HOUSE OF ASSEMBLY

Wednesday, 9 September 2020

The SPEAKER (Hon. J.B. Teague) took the chair at 10:30 and read prayers.

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

Matter of Privilege

MATTER OF PRIVILEGE

Ms BEDFORD (Florey) (10:31): Mr Speaker, I rise on a matter of privilege. Yesterday, I raised a matter of potential contempt of parliament with the Clerk during the course of proceedings for the election of a new Speaker of the house. To remind the house, during the first ballot the result was tied at 23 votes for each of the two candidates, with one informal vote. As a second ballot was in progress, it became apparent members of the Liberal Party were showing their ballot papers to each other in what is colloquially known as a show-and-tell. There could be no other purpose for this practice other than to enforce party discipline.

Indeed, it seemed one member in my direct line of vision was being closely scrutinised by two members on either side of him in his seat and therefore not at a COVID-safe distance. I was not the only person who observed this and other similar behaviour, and at the time I was dismayed and shocked, so much so I raised this unfortunate development—in what had otherwise appeared to be a respectful debate and vote—with the Clerk as a potential contempt of parliament. I note that the show-and-tell style practice was also mentioned in several media reports.

The Clerk at the time acknowledged the issue was raised, and the *Hansard* records me raising the matter at the time. I raise it now because of the unique and historic nature of yesterday's circumstances. Prior to the conduct of the ballot, I sought advice and clarification from the Clerk on how the standing order relating to the process of the ballot could be interpreted and therefore conducted to maintain the integrity of the secret ballot.

Indeed, I note the practice in the House of Commons, where standing orders oblige the house to follow a secret ballot to be had in a separate lobby from the main chamber, partly, I presume, because of the large number of members to be accommodated. I also note the Commons has had a separate review to ensure the integrity of the principle of the secret ballot.

The salient point, though, is the provision of confidentiality, which exists in other state jurisdictions—the same standard for which our own standing orders or practices seem deficient. This standing order enables members to cast their ballot in private, which is a necessary precondition for a secret ballot. Indeed, this is an entrenched practice in Australian electoral law because we have long recognised that without privacy a voter's choice cannot be said to be truly freely exercised.

I am familiar with the existence and enforcement of the practice of show-and-tell during a ballot and have always decried it—always decried it. I consider it appalling and abhorrent the opportunity for members to exercise their right to a conscience vote can be removed here in a chamber purportedly devoted to democratic processes. The fact that members in this chamber were denied the unencumbered right to exercise their free will—as was the case for members in the Legislative Council, mostly because of the representation of different political parties in that chamber—means the result of the second ballot in this chamber must be in question.

Such a flagrant disregard of the spirit of the secret ballot concept merely reinforces, for the entire South Australian public, that the opportunity to reset our behaviour and attitude and to focus on the people of this state—their problems, their issues and their futures, rather than our own—has been disregarded, trampled and lost.

The Hon. D.G. Pisoni: Straight out of the Trump book. Donald Trump would be very proud of that.

The Hon. S.C. MULLIGHAN: Point of order, Mr Speaker: I am deeply reluctant to interrupt the important contribution that the member for Florey is making, but unfortunately she is persistently being interrupted by the abhorrent behaviour of the member for Unley seeking to interrupt her contribution—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. MULLIGHAN: —and I ask that you direct it cease, sir.

Ms BEDFORD: And there will be another point of order because he is obviously impugning that I am giving you fake news.

The SPEAKER: Order! The member for Florey might resume her seat just momentarily. I have the point of order from the member for Lee. From where I am sitting, and without the benefit of microphones being turned on for all members, I cannot hear exactly what has transpired. I am aware that some words have been exchanged across the chamber and I direct all members to maintain silence as this important matter is being raised by the member for Florey.

Ms BEDFORD: Thank you for your protection, sir. A preliminary investigation about these circumstances suggests any attempt to improperly coerce a parliamentarian may be a contempt of the house and an abuse of procedure. Apart from the politics, this is actually a serious issue of constitutional propriety, and as such the Governor should be advised and may need to seek his own independent advice. In short, it has been suggested to me that what happened could be illegal and unconstitutional, as well as a contempt of parliament.

Indeed, sir, I note your own statement to the chamber shortly after your election on this point in connection with another matter, and I quote in part: 'any form of coercion, risks constituting among other things…a contempt of the parliament'. This very point was reinforced in the ensuing debate by the Premier, who endorsed your position, Mr Speaker, on principle of privilege on several occasions in the subsequent debate by saying, and I paraphrase merely because the quotes were all slightly different but made the same point: 'every member of this parliament…should be free from bullying and intimidation'. I return to the circumstances surrounding yesterday's ballot. What consequences—

The SPEAKER: Order! Member for Florey, I note, pursuant to standing order 132, this is not the occasion to debate the point. The matter of privilege is raised, and I just raise that at this point—

Ms BEDFORD: Okay, well, we will get to the nub of it then, if that is what you wish.

