 and 2020 to date and efforts towards future progress.

The government provided bipartisan support to the 10by20 strategy and all associated recommendations and anticipates positive results by 2023. With the management of DCS officers and employees, I look forward to the questions to be raised in committee; however, I can provide the following advice. Whilst these powers mirror some of those that sit with the Commissioner for Public Sector Employment, the amendments have been proposed to allow the chief executive to take immediate action in relation to investigations and reviews of an operational nature related to the department's business related to the operations of the Correctional Services Act.

The provisions for the additional powers for the chief executive are aligned with those found in other legislation. With regard to the obligation to provide an honest account of an incident, this does not remove the right for an individual to remain silent if incriminated nor does it diminish an individual's right as a public servant. The bill does, however, provide protection against staff and officers not reporting on a colleague's errors, misconduct or a potential criminal offence. The bill gives power to the chief executive where he has been previously unable to act, to remove and reassign an officer if he has lost confidence in the suitability of the employee to continue working in a correctional institution.

Regarding demands placed upon correctional systems by the Optional Protocol to the Convention against Torture (OPCAT), I am told that significant amendments have been made to

provisions relating to inspections of prisons. Section 20(1) of the current act provides very basic provisions enabling the appointment and visiting functions of independent inspectors to visit prisons.

The changes will mean that DCS will continue to be supported by an independent, contemporary and transparent scheme. Current inspectors, known as visiting inspectors, are volunteers who carry out independent regular inspections across all South Australian prisons. Whilst a critical program in its current format, the bill will now ensure that South Australia complies with the inspection requirements of places of detention under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 1984 and the associated Optional Protocol to the Convention against Torture, which the commonwealth government ratified on 21 December 2017.

The official visitors scheme will establish a group of independent appropriately-skilled visitors that meet OPCAT requirements while also meeting the contemporary needs of a prison population, including specialists in mental health and wellbeing and Aboriginal representatives. I now turn to comments made regarding new criminal offences.

There are currently no provisions in the existing act with regard to prisoners involved in riot or mutiny. Prisoners involved in such incidents can only be dealt with via a breach of the regulations. In response to the member for Elizabeth's questions in regard to other legislation that may provide for these offences, I am advised that section 83B of the Criminal Law Consolidation Act does reference riot; however, that offence notes that there must be 12 or more individuals present. It would rest with the prosecution as to what legislation is to be used.

In addition, under current provisions of the act prisoners found in possession of drugs or other prohibited items, such as mobile phones, can only be dealt with via a breach of the regulations. The insertion of sections 49 and 49A creates new offences and ensures that prisoners can be held accountable by making such acts a criminal offence. The changes mirror provisions in other jurisdictions. They aim to reduce the amount of drugs in prisons and improve the safety and security for prisoners, employees and the community—something this government has been very strong on since coming into office.

I thank the member for Florey for her contributions and her longstanding interest in justice and corrections and prisoner welfare. I understand the member for Florey's questions regarding the automated prisoner booking system relate to upgrades with regard to the KEX (kiosk express system) and the ability to arrange the domestic visits through that system. Whilst I consider the member's question may be unrelated to the bill, I can advise the following: KEX enables prisoners to become self-sufficient in submitting requests and obtaining information via the use of an electronic fixed device known as a 'kiosk'. The kiosks have been operational in all DCS prisons for some time now. Kiosks are biometrically enabled via high-quality fingerprint scanning and are very robust. The rollout of key functions within the KEX system has continued to take place in a staged approach.

The changes for professional visits is stage 4 of the KEX project and consists of two key deliverables: the provision of a booking system for use by DCS staff and an online booking portal, where professional visitors can register and make bookings themselves. Domestic visits is stage 5 of the KEX project and will give prisoners the ability to book their own visits using kiosks, with a pilot program to be undertaken at Port Lincoln Prison and the Adelaide Pre-release Centre. I am advised that the COVID-19 health emergency has resulted in some delay to the implementation of stage 5, which is now planned to go live in October 2020. I know that will not make the member for Florey happy, but DCS is satisfied that appropriate planning is in place for the enhancement of this system and it will be rolled out as quickly as possible.

Responding to comments made by the member for Florey regarding educational opportunities, she will be happy to know that the department's primary focus for prisoner education and training is to provide prisoners with the skills, knowledge and qualifications to gain employment upon release. Prisoners receive a full professional assessment at the beginning of their sentence to determine a full case management and learning plan. This includes understanding their numeracy, literacy and employment readiness needs, as has been pointed out by the member for Flinders—in fact you, sir, now sitting in the chair—as well as their rehabilitation program needs. This allows for the development of an individualised case management and learning plan to determine relevant units

in which the offender should be enrolled to allow for the acquisition of the skills that will enable more effective engagement in a criminogenic program and engage in vocational learning.

Following the transfer of the Adelaide Remand Centre to Serco operations under this government, new service provisions now include the provision at that site of specialised courses to remandees, which is something the member for Florey also raised. These courses include life skills and community links. Should the member wish to have some further information in regard to this, I am happy to arrange an appointment with the CE of DCS. He is always happy to oblige, and we love her passion for this sector.

Further, with regard to remandees I do highlight clause 10 in this bill, amendment of section 29—Work by prisoners. Distinctions in the current act between remand prisoners and other prisoners relating to work are removed. Historically, remand prisoners have not been required to participate in employment, rehabilitation, training or assessments based on the position that they have not been found guilty of an offence in a court of law. These activities contribute to rehabilitation by maximising opportunities for prisoners to engage in a range of activities and work through which they can learn skills and prosocial behaviour.

This amendment allows remand prisoners to participate in appropriate employment programs, thereby giving them positive rehabilitation opportunities and improving their chances of prosocial reintegration when released from custody. I hope that is a satisfactory response to the member for Florey and I look forward to engaging with her more on that.

This supports recommendations made in the 10by20 strategy. With these changes, the department will now be able to further explore opportunities for remand prisoners to participate in rehabilitative programs, including substance abuse and therapeutic communities, and general programs, such as education, including numeracy, literacy and vocational training. Finally, matters raised relating to the Parole Board may be questions better asked of the Presiding Member, Ms Frances Nelson QC.

I would again like to thank all members for their contributions and I do note those of the member for Chaffey, the member for Heysen, the member for Flinders, the member for Stuart, the member for Hammond, the member for Elizabeth, whom I have mentioned, and the member for Florey. We appreciate their interest in this and look forward to progressing this through the committee posthaste.

Bill read a second time.