The SPEAKER: —and would invite you to draw your comments to a conclusion.

Ms BEDFORD: Noting the secret ballot has been a longstanding practice in the election of Speakers in Australian parliaments and parliaments beyond, noting that coercion of a parliamentarian is an affront to the ancient privileges of the parliament and noting the general law may also have application to some acts of coercion, I now ask you to investigate this matter and provide a detailed report to the house. If, prima facie, this matter does involve a potential breach of privilege, I look forward to working with you and all members of the house to determine appropriate sanctions and remedies.

The SPEAKER: I have the matter and I have also to hand a note of *Hansard* yesterday. I refer to the member for Florey's contribution yesterday. If there are any further materials that the member for Florey would bring to my attention, I invite the member for Florey to do so. Otherwise, I will consider the matter and return to the house with a considered response.

Ms BEDFORD: Thank you, sir.

The SPEAKER: I advise honourable members, by reference to the *Notice Paper*, of an administrative error. Members will note that Private Members Business, Bills, Order of the Day No. 35, second listed on the *Notice Paper*, should be listed as Order of the Day No. 36.

Bills

DANGEROUS SUBSTANCES (LPG CYLINDER LABELLING) AMENDMENT BILL

Second Reading

Mr BOYER (Wright) (10:40): I move:

That this bill be now read a second time.

I am proud to move the Dangerous Substances (LPG Cylinder Labelling) Amendment Bill, otherwise known as Paddy's Law. This bill has arisen through the tragic death of 16-year-old Port Lincoln boy Paddy Ryan. Paddy was at a house party a few streets from the family home in early February this year when, like many teenagers, he did something risky.

In Paddy's case, he inhaled liquid petroleum gas (LPG) from a nine-kilogram barbecue gas bottle. Paddy fell unconscious within minutes of inhaling the gas and, despite his friends calling for an ambulance immediately, he passed away from what is known as sudden sniffing death syndrome. I cannot imagine what followed for Paddy's friends and family. To lose a child is heartbreaking in any circumstances, but to lose such a young man from a freak occurrence like this is really unthinkable.

A few months ago, I joined the members for Mawson and Cheltenham and the Hon. Kyam Maher in Port Lincoln, where we met with Paddy's father, Adrian Ryan. It is very easy, I think, in situations like this to minimise a call for action like the one we have seen from Adrian Ryan in the last seven months as a grieving parent just lashing out, but anyone who took the time to meet Adrian would see that he is a humble but intelligent man, who has put far more thought and research into the idea that formed the origins of this bill than you might give him credit for.

Adrian has looked into the issue of labelling on LPG cylinders in great depth. He has asked questions of the first responders who tried to save Paddy's life. He has asked questions of Paddy's friends who were with him that night, some of whom were also inhaling LPG (or 'huffing' as it is more commonly known), to better determine just how widespread this dangerous practice actually is. He has asked questions of the LPG cylinder industry to gauge its preparedness to comply with a warning label regime. And, of course, Adrian has asked questions of us, lawmakers in the privileged position where we may be able to do something to prevent another death like Paddy's.

Before anyone in this place jumps to the conclusion that Adrian's calls for warning labels on LPG cylinders are just the knee-jerk reaction of a grieving parent, think again. What Adrian learned from Paddy's friends is that they did not actually understand that huffing could be lethal. Did they know that it could be bad for their health? Yes. Did they know that it was a reckless thing to do? Yes. But did they really understand that it could cost them their lives? No.

It was conversations like these that motivated Adrian to push for warning labels on all LPG cylinders that make it clear to kids who might be inclined to give huffing a go that just a few puffs of this gas—and that is all that Paddy took, just a few puffs of this gas—could kill them. That is why this bill is so important. If it saves one life, it is worth it. Sadly, we will never know, but if Paddy had seen a warning label on that gas bottle he may have decided against inhaling it.

Paddy's is not the only case that we know of. An article in the *American Journal of Forensic Medicine and Pathology* discussing inhalant deaths in South Australia as a 20-year retrospective autopsy study from 1983 to 2002 showed five deaths attributed to LPG inhalation over that period. It also noted that the majority of deaths attributed to all forms of inhalation were due to inadvertent lethal episodes during abuse.