Committee Stage

In committee.

Clause 1.

Mr ODENWALDER: I want to thank the minister for his closing remarks and also the other members who have made a contribution, particularly the member for Florey. I look forward to her contribution in this committee debate. A lot of contributions have mentioned the collegial and cooperative way in which we have approached this legislation. I should say that is true, except that it has happened over a long period of time and it has happened since 2016. Apart from the amendments I will put, my only criticism of this bill is that it has taken so long to arrive in this place.

I will press on with some questions on clause 1, since there does not seem to be a more appropriate place to put them. In his second reading summing up, the minister mentioned a progress report. Can you detail exactly when that report will be published, minister?

The Hon. C.L. WINGARD: I thank the member for the question and note a couple of aspects in his question. I am very proud to have brought this bill before the house. I note that work has been done on this before and that our government, since coming in, has very much beefed this up.

We did have the amendment bill earlier, which I think you raised in your speech as well, member for Elizabeth, but we did move that amendment bill very early to address a number of our election commitments, which were very much focused around strengthening the security in our

prisons, keeping drugs out of prisons and closing down outlaw gangs and crime syndicates within prisons. I was very proud of that piece of work.

That was the initial piece of work, and we have come back now with this second body of work. As I said, it is beefed up. You make a number of points about the fact that this has been around for a while, and I do concur with your points. You had 16 years to get this work through and that did not happen, but we will fix that. We will pass this bill and we will get it through, and I thank you for your support fundamentally. As far as the date of the release of that report, that has not been set yet.

Mr ODENWALDER: Were there any measures that either the department or the chair or any other member of the Parole Board asked for that did not end up forming part of the bill? Did you reject any requests?

The Hon. C.L. WINGARD: No, not to my knowledge.

Mr ODENWALDER: Then are there any measures in the bill that either the department or the chair or any member of the Parole Board expressed any reservations about and what were those concerns?

The Hon. C.L. WINGARD: No, not to my knowledge.

The CHAIR: This is question No. 4, member for Elizabeth. I will allow you just this one.

Mr ODENWALDER: It is a fairly standard question about consultation.

Ms Bedford interjecting:

Mr ODENWALDER: As the member for Hammond famously said, I can go all day.

The CHAIR: And he nearly did. I make the comment about the short title and clause 1 that the opposition generally asks questions about consultation during questions on this clause, so I am quite accepting of that. Member for Elizabeth.

Mr ODENWALDER: Apart from the department and the Parole Board, and I am presuming SAPOL, what other bodies or agencies were consulted?

The Hon. C.L. WINGARD: I do not have a comprehensive list in front of me, but you are right, of course: the department, SAPOL and the Parole Board chair as well. I know that the Law Society was engaged as well and, I am led to believe, ALRM. Certainly, the Commissioner for Victims' Rights was heavily engaged and, of course, you can see that through the body of the work but, again, the exact list I do not have in front of me. I am 99.9 per cent sure; in fact, I know I did actually personally speak on a number of occasions to ALRM as well. They were some of the key ones. If I have missed anyone else, I apologise, but I think you get the gist. I know that the PSA was also consulted and were sent a copy of the bill to make any comment.

Clause passed.

Clauses 2 to 4 passed.

Clause 5.

The Hon. C.L. WINGARD: I move:

Amendment No 1 [PolEmerCorr–1]—

Page 4, after line 38 [clause 5, inserted section 3(2)]—Insert:

(fa) to recognise the particular importance of Aboriginal and Torres Strait Islander community involvement in the rehabilitation of prisoners, parolees and probationers who are Aboriginal and Torres Strait Islander persons, by ensuring so far as is reasonably practicable that—

(i) Aboriginal and Torres Strait Islander persons are placed in a correctional institution as close as possible to their usual place of residence; and

(ii) an Aboriginal or Torres Strait Islander person is entitled to seek a review of a decision to transfer the person from 1 correctional institution to another in relation to regional transfers where the person will be 200km or further from the correctional institution they are being transferred from; and

(iii) Aboriginal and Torres Strait Islander communities are adequately consulted in relation to any community service projects that are regarded as having particular value to the relevant Aboriginal or Torres Strait Islander community; and

Mr ODENWALDER: I move to amend the amendment as follows:

At (fa)(ii)—to delete the words 'in relation to regional transfers where the person will be 200km or further from the correctional institution they are being transferred from'

The history of this is that I first received the bill several weeks ago. I noted its similarity to the 2017 bill. Obviously, I approved and my party room approved of the objects and principles section. I was prompted to revisit the recommendations of the Royal Commission into Aboriginal Deaths in Custody by recent events and I noted that there were some in the corrections area that perhaps could have been inserted. This was a good opportunity to insert those into the corrections act to give effect to some of them. This amendment in its amended form gives effect to recommendation 168 of the Royal Commission into Aboriginal Deaths in Custody, which states:

168. That Corrective Services effect the placement and transfer of Aboriginal prisoners according to the principle that, where possible, an Aboriginal prisoner should be placed in an institution as close as possible to the place of residence of his or her family. Where an Aboriginal prisoner is subject to a transfer to an institution further away from his or her family the prisoner should be given the right to appeal that decision.

That seems to be eminently sensible. I drafted some amendments to that effect. Late yesterday, I received a government amendment that was similar but, among other small changes, inserted a requirement that, in order for a review to take place into that Aboriginal person's transfer, the transfer must take place over a distance of more than 200 kilometres. I think that is unreasonable. I think that any reasonable person would think that was unreasonable and against the spirit of the recommendation of the Royal Commission into Aboriginal Deaths in Custody and hence I move my amendment to the government amendment.

I am happy to accept the other changes with the usual caveat that we will examine it further in between the houses because, as I said to the minister's advisers yesterday—and to be fair to them, they were frank and open with me—I have not had a chance to consult my party room in any formal way. I am happy to accept some of those small changes, but I do not want to accept—and I think this side of the house will not accept—the 200-kilometre proviso that the minister is suggesting, so I move that way and I am happy to discuss it further.

The Hon. C.L. WINGARD: As we have outlined in the toing and froing here, I oppose the member for Elizabeth's amendment, having filed my own. I will start by saying that the government opposes the amendment in order to keep the amendment process cleaner. I am advised by parliamentary counsel that it is easier to put my own amendment forward.

Helping Aboriginal prisoners is one of the highest priorities of the Marshall government and the Department for Correctional Services, who are actively promoting and building relationships between all Australians in our communities. Aboriginal over-representation in the justice system is a major social justice issue in Australia and this government is committed to continuously reviewing and improving services available for all prisoners and offenders who enter the correctional system.