One of the things that struck me and my colleagues when we met with Adrian was the degree to which he had weighed up the potential ramifications for him personally if he put his head above the parapet and called for change in the wake of his son's death. Adrian knew very well that if he campaigned for warning labels on LPG cylinders to prevent kids from inhaling it, he would cop it from all those keyboard warriors.

He knew that if he popped his head up after Paddy's death and commented in news stories those gutless keyboard cowards would attack him and Paddy. Sadly, he was right. In fact, during our meeting with Adrian, he shared with us some of the comments that had been directed towards him and Paddy, comments about Paddy's death just being an example of Darwinism at work and blaming

Adrian's and his wife's parenting. I can only imagine how comments like that would make you feel as a grieving parent.

The bill is pretty simple in its design. I will flag now that I plan to move amendments during the committee stage, should we get there, that take into consideration some further discussions with stakeholders regarding the wording and the LPG cylinders to which it will apply, including concerns—some of which are incorrect—that were expressed by other members in the other place. The bill has come to us from the other place, where it was passed before the winter break.

I would like to take this opportunity to thank the Hon. Connie Bonaros and her SA-Best team for the great work they have done driving this change and also the Hon. Tammy Franks and Mark Parnell for their support, which, along with the support from Labor members in that place, has seen the bill make it this far. Unfortunately, the bill did not have the support of the government in the other place, and after listening to the Hon. Rob Lucas deliver his second reading speech I wish to make some comments in response for members in this place to consider.

There were a number of issues raised by the Treasurer as to why the government chose not to support this potentially life-saving bill. Firstly, he offered the misunderstanding that this regulation must be implemented federally or not at all. Although federal leadership on this issue is something we would certainly welcome on this side of the house, this government, including this most recent parliament, has a record of regulating on issues that might actually, in a perfect world, be managed federally when we deem it a priority and the appetite from our colleagues in Canberra is not there to take action.

One recent example was when this government passed changes to the Fair Trading Act around gift cards in 2018—a good move in my opinion. Then, after a federal solution was put in place in November 2019, the government moved to repeal the law. In fact, this house passed that repeal not so long ago and I believe it might still be before the other place. There is also precedent under container deposit legislation that requires labelling for recyclables. South Australia was the only jurisdiction for decades that required this, but we persisted, even in the face of criticism that it increased costs for producers, because we knew it was the right thing to do.

Secondly, Mr Lucas raised concerns regarding the wording and potential inconsistencies across jurisdictions, and one of my intended amendments will go to that issue. Gas Energy Australia, the peak body in this area, is very supportive of the bill. In fact, it is working on a voluntary code for the adoption of warning labels and, through consultation with that organisation, we have developed the amendment to be in line with the voluntary scheme. I also know that other national businesses have confirmed their strong support of the bill and that affixing new stickers to their stock, which, as I said, they would do nationally, would not be burdensome and is actually entirely achievable in the time frames provided for in the bill.

Finally, the one other reason given by Mr Lucas for not supporting the bill was that the Leisure Cylinder Connect Type 27 (LCC27) valve (a very technical term, I agree) will hopefully receive approval by 2021 and could then be rolled out on gas cylinders nationwide. Although this new connection type on LPG cylinders would make the inhalation of LPG more difficult, it will take many years to roll out, and until it is incorporated into all the Australian standards, which will again take time, of course, it will not be mandatory.

The bill is not intended to be political and I hope it is something that the government can reconsider and support. In no way does passage of the bill cause confusion or add any unnecessary burden on business. What it does do is provide another layer of protection for young people like Paddy Ryan, who was, in essence, doing what teenagers have done since time immemorial—that is, trying something dangerous and doing something reckless.

A simple warning label on an LPG cylinder could be the difference between someone like Paddy taking a huff in the naive assumption that it could not do him any harm and pausing to consider the potentially fatal consequences. It might even lead to a conversation at the family table about why inhaling liquid petroleum gas is so dangerous and the potentially fatal and tragic outcomes that it can have. And, yes, it might also provide just a modicum of comfort for Adrian and his family to know that even though Paddy is gone and we cannot bring him back, this bill, named in his honour, may help stop another family going through the same torment that they have gone through.

I know the member for Flinders and the Hon. Connie Bonaros have spoken to Adrian personally, and I would encourage other members to reach out to him before this bill is considered further. I commend the bill to the house.

Mr TRELOAR (Flinders) (10:50): I would like to speak in support of this bill. As the member for Wright indicated, the bill comes to us as a result of the death of one Paddy Ryan, a Port Lincoln teenager who huffed on a gas bottle at a party and died. It has obviously had serious and extreme repercussions through the community at Port Lincoln, not just to his family but to his friends and the broader community.