The government therefore supports enshrining within the proposed new objects and guiding principles of the act, specific provisions recognising the importance of Aboriginal and Torres Strait Islander communities in the rehabilitation of Aboriginal and Torres Strait Islander offenders. I do, however, believe that the amendments proposed by the member opposite should be replaced with my alternative proposed amendment which focuses more on the needs of individual Aboriginal and Torres Strait Islander offenders.

The DCS Aboriginal Services Unit was established as a result of the royal commission into reducing Aboriginal deaths in custody. The unit is responsible for strategic and operational advice regarding Aboriginal and Torres Strait Islander issues, and for Aboriginal and Torres Strait Islander prisoners and offenders and the development of culturally appropriate services and programs. Importantly, the unit has been leading the development of a departmental Aboriginal strategic framework which is due to be launched later this year.

If DCS is going to successfully reduce the rate of Aboriginal prisoners returning to custody, those prisoners must have access to rehabilitation programs, culturally appropriate support,

education and access to employment to build skills, as well as access to lower security prisons that may not be located near family or homelands. If, for example, an Aboriginal and Torres Strait Islander person's family seeks to review a decision to transfer the person further away from their family, they could potentially be preventing that person from being able to participate in programs or education that is available at certain correctional institutions. For example, bakery and metal fabrication programs are being managed from Mobilong Prison and horticulture programs at the Cadell Training Centre.

It is important that Aboriginal and Torres Strait Islander prisoners are able to access the same programs and opportunities as other prisoners. To have that opportunity, they may have to travel a little bit away from wherever their designated base is. The value to an offender of their rehabilitation must not be overlooked. We know how important that is, especially in aiming to achieve our 10by20 target.

It is the offender who should be at the centre of these amendments with regard to replacement. Positive engagement by individuals in the case-planning process is essential to their progression in the prison environment. The government does see the value in ensuring that the Aboriginal and Torres Strait Islander community is adequately consulted in relation to any community service projects that have a particular value to the relevant Aboriginal or Torres Strait Islander community. As such, it is the government's preferred approach that this alternative amendment is supported by all members. Accordingly, I commend my alternative amendment to the committee.

Mr ODENWALDER: Do I get to interrogate that a little?

The CHAIR: You can, absolutely.

Mr ODENWALDER: I apologise if I missed it, minister, but I understand the bill is focused on the individual as opposed to the family. I discussed that with your advisers and I accept it, at least for the purposes of the debate in this house today. I do not feel that you addressed the need for the 200-kilometre limit adequately. I am sorry if I missed it. I need to understand why the department or why you think it is necessary to insert a provision which prevents a review into a move that is less than 200 kilometres, because I know that is a fair distance.

The Hon. C.L. WINGARD: My advice is that the reason for the 200 kilometres is that, whilst we have the Northfield facility, if it is any less than 200 kilometres it does not encapsulate any other facility; there is no other facility around. Mobilong, I think, fits into that 200-kilometre mark but I am not sure that any other one does. By having that 200-kilometre facility means that Mobilong can be encapsulated in that.

Mr ODENWALDER: I hope I do not misunderstand the intention of your provision then. According to my understanding if, for instance, a prisoner was transferred from Yatala to Mobilong, which is less than 200 kilometres I think, are you saying that there is no opportunity for that prisoner to review that decision?

The Hon. C.L. WINGARD: I am advised that is correct. What that 200 kilometres does is it encapsulates Mobilong within the metropolitan zone, if you like. So it gives that flexibility for the safety or security of the person involved so that they can be transferred there and/or attend some of the programs that might be offered at one facility as opposed to another. If there was a program that was happening at Mobilong that was beneficial to that person's rehabilitation and care within the prison system, they could go to Mobilong and flip-flop between Yatala and Mobilong because it is inside that 200 kilometres. Beyond that, Port Augusta or those other facilities would be outside the 200-kilometre range.

Mr ODENWALDER: Sorry, minister, I do not think that is what the provision says. As I read it, this provision says that if, for instance, someone was transferred—they can already be transferred now; that is in the act now. A prisoner can be transferred for all those reasons that you stated. What you are saying in your amendment is that if a prisoner is transferred less than 200 kilometres—for instance, from Mobilong to Yatala—they have no opportunity to review that decision. Is that not what your provision says?

The Hon. C.L. WINGARD: Sorry, just to clarify, this is my provision overriding your provision. Again, it gets complex. But what you were asking was that any Aboriginal or Torres Strait

Islander person, from what I can see here, who is transferred from one prison to another, the person and/or the family are entitled to seek a review of the decision to transfer the person from one correctional institution to any further away than their family.

Mr Odenwalder: No.

The Hon. C.L. WINGARD: That is what your provision says. I think I am reading that correctly. Your provision (ii) states:

> an Aboriginal or Torres Strait Islander person and their family are entitled to seek a review of a decision to transfer the person from 1 correctional institution to another further away from their family…

So if someone is in Adelaide—

Mr Odenwalder: You are talking about the wrong amendment. We are discussing your amendment with my amendment to your amendment.

The Hon. C.L. WINGARD: Sorry, if I can go back. I have amended yours.

Mr Odenwalder: No, you haven't. You have introduced a new amendment, minister.

The Hon. C.L. WINGARD: Yes, to amend what you—

Mr Odenwalder: No, we have not touched my amendment yet. We are talking about your amendment and my slight change to your amendment.

The Hon. C.L. WINGARD: If I can come back. I apologise, I think we are getting confused. I want to try to clarify this, and let me know if I am.

The CHAIR: Minister, you moved an amendment to clause 5.

The Hon. C.L. WINGARD: Yes, I did.

The CHAIR: The member for Elizabeth moved to amend the amendment. So we are actually considering the amendment to the amendment at the moment.

The Hon. C.L. WINGARD: So we are considering the member for Elizabeth's amendment?

The CHAIR: Yes, we are considering his amendment to your amendment, not yours. Can you just read that out, minister, for the benefit of *Hansard*.

The Hon. C.L. WINGARD: 'In relation to regional transfers where the person will be 200 kilometres or further from the correctional institution they are being transferred from.' He wants to delete those words.

The CHAIR: The member for Elizabeth is looking to strike those out.

Mr Odenwalder: I am happy to accept your amendment, removing those words.