I have met with Paddy's father, Adrian Ryan, on a number of occasions now. He has put a lot of thought and effort into what he might do as a father to ensure this does not happen to anyone else. He has had good support from a close group of friends, including educators from within the Port Lincoln city. I have also met with those people who are providing support, comfort and encouragement to Paddy's father, Adrian.

One of the things that struck me at a recent meeting was when one of the educators at Port Lincoln said that she had rather a large group of schoolchildren in a room—about 110 students, I think she said—and she asked quite openly, of these teenage students, 'Who of you have not tried this?' Only four put up their hand. Most of the rest of us in this chamber would never have heard of this. I had never heard of huffing. It is known by other terms, obviously, but it is known as huffing at the moment. Essentially it is taking a gasp of gas from an LPG cylinder to try to get some sort of high in a party situation.

As the member for Wright rightly indicated, teenagers do risky things. We have all done risky things as teenagers, but unfortunately on this particular night it had tragic consequences. It is widespread, far more widespread than we, as mature adults, would ever have recognised. I understand, according to Mr Ryan, that there have been deaths from this experience in the past, going back some 10 or 15 years even. It was not recognised particularly at the time, but it has certainly come to the fore now and has been brought to my attention.

We all have those LPG gas bottles at home, in the shed, on the barbecue. They are used for any number of reasons. They are readily accessible and dare I say they are more accessible to an underage teenager than a six-pack of beer. They are cheap, available, accessible. They supposedly give a high, but there is some doubt about that, even. Anyway, I digress.

Mr Ryan's aim is to have warning stickers affixed to the LPG cylinders. It is as simple as that. It is not an extensive bill. The member for Wright has indicated he will move amendments. I will most likely be chairing that committee, so I look forward to that debate. I do not believe, as an individual, that it is asking too much. It is relatively inexpensive. It seems to have the support of the broader industry, and I know it will take time. There are millions of gas bottles out there right across South Australia and Australia, so it will take time. But the feeling is that, if a warning label can help one teenager stop and think about what he or she is doing, then it is going to be worth it.

There is a new valve connection coming in 2021; ultimately, that will arrive. Once again, it will take time to be affixed to all gas cylinders throughout Australia. Mr Ryan feels that time is an imperative here. I must say that as a parent I feel his pain, as do all who are parents in this place, I am sure. So I congratulate Adrian Ryan on his position and the efforts he has made in what must have been extremely trying circumstances, not just on the night of the party but in the weeks and months that have followed.

As a representative in this place of Port Lincoln and the broader Eyre Peninsula community, it is paramount that I bring these concerns to the parliament and provide support for a bill that may save a life.

Debate adjourned on motion of Dr Harvey.

DISABILITY INCLUSION (COMMUNITY VISITOR SCHEME) AMENDMENT BILL

Second Reading

Ms COOK (Hurtle Vale) (10:57): I move:

That this bill be now read a second time.

Firstly, can I say on the record that, when referring to Ms Ann Marie Smith in relation to any of my public speeches or statements, I use the name Annie Smith. There have been questions asked of a number of people who use Annie Smith. I want to clarify for people that Annie wanted to be called Annie Smith. She was known as Annie Smith. She made this very clear to friends and family. I have had friends and family speak to me and advise me of this, so I am very confident that Annie Smith would like to be referred to as Annie in this place and would advise members that, if they wish to, they should.

There is another bill in this chamber already on the private members' list in my name, which we have been keen to deal with as a matter of urgency, but that same urgency and priority is not being placed on the passage of that particular bill by the government. We believe and are advised that this bill that we now have received, as passed by the upper house, is consistent not only with the government's own task force, driven by David Caudrey and Kelly Vincent, but also now the review and the recommendations delivered and conducted by former federal justice the Hon. Alan Robertson SC, a recommendation of which I will come to later.

As I have said before in this place, the Community Visitor Scheme aims to protect the rights of people living with disability and within disability accommodation facilities and services while ensuring the best opportunities for safety. In May 2019, due to the final changeover to the National Disability Insurance Scheme, under this government the community visitor was no longer permitted to visit non-government disability accommodation service provider settings, supported residential facilities or day options programs. The government claims that legal advice prevents the operation of the Community Visitor Scheme under the NDIS Act, and these claims are wrong.

Whilst I am not a lawyer, what is clear is that our own parliamentary processes can be changed and legislation can be put in place to ensure that there is a fix around this and that we can get community visitors into facilities, residences and other settings that are operated by non-government organisations. The Victorian government certainly has found a way to do that and so have other jurisdictions. In fact, the review conducted by Justice Robertson said that the commonwealth and states should work together to find a legal position that would allow for the community visitor service to operate.

The government has had two years since coming into power to act on this, to make relevant changes, to speak with colleagues in other states who have made changes. There have been a lot of excuses when we have asked questions about this, and the excuses predominantly fall back onto Crown advice that was rightly sought by the Labor government prior to leaving office—Crown advice that was received by the Labor government in the days before leaving office, unable to act on or proceed any further with. Crown advice was sought about the barriers that were in place for the Community Visitor Scheme to operate in all settings. It was asking about the barriers that were in place and whether it could currently operate. Well, no; under the legislation and the way it was worded and the way it is framed, no, it not could not, and that is correct.

Sir, you would be well aware, being legally trained yourself, that sometimes the answer lies within the question that you ask. Did this government seek further Crown advice on what changes needed to be put in place to enable the community visitor to visit non-government organisations? What changes could be put in place in the legislation? It is not good enough for a government to just wave this away and say, 'No, this can't happen because this advice, based on the question around the barriers, says it can't happen.' When other jurisdictions seem to be able to legally get through this and have the political will to do so, it is not good enough not to ask the question: what can we do to change?

We are seeing horrific things going on. We are seeing absolute horror happen in the community, particularly to Annie Smith. We know that Maurice Corcoran, the previous Principal Community Visitor, has stated clearly that he entered private homes. If invited, he entered private homes to provide support and cast an eye over the proceedings and the support that was happening, to help people living with disability in a complex system navigate through these challenges. We do not know what would have happened if Annie Smith could have asked a community visitor to come in. We do not know. We simply cannot say, 'This is the panacea.'

I will not accept being accused of playing political games. I will not accept that this is the only option we have put up. We have put up adult safeguarding, we have talked about a range of issues,

we have offered to stand hand in hand and help to shut down this organisation that has been supposedly overseeing the care of Annie Smith. That is the political game: to try to say that we are not doing anything and that we are just playing political games. What rubbish!

I have spent three decades working in community and in health. I have received people from the community who are cachectic and in agony because of suffering. I have seen it with my own eyes. I do not play games. I am terrified for these people. We need to put in every possible mechanism we can, and as in the bill talked about previously and as was beautifully put both by the member for Wright and the member for Flinders, if this saves one life it is worth it. How do we get justice for people if we do not give them every opportunity to seek that justice, to call out, to get help?

We have heard a number of times that presentations have been made to the government from people such as the previous community visitor and members of the public and other experts. We have heard the WestWood Spice report being talked about, which was an independent review of visitor schemes. We have heard their recommendations that the scheme should continue under state and territory governments to ensure that there is this oversight. Can you all look at yourselves in the mirror and say, 'We have done everything,' if you do not pursue this? There can be amendments to this legislation. We have them here ready to go. We know that this can happen. We know that this will enable visitors to visit all situations.

The Minister for Human Services purports to be the champion of the Community Visitor Scheme. I applaud her involvement in enabling this visitor scheme to participate in providing this oversight and support through settings such as mental health. People who have mental health problems, people with intellectual disability, people with complex medical problems, people with complex disability need every support they can get to navigate through the complicated challenges that they face in their homes, in their workplaces, in their residences, be they supported group homes or other types. They need every bit of help they can get and we as a parliament are obligated to do this.

Having put up legislation, having asked questions of the Minister for Human Services around this, the Minister for Human Services has waved this away. She has hidden behind a shield of Crown law advice, which is based on a question that does not seek to find a solution. She voted against any amendments. She did not put up any amendments. She did not provide any suggestions, given the weight of the department behind her to provide support to get this happening. She just voted against it.

To reiterate the legal part of this bill rather than just the clearly moral and rights part of this bill, it uses much of the original regulations which first created the Community Visitor Scheme, modified using many of the provisions under the Victorian parliament so the laws are not inconsistent with section 109 of the constitution and that was suggested by this Crown law advice over two years ago. This is a solution. This bill provides a way through that.

We have removed provisions that were originally placed in there to enter people's private homes via force, via warrant. We respect the feedback we got regarding that. We still believe people should be able to access a community visit in their own home, so we need to strike that balance of privacy and safeguarding for people who, because of these complex situations they are in and policy, be it terrible or not, are vulnerable. We need to make sure we do something. The recommendations as handed down last week by the Hon. Alan Robertson SC state:

> Consideration should be given to the Commission establishing its own equivalent to State and Territory based Community Visitor Schemes to provide for individual face-to-face contact with vulnerable NDIS participants.

I have no argument; that is absolutely spot on.

The federal government is getting a monte of money to perform its tasks and its oversight and safeguarding through the NDIS, correct? We are putting nearly three-quarters of a billion dollars in every year, and they should be using it, right? This should be happening. We have no argument with that. Get moving on it. Stuart Robert, get going. What are you doing? Get out of the starting blocks and create the scheme. We have known we have needed it for years. Go for it.