The Hon. C.L. WINGARD: And I am saying, no, those words stay in there because that will make it back to your original amendment—

Mr Odenwalder: No, it won't.

The Hon. C.L. WINGARD: Hang on. What we are saying is we want that to stay in there. What I am told is the reason for this is: 'in relation to regional transfers where the person will be 200 kilometres or further from their correctional institution they are being transferred from'. There is one facility in Adelaide: the Northfield facility. If someone needs to go to another facility, it will be over 200 kilometres, wherever it goes. By making it—

Mr Odenwalder: Not to Mobilong.

The Hon. C.L. WINGARD: That is right; that is why we say '200 kilometres', because that creates a 200 kilometre circumference around, if you like, Yatala.

Mr Odenwalder: I do not think you understand your own provision, sorry. I am not being difficult; I do not think he understands it.

The CHAIR: Let's come back to the Chair. The minister has moved amendment No. 1 in his name to clause 5 and it is this. This is the minister's amendment. The member for Elizabeth is looking to amend the amendment by striking out the last two lines in paragraph (fa)(ii); is that correct?

The Hon. C.L. WINGARD: Yes—

The CHAIR: And that is what we are discussing right now.

The Hon. C.L. WINGARD: I think we are all clear on that now, because what you are trying to do is make my amendment like yours. I apologise. To be specific about what you are trying to strike out, this is for operational matters, and it means that someone can be transferred 200 kilometres and not have the provision.

Mr Odenwalder: And not be able to seek a review.

The Hon. C.L. WINGARD: That's right.

Mr Odenwalder: Why?

The Hon. C.L. WINGARD: That is for operational reasons. As I was outlining before, it means that someone could be transferred from Yatala to Mobilong for operational reasons. It might be safety and security, it might be to do a program—

Mr Odenwalder: That's fine. They can do that now.

The Hon. C.L. WINGARD: But you are saying we strike that out. If we strike that out, that means—

The CHAIR: We have reached the point where we just seem to be having a general conversation across the chamber and I—

Mr Odenwalder: I'm sorry, I'm trying to assist the house.

The CHAIR: I would rather just rein that back in. Minister, I might ask you to take a seat and I will take any further questions on the amendment to the amendment. Member for Elizabeth, you have already had three. Are there any further questions to the member for Elizabeth's amendment to the minister's amendment? Member for Florey.

Ms BEDFORD: I am probably just going to confuse you all a bit further. I do not know if anyone has tried to support an offender any further than 200 kilometres away from anywhere. It is impossible. While the programs have to go with the offender, which I get, family support is vital. If the mountain cannot go to Mohammed, why can the courses not come to the correctional institution where that person is?

For instance, an Aboriginal constituent of mine was moved to Port Lincoln. It is impossible for someone in Adelaide to visit someone in Port Lincoln. I wish they could; I would be there more often, sir, because I know you are there and I could stay at your house—

The CHAIR: You would be more than welcome, member for Florey.

Ms BEDFORD: —but in this particular case it is impossible to support an offender in Port Lincoln. I think the whole purpose of what we are talking about is that we have all recognised that Aboriginal and Torres Strait Islander offenders have special needs. To move them further away from their family than is absolutely necessary—I think the department has to rethink how it supplies its courses, operational matters aside.

If we are talking about an operation matter where the prisoner is in danger of being murdered by another inmate or something, surely you can segregate those prisoners and there is no need to move someone 200 kilometres away anyway. I do not understand what operational matter would require that, unless the prison was completely full and that was the only person you could move. I just do not understand the problem.

The CHAIR: Member for Elizabeth, we can come back to you. It is actually your amendment that we are discussing at the moment. If you would like to speak further to that, you can.

Mr ODENWALDER: I just want to be absolutely clear as to what we are voting on and I am happy for the minister to contradict me if I am wrong. The minister's amendment will recognise the importance of community involvement and family, etc., to Aboriginal and Torres Strait Islander persons by ensuring they are 'placed in a correctional institution as close as possible to their usual place of residence'. Excellent; that is fine. It continues:

> (ii) an Aboriginal or Torres Strait Islander person is entitled to seek a review of a decision to transfer the person from 1 correctional institution to another—

which is excellent, but the minister wants to say—

> [only] in relation to regional transfers where the person will be 200km or further from the correctional institution they are being transferred from…

This means that if they are transferred from somewhere like Mobilong, for argument's sake, to Yatala, as they can be now under normal circumstances, that decision to move that prisoner is not reviewable, whereas a decision to move someone from Port Augusta to Yatala is reviewable. Why the distinction? I do not understand.

The Hon. C.L. WINGARD: To be clear, it is still reviewable through the case review process. So there is a process for every prisoner where they have their case reviewed, and it can be reviewed through that, as it already is, but it does not mean that it is reviewable through the process we are outlining here.

The CHAIR: We have got to the point now where the member for Elizabeth is putting questions to the minister, and actually it should be the other way around because we are dealing with your amendment, member for Elizabeth. Are there any further questions to the member for Elizabeth? Member for Frome.

The Hon. G.G. BROCK: Part of the rehabilitation of an Indigenous person, including Torres Strait Islanders, is the issue of including family. I understand where the minister is coming from, but the member for Elizabeth is saying that if, for argument's sake, somebody had to be relocated from Port Augusta to Adelaide, then in actual fact the family needs to be there. If it is over 200 kilometres, then they need to be able to appeal. Mobilong to Adelaide is closer, so they can appeal that. I think the 200 kilometres is too far because a lot of the families of Indigenous people, with all due respect, will not be able to afford to relocate and be part of the rehabilitation. I would certainly support the amendment by the member for Elizabeth.

Mr ODENWALDER: I thank the member for Frome for his support. I just want to be clear about what this does. The government amendment says that any Aboriginal person is entitled to seek a review of the decision of transfer but only if that transfer is more than 200 kilometres. So if a prisoner is transferred from, as I keep coming back to, Mobilong to Yatala or vice versa, or perhaps even from the Adelaide Remand Centre to Yatala, or the Adelaide Remand Centre to Mobilong, that decision is not reviewable.

I have not had a good reason why one decision, a decision to transfer someone from Port Augusta to Adelaide, is reviewable. I do not have the stats in front of me, but I would imagine that is a more common occurrence. Why is the decision to transfer a prisoner from Yatala to Mobilong—whether or not the reasons are excellent in terms of rehabilitation—not reviewable but the transfer from Port Augusta to Adelaide is? That is the crux of it. I thank you for your support. It just does not make any sense.