There is an underspend in the hundreds of millions of dollars. What is that money being used for? Well, there is a Community Visitor Scheme just waiting in the magic pot to turn into a pudding, right? Let's go. The second part of what Alan Robertson stated was:

> Until that happens, the Commission should continue to support the State and Territory Community Visitor Schemes...

I repeat:

> …the Commission should continue to support the State and Territory Community Visitor Schemes and any doubt about State and Territory powers under those schemes in relation to NDIS participants should be resolved between the law officers of the Commonwealth and of these States and Territories.

He is asking us to do our jobs: that is, to change the law, to get it moving, to get it happening. Let's do it now. There are no more excuses. Annie Smith's death is a horrible tale. Let it be the trigger for change. Let it be a conduit.

I have seen a lot of things in my time as a nurse and working in the community, as I am sure members of parliament have—horrific. I cannot imagine the pain that this poor woman went through. It is disgusting. Let the police deal with it. Let them put the people away who caused this but, on the back of that, let us make Annie a legacy for change. The bill, which the opposition will dedicate to Annie Smith, I am sure will save the lives of many South Australians in the future. I commend the bill to the house, and may Annie Smith rest in peace.

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (11:11): Let's be very clear, even if this bill passed and were valid it would not have helped Ann Marie Smith, known as Annie Smith. Her tragic death has shone a spotlight on the circumstances that we now need to address as legislators and leaders in the community to assist those in the community who are vulnerable. However, I want to be absolutely clear that this bill—even if it was valid when passed—having a community visitor scheme would not and will not assist those in Ann Marie Smith's circumstance.

The member well knows the commitment of the Hon. Michelle Lensink to the Principal Community Visitor and the Community Visitor Scheme that is operating in South Australia. Indeed, the now minister moved amendments back in 2009 to make sure that we had this scheme, and it operates very well for the benefit of those to whom it applies. Visiting people in their privately owned homes, even with an invitation, however, has never been within the legislative scope of the scheme, and the disability CVS has never had coercive powers or a right of entry to private property, so let's just be clear about that.

With the introduction of the NDIS scheme, the previous Labor government we know—we heard all the speeches of the Hon. Bill Shorten, etc.—decided to cash out the disability service and that happened, including the CVS to the NDIS, in 2013. An NDIS Quality and Safeguards Commission was established to deal with the legal responsibility of those services. As has been alluded to by the mover of this bill, the previous government had clear legal notice that the applicability of the service, including coercive powers, would be invalid. It has often been referred to. It is still the position today. There is no change to that, and this bill and the legislation and advice within the envelope that we have received to date will not resolve that problem.

The implication of this legislation is that the CVS can no longer visit services that are funded or regulated by the commonwealth as they are no longer funded by the state. For the CVS to continue to visit sites that are no longer funded by the SA government places the volunteer workforce at risk.

Let me be very clear about this: the national review on community visitor schemes was a policy assessment in relation to the aspects that were existent around the country. It did not contain any analysis of the legal issues around the CVS and the transition to NDIS. It solely focused on those policy issues. It does not address the fundamental legal question which the South Australian government has raised, which is how the services can operate within the NDIS model. Just look at that report, re-read it again I suggest to the mover; that does not help us in that regard.

The death of Ann Marie Smith is tragic but when we were alerted to that, as we all were on 15 May, by a public statement by SAPOL, a task force was initiated, interim and final reports were provided, and the government has moved swiftly in relation to those recommendations. We are the

ones who have been the champions of the Community Visitor Scheme and, indeed, expanded it for the purposes of those in our state-run services.

But the Crown advice remains the same: this proposal of a scheme potentially puts our volunteers at risk of criminal and civil liability. That is the consequence of trying to impose this. The commonwealth's NDIS Act 2013 does not identify the community visitor as a protected person who can make certain disclosures about improper conduct by the NDIS providers. Any scheme deemed legally invalid also potentially places our volunteers at further risk, i.e. not covered by public liability insurance.

These are the real consequences of having a poorly rushed piece of legislation, hopefully to capitalise on this tragic situation. You can be first in, first level to care, all of those things, but the reality is that we have to do something that is going to be effective, lawful and able to be implemented. I find it arrogant on behalf of the Labor Party in this instance—not necessarily by the mover of the motion. I respect her history in relation to nursing care in her profession before she came here, but this is an arrogant insistence on voting on a bill—obviously in the Legislative Council, but to come here—prior to that task force report even being provided. Well, now we have it and it makes it very clear.

I want to make sure that we appreciate that the Alan Robertson SC report makes it very clear—again, not just now but those recently received recommendations made by Mr Robertson are consistent with those made by the state Safeguarding Taskforce final report. Mr Robertson makes a very clear recommendation in relation to community visitor schemes. This recommendation states that the commission should establish its own equivalent state and territory-based schemes to provide individual face-to-face contact with vulnerable NDIS participants.

Until this happens, the commission should continue to support the state and territory schemes and work to resolve, as the member has rightly pointed out, any legal issues that could relate to that, but this is not the answer. We as a government have accepted all of the state Safeguarding Taskforce recommendations and are working to close those identified gaps that fall within the state responsibility as a matter of priority. We are doing that within the envelope of what we can do lawfully. This issue in relation to the commonwealth service and how it should be dealt with has been answered by Alan Robertson SC. He says, 'Look, it can have its own.'

I agree with the member who has moved this bill that funding has been made available. That is something that the federal government and parliament can look to investing in, consistent with that. We have acknowledged the recommendations made by Alan Robertson's report in relation to the CVS, which is consistent with our own task force recommendations and actions. We are supportive of the CVS scheme, and it is progressing its work with the federal government NDIS and NDIS commission on how the scheme can work alongside the NDIS, given the legal limitations.

We cannot as a responsible government come to the parliament and say, 'This sounds like a good idea,' in the face of legal advice which was clearly pointed out to the previous government, in light of the further reports that have investigated this matter and our own task force saying, 'We don't think this should relate to persons living at home unless they are within a state or commonwealth service,' and Mr Robertson's report that says, 'The answer here is to have a separate CVS service.' We will not condone legislation ill thought through and rushed into the parliament.

We can talk about political stunts all we like, but the bottom line is that our job here is to try to provide services in a legislative framework that will not leave our volunteers vulnerable and at risk of civil and potentially criminal liability. We are not in the business here of putting people in the face of harm. We are in the position here to change the law where we can.

I cannot undo the transfer of this model to the federal people; that was already done and dusted. This is Bill Shorten's great baby. We were going to do that. We said, 'Look, it's on its way. We are going to be part of it. We will support the government to achieve that and then think about what safeguard legalities we are going to wrap it around.' That is the situation we are in at the moment. We cannot undo that.

We do agree with the opposition and others, including Mr Robertson, that we need to get on and provide a structure of service with a community visitor scheme funded and applied by the federal

government that is valid, that is lawful, that will protect the people who are involved in it and that will be able to provide the services that receive the NDIS services within an envelope of protection. That is an important initiative. We agree with it and we support it. Let's get on with it. We do agree with the mover of the motion in this regard that there is some urgency in relation to this. I cannot undo the mess that we were left with, but we can work productively and promptly, as we have, to try to bring this into CLO.

Sadly, none of this, even if this bill were valid and passed today, would help people in Ann Marie Smith's case. She has died in an apparent tragic circumstance, possibly within a criminal envelope. It is a matter for other groups to make determinations about the conduct or failure to provide protection to Ms Smith. This is a very sad situation. It might have shone the light on this issue as to how we must all work to protect the vulnerable in our community who are living in their own homes, who are our neighbours. I especially seek that that be done in this COVID period.

Ms COOK (Hurtle Vale) (11:22): I thank the Attorney-General for her contribution. I wish to point out that we have also said that this possibly would not have saved the life of Annie Smith, but I have clearly stated that one life saved would be well worth it. I truly believe that this could save a life or more than one.

I point out to the Attorney-General again that this scheme as it stands precludes community visitors from attending sites where there are NDIS participants, which is fundamental to the problem here. I call out the rhetoric around putting people like volunteers and workers at risk. That is why we need to make these changes.

I ask the Attorney-General just how many workers and volunteers have been found to be guilty of an offence in Victoria under their legislation, visiting NDIS participants under modified community visitor state-based schemes. I say none, and I ask the Attorney-General to refute that. I am very happy to be corrected if that is the case, but I am confident I will not be.

I point out again that the Crown law advice was based on a question. Legal advice is based on a question. If you ask a different question, your answer will be different, so why is it that this has not been pursued?

This is not legislation that has been rushed into the parliament. This legislation has been worked on for months and months. I have been working on the community visitor problem for two years. We knew this was coming and we have had people coming to us and working with us on this problem. This is much wanted and much needed, and if it saves one life, it is worth it. I urge the government to reconsider this and I thank the input of everybody who has helped to inform this bill.

The house divided on the second reading:

Ayes 21
Noes..... 24
Majority..... 3

AYES

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

NOES

Basham, D.K.B.	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.

NOES

Pisoni, D.G.	Power, C.	Sanderson, R.
Speirs, D.J.	Tarzia, V.A.	Treloar, P.A.
van Holst Pellekaan, D.C.	Whetstone, T.J.	Wingard, C.L.