The Hon. C.L. WINGARD: If I can make it any easier for the member for Elizabeth, I am happy to have a conversation between houses on this. I will again be supporting my motion, but I can get further clarification and have a conversation between houses if that helps progress the issue.

The committee divided on the amendment to the amendment:

Ayes.....20
Noes 23
Majority 3

AYES

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

NOES

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

PAIRS

Bignell, L.W.K.	Basham, D.K.B.

Amendment to amendment thus negatived; amendment carried.

Ms BEDFORD: I note the principles that are proposed to be inserted into the act by this clause among other things promote the rehabilitation of prisoners, recognise the importance of family and community involvement and support the reintegration of prisoners and probationers, etc. I therefore ask the minister why there is such a long delay with the fully automated booking system for visitors. It is impossible for family members to support people in prison when they have to spend upwards of an hour, two hours sometimes, to actually book a visit to the prison, and it would seem possible to adapt something like a doctor's surgery appointment calendar if we have to. This is a dreadful process and really needs to be looked at sooner rather than later.

The Hon. C.L. WINGARD: I thank the member for her question and again appreciate her passion and interest in this area. I did outline some of this in my reply speech. I understand she would like to see things moving faster. I understand we were left after years and years with the system we have. We are still with that system. We are transitioning to the new KEX system, which I gave quite a bit of detail on.

We are working through this in a staged process to make sure that we have the system enhancement as quickly as we possibly can. I know she has some personal frustration with the old system that was around for many years before I came into this role. We are doing our best. It has been delayed slightly through COVID—I did outline that—and we will continue to work on it with her and get the best system in place as quickly as possible.

Ms BEDFORD: I do appreciate the minister's work and all he does. I do understand he has inherited the system, and I do accept it would not matter who was in his shoes at the moment, the complaint would still be there. It is just not fast enough. If you spend two hours of your Friday night regularly trying to book a visit to see a prisoner, you would not be happy. More to the point then is: what is he going to do to enhance the antiquated system that he has? Is there more than one poor person on the phones taking bookings? Is that person a volunteer or paid employee, and how might he jiggle that along a bit more while we are waiting for October to come around?

The Hon. C.L. WINGARD: I reiterate the point that it is not specifically part of this bill, but I appreciate the passion from the member for Florey. I am happy to get someone from the department

to come back and talk her further through the system that we have and how that operates. We are moving towards stage 5 of the KEX project, and that will give prisoners the ability to book their own visits using the kiosks with the pilot program to be undertaken in Port Lincoln and also the Adelaide Pre-release Centre.

I am not sure if you have seen this new KEX system when you have been on one of the tours. Have you seen that system? It is a tablet on a wall where prisoners can use their fingerprint to—

Ms BEDFORD: Is it right beside the automatic hand-sanitiser machine? It is a bit like the member for Elizabeth's amendment. I do not think we are on the same page. I accept we have an antiquated and old system.

The Hon. C.L. WINGARD: We are bringing a new one in.

Ms BEDFORD: Yes, but not until October. If we have more than one person on the telephones making these appointments, is that person a volunteer, and how might we facilitate any sort of an improvement in what we have? It is a very difficult thing to be supporting a prisoner. You are the minister, you would not have experienced this, but it is a bit worse than going into Centrelink and trying to get a benefit. You are automatically judged because you are visiting a prisoner.

You may not want that to be the system, and I am sure that is no-one's intention, but it is what happens to people. It is a difficult system to negotiate. There is room for improvement is what I am getting at, and if the only thing you can do in a less aggravating sort of way is make the process move a little smoother until October it would be a very welcome thing for everybody.

The Hon. C.L. WINGARD: I very much take your point on board and again stress the fact that there are advancements coming. I understand that you would like to see something faster. I am happy to take that on board from an operational perspective to get more detail and get back to the member.

Ms BEDFORD: Thank you.

Mr ODENWALDER: On clause 5, we have been back and forth on this topic a little bit, but I do not think I have a very clear answer so far. Both sides of the house have, certainly since 2016, a stated commitment to the 10by20 principle. My question remains, then, and I wonder if the minister could give a clear answer, why the measures in this bill regarding rehabilitation and reducing reoffending were not introduced in the 2018 amendment bill.

The Hon. C.L. WINGARD: So you are referring now back to the bill we brought in when we first came into government? To answer that—I did make mention of this a few moments ago so I am repeating myself—we did move very quickly on a number of pieces of legislation in this house to marry in with our 100 days commitment when we came into government.

When we won government after 16 years of Labor, we had some things we had to do very quickly. We did move on those and they were very good amendments. They added safety and security to our prisons. They prevented members of organised gangs infiltrating prisons, because we knew that was what was going on inside the prisons and operations were happening that we wanted to shut down. We did that and we moved very quickly on that legislation at the time.

As you have attested yourself, in 16 years, when Labor tried to move this legislation, they did not get it done. Sometimes it can take quite a while. I appreciate that best endeavours and best efforts were put forward, but it did not get done and we have had to pick that up. We did this over two tranches. We did the first tranche to meet our 100 days commitment and we are very proud of that. Our government really did kick off exceptionally well by delivering against those commitments. We are now going back and still mopping up some of the work that Labor left behind and strengthening this bill to make it even stronger. That is the reason.

Mr ODENWALDER: I would have moved on at that point. I know that the minister will probably repeat his answer about the alleged 16 years of inaction, but the fact remains that this work, particularly around 10by20, which we all say we are taking a bipartisan approach to, started in 2016. There was a bill in 2017.

The measures in this bill before us today—notwithstanding all the other things about drugs, prisons, motorcycle gangs and all that sort of stuff, which are all good and I voted for—regarding rehabilitation and reducing reoffending were there in the 2017 bill. The measures we are seeing today are almost unchanged from 2017. Why were they not adopted in the 2018 bill rather than wait until 2020 if the work had already been done? The work was done.

The Hon. C.L. WINGARD: I appreciate that and, if it was done, we can probably move on much quicker than you are going. I just reiterate the point that we did it in two phases. Part of 10by20 and a part of the whole—

Mr ODENWALDER: My question is: why?

The Hon. C.L. WINGARD: Sorry; if I can finish, a part of 10by20 and a part of the corrections system is making sure that we have safety, security, and the ability to rehabilitate and get people back out into the community, make them contributors to society, get them out of the system and stop that cycle of just coming in, going out, coming in, going out—the recidivism we talk about.

When we came into government, there were a number of things to do. I have mentioned what we did straightaway around our election commitments. Again—you are right; I will repeat it—if this body of work was so important, you would have done it much faster, but you did not deliver it, you did not get it through the parliament and it was not a priority. Anyway, we are picking it up now and we are making it stronger.

When we came into government, we also had a situation where, within our prison system, we were going to have more prisons than beds, because actually improving the facilities was not invested in by the previous government. I am very proud of the fact that we put $200 million towards improving our facilities at the Northfield precinct and also at the Adelaide Remand Centre, making them all safe cells. I think there was an $8 million investment to make them safe cells to protect the people who were in the Remand Centre. Then, we invested $200 million in the Northfield precinct and that was to add more beds—270 more beds in the men's prison and another 40 beds in the Women's Prison.

When you go and look at that investment, it is not just beds and cells as we know them. These are actually rehabilitated spaces whereby people are looking and wanting to engage in programs and engage in action and activity, leading to programs like the Work Ready, Release Ready program, which actually upskills people and gets them into a space where they are ready to leave. When they do leave the system, they are skilled up and ready to go and they will be contributors to society. I am very proud of that.

There are a number of elements that had to be done along the way. They all incorporate in the biggest strategic thinking, which is 10by20, but that $200 million investment was again making up lost ground that the previous government had ignored, ignored and ignored. These facilities are far better. It is far better implementing these programs, which I have been outlining right throughout my dialogue on this bill, in an environment where people are far more engaged, they are on board with the programs and they will have better outcomes at the end. That all leads to that 10by20 strategy that we are striving for.

Clause as amended passed.

Clause 6 passed.

Clause 7.

Mr ODENWALDER: Despite the excellent briefing from the department—and I do not mean that facetiously at all; I think it was very fulsome from the CE—I wonder whether the minister could explain these new provisions around criminal intelligence. In layman's terms, does it mean that any information supplied to corrections about a visitor or an employee by way of criminal intelligence from the Commissioner of Police is not required to be identified anywhere as such? Is that what it is saying?

The Hon. C.L. WINGARD: Could you just rephrase? What is the question?

Mr ODENWALDER: I have just been advised that fulsome does not mean a good thing. I need to check my dictionary. In any case, I mean no disrespect to the CE. He is a good man.

Ms Bedford: It means he's big, doesn't it?

Mr ODENWALDER: I don't know. Anyway, it is my next question.

Ms Bedford interjecting:

Mr ODENWALDER: I don't know. I'm worried now. Minister, perhaps your adviser can explain to me what it means in layman's terms because I am a bit confused. I am sure it is excellent.

The Hon. C.L. WINGARD: I am trying to ascertain what the question is. I think it was fulsome, whatever the member for Elizabeth is going to tell me that means. Maybe this may help clear things up for him.

Criminal intelligence information may not be disclosed to any person other than the CE, the minister, a court or a person to whom the Commissioner of Police authorises disclosure. The proposed amendment adds to section 6 provisions with regard to criminal intelligence information that is provided by the Commissioner of Police to the CE in connection with new section 85CB, which provides for the CE to obtain certain information, including information in the nature of criminal intelligence, from the Commissioner of Police for the purpose of probity screening of prospective officers or employees of the department.

It is appropriate that the provisions with regard to the confidentiality of such criminal intelligence information provided for the purpose of new section 85CB sit with section 6, along with the current provision providing management of criminal intelligence information to the Commissioner of Police for the purpose of sections 34(4)(e) and 85A(1b) of the act. It is appropriate for these provisions to sit together.

I think, from recollection, you were asking some questions as to why this sits here and not further down the track. In short, I am informed, this has implications a bit further in the bill, if that clarifies.

Mr ODENWALDER: It actually does; thank you, minister. Are there any circumstances by which the minister himself or herself can obtain this information upon request?

The Hon. C.L. WINGARD: I am informed, as I think I just outlined, that this information can be disclosed to me if it was so deemed appropriate.

Clause passed.

Clause 8 passed.

Clause 9.

Ms BEDFORD: Can the minister tell me how many official visitors there are at the moment?

The Hon. C.L. WINGARD: I believe there are 24.

Ms BEDFORD: Is that for every institution? That is for the whole of Adelaide?

The Hon. C.L. WINGARD: That is for all of DCS.

Ms BEDFORD: If we have one official visitor who is a Torres Strait Islander or Aboriginal person, one who is a legal practitioner and one who is a woman, there are eight prisons; is that correct?

The Hon. C.L. WINGARD: Your prison numbers or your outlining of what there will be? I think the answer is yes.

Ms BEDFORD: You say at least one must be an Aboriginal or Torres Strait Islander, one must be a legal practitioner and one must be a woman. If there are 24, that means there are three in each institution if there are eight institutions. Is this one of the things where not every position is filled and so we only have one person toiling away trying to do the job of three people?

The Hon. C.L. WINGARD: I very much understand your point. That will be an operational decision. What we want to do is modernise and professionalise this. The outline of one woman and an Aboriginal or Torres Strait Islander, I think that is the minimum, so it has to be at least one of those people in the pool or in the panel, as there is now, but this is something that we are looking to

professionalise, for want of a better term, and increase the capacity and capability of, as far as I am informed.

Ms BEDFORD: We do not have that many people on roster at the moment.

The Hon. C.L. WINGARD: I am told there is no legislative requirement at the moment as to how many people we have in that pool. There are 24; that is what it is. That detail will be formed through operation as we go forward with this new scheme, but there will be, as you outlined, those specific people, and those specific groups have to be covered off. Speaking hypothetically, I would imagine there would be nothing against everyone being a female and a Torres Strait Islander, if that were the cohort of people. If you understand the principle, the idea is to have a diverse range of—

Ms Bedford: It could be a woman who is an Aboriginal and who is a legal practitioner.

The Hon. C.L. WINGARD: And there could be 30 of them, who knows?

Ms Bedford interjecting:

The Hon. C.L. WINGARD: She would be busy, but I think you get the gist of what is happening there. It is just making sure that is the requirement, as far as I am informed, within the new regime.

Mr ODENWALDER: I think I am on the record as saying that I think this is a good idea. There have been some slight changes from 2017—

The Hon. C.L. Wingard: I said we were going to improve it.

Mr ODENWALDER: These are minor changes, and I emphasise 'minor changes', but anyway I think this is a good idea. First of all, is this based on any interstate examples in other jurisdictions in Australia? Perhaps a better question is: how does it compare? Are there other examples of how it compares to interstate arrangements?

The Hon. C.L. WINGARD: I am informed that this is actually based on the Youth Justice model here in South Australia. As I outlined in my response speech, the aim is to have an inspectorate of prisons that is entirely compliant with the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the associated OPCAT convention. It is based on our Youth Justice system, I am informed, and it is to marry in with the OPCAT obligations that the federal government signed up for in 2017, I think it was.

Mr ODENWALDER: My final question then is: does the bill in its entirety make us, as a jurisdiction, fully compliant with our obligations under OPCAT? If I could, perhaps I will just contextualise that. There has been some suggestion, not from me but from some media sources, that we are in fact not compliant and that the minister himself and the government are resisting compliance. I just want a response to that too.

The Hon. C.L. WINGARD: No, that is not correct. Currently we are not compliant, so the system we were left with was not compliant. What I can tell you is the existing scheme provides for visiting inspectors to attend and inspect correctional institutions, with the act currently only providing for very basic inspection provisions, enabling the appointment and functions of inspectors.

We are looking to amend the provisions to strengthen the scheme and to make the official visitors of prisons OPCAT compliant; retain and strengthen the independence of the scheme; and allow for the appointment of diverse, skilled, independent and dynamic inspectors who meet contemporary needs, for example women, culturally diverse, Aboriginal and specialist—skilled in mental health, international standards and law, as the member for Florey has alluded to.

It is intended to also ensure a suitable gender balance that meets the contemporary needs of a prison population, including specialists in mental health and wellbeing and Aboriginal representatives; provide for a limited term of appointment—three years—to ensure that involvement can be extended or limited in accordance with any changing needs; provide detailed roles, functions and reporting obligations; and shift the focus of the scheme from inspection to one that considers and investigates prisoner complaints, which will assist in creating greater transparency and accountability.

So you can see, again, that the scheme we were left with, that was there before, was not OPCAT compliant. By bringing this in, it will make our scheme OPCAT compliant, I am informed.

Mr ODENWALDER: I agree with everything you said. I do not think it fully answered my question, though. My question was: does this bill in its entirety, and this measure in particular, make our jurisdiction fully compliant with all our OPCAT obligations? For instance, there has been—and I have not interrogated this particularly—some suggestion that OPCAT dictates that UN inspectors, for instance, can access prisons in Australian jurisdictions. This bill does not appear to address that. I wonder if the minister could answer that.

The Hon. C.L. WINGARD: I am informed that with the amendments we are making we will be able to be designated as an NPM, which is a national preventative mechanism. Further to that, any OPCAT articles that are not provided for in this bill will be best provided for by the underpinning operational processes that will be established by the inspectorate. So, if there are any technicalities or pieces that do not meet the OPCAT article, they will be established by the inspectorate, I am informed here.

Mr ODENWALDER: So is the minister then saying—and again, I do not have a particular view formed on this yet—that once this inspectorate is established, through its own governance it will establish a system whereby United Nations inspectors, foreign inspectors presumably or certainly appointed by the United Nations, can freely inspect South Australian prisons? Is that the case?

The Hon. C.L. WINGARD: Sorry, I have just been informed, and just for clarification, that it is the UN subcommittee on prevention of torture, the SPT; they will be able to come in, if they request—is what I am informed.

Clause passed.

New clause 9A.

Mr ODENWALDER: I move:

Amendment No 1 [Odenwalder–2]—

Page 11, after line 17—Insert:

9A—Insertion of section 25A

After section 25 insert:

25A—Review of transfer of Aboriginal or Torres Strait Islander person

(1) If the CE orders the transfer of a prisoner (a *relevant transfer order*) who is an Aboriginal or Torres Strait Islander person from 1 correctional institution to another—

(a) the CE must provide a copy of the order to the prisoner; and

(b) the prisoner must not be transferred until after the period within which an application for review of the order under this section may be made, except in the case of an urgent transfer considered necessary for the health or safety of the prisoner or any other person.

(2) An Aboriginal or Torres Strait Islander person the subject of a relevant transfer order, or a member of the person's family, may apply to SACAT for a review of the order under section 34 of the *South Australian Civil and Administrative Tribunal Act 2013* within 14 days of the day on which a copy of the order was provided to the person (or such longer period as SACAT may allow).

(3) In this section—

SACAT means the South Australian Civil and Administrative Tribunal established under the *South Australian Civil and Administrative Tribunal Act 2013*.

Earlier members will recall that we resolved on a previous motion to allow reviews of the transfer of Aboriginal and Torres Strait Islander prisoners under certain circumstances. I think the minister has given a commitment that he is happy to revisit this between the houses. I, of course, indicate that I am not happy with the provision that insists that any transfer under 200 kilometres is not reviewable, and we will be talking about it between the houses, I am assured, but we will certainly be prosecuting that in the upper house as well.

Again, I am happy that the government adopted our suggestion based on the recommendation of the Royal Commission into Aboriginal Deaths in Custody that such decisions of transfer of Aboriginal people are reviewable under certain circumstances. This insertion merely guides that review process. It states that, if the CE orders a transfer of such prisoner from one to another, he must provide a copy of the order to the prisoner, and the prisoner must not be transferred until after the period within which an application for review of the order under this section may be made.

I have inserted—and the minister has assured me he has seen this insertion—an addendum to my initial insertion, which provides 'except in the case of an urgent transfer considered necessary for the health or safety of the prisoner or any other person'. It was put to me, in the process of talking to some of the minister's advisers, that the time period of 14 days in which to call for such a review may in some cases be unreasonable, that the prisoner may need to be moved for health reasons or for the safety of himself or herself or some other person. I thought that sounds reasonable. I will amend my insertion to take that into consideration. Now it reads that a transfer—

The CHAIR: So, just to be clear, member for Elizabeth, we are talking about amendment No. 1 in your name; we are inserting 9A, we have agreed, but it is schedule 50(3).

Mr ODENWALDER: Yes. There has been some confusion, I apologise.

The CHAIR: There was no confusion; I just needed to clarify it for administrative purposes.

Mr ODENWALDER: I know you are paying fulsome attention to the debate, sir. Proposed subsection (2) of this insertion states:

> (2) An Aboriginal or Torres Strait Islander person the subject of a relevant transfer order, or a member of the person's family, may apply to SACAT for a review of the order under section 34...within 14 days of the day on which a copy of the order was provided to the person…

The provision before states:

> (b) the prisoner must not be transferred until after the period within which an application for review of the order under this section may be made...

I have simply amended that after discussions with the minister's officers. I think its an improvement, stating that a transfer can be expedited more quickly without waiting for a review—there is still a need for a review, but without waiting for a review—before that transfer happens on the basis that it is in the interests of the health and safety of that prisoner or of another person. I am not sure what the minister in his bill intends the review process to look like, because the bill is silent on it, but I would interested to know what that is, and then I commend my own insertion to the committee.

The Hon. C.L. WINGARD: I indicate that I will oppose this change. I only received it a short while ago, a bit like the member in one of the assertions he made before. I only received it this morning, so it has not been through the due process, so I will oppose it. The member is free to bring it back through the other house.

Mr ODENWALDER: With respect, minister, there is a very small change to this insertion.

The Hon. C.L. Wingard: You changed it today.

Mr ODENWALDER: Let's put on the record once again that I only received the minister's own amendment last night, so let's not play games with this. Indeed, I was happy to vote today in favour of that amendment without having taken it to my party room yet, unusually. This amendment formed an amendment that I filed, I think, two weeks ago.

The CHAIR: Yes, but just be cognisant of the fact that that amendment was not part of the bill, obviously, because it had never been put.

Mr ODENWALDER: No, it had never been put, but the insertion had been filed, in a slightly different form, I grant you.

The CHAIR: Yes, that is correct, but we are now talking specifically about schedule 50(3).

Mr ODENWALDER: Yes, that is right. This schedule is based on an amendment I filed more than two weeks ago, in fact, and has been amended slightly after discussions with the minister's

officers. They put their concerns to me about the initial amendments, so presumably they had seen them. If they had some concerns over them, they had already seen them and considered them and got some advice about them. The insertion that I make to it is in response to my understanding of that conversation.

The Hon. C.L. WINGARD: To be clear, I will be opposing the amendment.

The committee divided on the new clause:

Ayes.....20
Noes 23
Majority 3

AYES

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

NOES

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

PAIRS

Bignell, L.W.K.	Basham, D.K.B.

New clause thus negatived.

Clause 10.

Mr ODENWALDER: I understand that, as you have outlined to the member for Florey, remandees will now be allowed to work or involve themselves in educational programs, etc. That is commendable, but I wonder how this interacts with the contractual arrangements with Serco, with the private provider of the services at the Adelaide Remand Centre.

Looking at the key performance indicators in that contract, there does not seem to be any requirement for any allowance to provide work to remandees. How will that impact on any of the financial arrangements, particularly within that contract? To clarify it, essentially what you are doing is changing the nature of the contract, which does not include, as one of its key performance indicators, any provision or allowance for work or education. I am wondering if there will be an impact.

The Hon. C.L. WINGARD: No; I am informed that if it becomes law, they will have to administer that as such.

Mr ODENWALDER: So they will have to find funds within their contractual arrangements to provide an extra service, or some extra services, as the CE sees fit?

The Hon. C.L. WINGARD: As I have just been informed, following the transfer to Serco with those operations, the new service provisions now include the provisions at the site of specialised courses for remandees. These courses include life skills and community links. I am happy to get you more information on that from the CE if that would assist, but they are already in place, which is great news.

Mr ODENWALDER: It is great news. I have no further questions on clause 10.

Clause passed.

Progress reported; committee to sit again.

SUMMARY OFFENCES (CUSTODY NOTIFICATION SERVICE) AMENDMENT BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

FUEL WATCH BILL

Introduction and First Reading

Received from the Legislative Council and read a first time.

FIRST HOME AND HOUSING CONSTRUCTION GRANTS (MISCELLANEOUS) AMENDMENT BILL

Final Stages

The Legislative Council agreed to the bill without any amendment.

At 17:58 the house adjourned until Tuesday 21 July 2020 at 11:00.

Answers to Questions

RESIDENTIAL PROPERTY TRANSACTIONS

115 The Hon. S.C. MULLIGHAN (Lee) (17 June 2020). How many residential property transactions were liable for conveyance duty, and how much revenue was raised, in 2018-19 for properties with assessible property values between:

(a) $0 to $200,000;

(b) $200,001 to $300,000;

(c) $300,001 to $400,000;

(d) $400,001 to $500,000;

(e) $500,001 to $600,000;

(f) $600,001 to $700,000;

(g) $700,001 to $800,000;

(h) $800,001 to $900,000;

(i) $900,001 to $1,000,000;

(j) $1,000,001 to $1,100,000;

(k) $1,100,001 to $1,200,000;

(j) $1,200,001 to $1,300,000;

(k) $1,300,001 to $1,400,000;

(l) $1,400,001 to $1,500,000;

(m) $1,500,001 to $2,000,000;

(n) $2,000,001 to $2,500,000;

(o) $2,500,001 to $3,000,000; and

(p) $3,000,001 and above?

The Hon. S.S. MARSHALL (Dunstan—Premier): I have been advised:

The following table is an estimated 2018-19 conveyance duty distribution for transactions and revenue collections by the requested property value ranges.

Estimated 2018-19 Conveyance Duty Distribution			
Value Range ($)		Est. Transactions (n)	Est. Duty ($m)
0	200,000	7,693	29.7
200,001	300,000	6,432	61.4
300,001	400,000	7,442	106.0
400,001	500,000	5,565	108.2
500,001	600,000	3,754	93.9
600,001	700,000	2,159	66.4
700,001	800,000	1,348	49.1
800,001	900,000	809	34.7
900,001	1,000,000	505	24.4
1,000,001	1,100,000	267	14.4
1,100,001	1,200,000	246	14.7
1,200,001	1,300,000	195	12.7
1,300,001	1,400,000	127	9.0
1,400,001	1,500,000	102	7.7
1,500,001	2,000,000	266	24.4
2,000,001	2,500,000	75	9.2
2,500,001	3,000,000	45	7.0
3,000,001	& over	58	15.4

SMITH, MS A.M.

In reply to **Mr ODENWALDER (Elizabeth)** (3 June 2020).

The Hon. C.L. WINGARD (Gibson—Minister for Police, Emergency Services and Correctional Services, Minister for Recreation, Sport and Racing): I am advised that South Australia Police (SAPOL) engaged with the following agencies:

Office of the State Coroner	9 April 2020
Deputy State Coroner	15 April 2020
Office of the Health and Community Safety Complaints Commissioner	20 April 2020
Integrity Care SA	20 April 2020
National Disability Insurance Scheme (NDIS)	30 April 2020

SAPOL did not have an obligation to report to the Department of Human Services given the NDIS involvement.