Second reading thus negatived.

Motions

NATIONAL LANDCARE WEEK

Mr TRELOAR (Flinders) (11:30): By leave, on behalf of the member for Heysen I move:

That this house:

(a) recognises that 6 to 13 September 2020 is National Landcare Week;

(b) acknowledges the outstanding contribution by volunteers in our local communities who advocate for and enhance our natural environments; and

(c) highlights the importance of local Landcare groups within our communities, acknowledging there are now over 4,000 Australia-wide.

It gives me great honour to move this on your behalf, Mr Speaker, because landcare is something that has been very dear to my heart, too, for a long, long time. Very soon after beginning my farming career, which is 40 years ago now, I began planting trees, almost immediately—unsuccessfully for the most part at first, but I got better at it.

The primary thing I learned was that you need to fence off a grove of trees, otherwise they get eaten by livestock and other things. That was a fairly steep learning curve and, of course, every time we had a failure it put us a year behind. However, we got better at it, and I am quite proud to go and visit some of those early plantings of mine 40 years on because they are really huge and majestic trees. In a lot of ways red gums were my favourites, and they still are a wonderfully iconic Australian tree.

Time moved on, and I was a founding member of the Edillilie Landcare Group in the mid-1990s. By that stage, I was married and had a young family, and was farming in an area that was experiencing some waterlogging and salinity issues. That was pretty much throughout the district, so we came together as a group. The landcare movement was just getting up and running, and it had significant support, a groundswell of support.

There was really a lot of enthusiasm about doing the right thing by the landscape, and there was a prerogative here. As primary producers, we needed the landscape to be sustainable and productive in the long term. That was really what drove us. We did not want to lose any more land to salinity, we did not want to lose any more creek lines or hills to erosion, and that drove us to form the Edillilie Landcare Group.

I remember that at one of our first meetings as a group—and there were 55 of us actually in a broader stream care management plan who came together, and this is pre-Google and pre-Google maps, pre-satellite photos—we all sketched maps of our farms and drew in soil types and watercourses. It was all a bit rough and ready, but what it did was cement in our minds how we could develop a whole-farm plan and a whole-of-district approach to landcare and, in this case, water management.

On the bottom end of Eyre Peninsula, in the district I live and farm in now, we often suffered from wet winters, waterlogged soils and, of course, particularly dry summers, as well as salinity along creek lines and in low-lying areas, so those were the primary issues we needed to address. We were part of a bigger movement, of course. If I could borrow some words from an article talking about Landcare Week, it states:

Landcare means different things to different people.

At its very roots, Landcare is about working together caring for the land to preserve our natural resources and biodiversity for generations to come. Landcare at the individual level is about what role you play in caring for your land to achieve this goal.

The article continues:

Beginning Landcare Week 3-9 August 2020, the 'My Landcare Legacy' campaign will be rolled out nationally, offering Landcarers an opportunity to share what drives their passion for good farming practices and environmental stewardship in their business.

So it really is focused on landowners and primary producers. Of course, we are not the only people involved with landcare. Many people out of the goodness of their hearts give up their time on weekends to go out to chip weeds, plant trees and do fencing, all in the name of a sustainable landscape.

Interestingly, our Edillilie group progressed somewhat from being purely a Landcare group to becoming more of a farming systems group. In hindsight, I think that this was actually a natural progression because we still had landcare, productivity and sustainability at our core, but we were really looking at ways where we could increase our on-farm productivity and, by default, make the business and ultimately the landscape more sustainable. My firm belief is that, for a business to be truly sustainable, it needs to be profitable and vice versa.

It is often said—and the Deputy Leader of the Opposition would remember this saying—that it is hard to be green when you are in the red. It proves to be true. People can only do what they can afford to do. During that time, there was a little bit of government support around. Generally, it was a fifty-fifty arrangement with the landowner, whereby we could fence off creek lines and plant trees and lucerne. In our situation, it was all about increasing water usage during the growing season to decrease the recharge into the groundwater aquifer that in turn caused salinity problems. It sounds complicated; it is not. Problems arise if you do not use all the water that is falling in the landscape.

Over time, our little Landcare group went into recess. We still exist formally. I think that we still run a bank account, have a constitution and all the rest of it. What it needs is people with enthusiasm, of course, and a desire to be involved, but as one Landcare group diminishes, another one pops up somewhere else. I see via a Zoom meeting last night that South Australian Landcare had their AGM. I was not able to attend. I was busy here as it turned out, but I certainly maintain my membership of Landcare South Australia. It is a really nice feeling to be part of a broader group of people with the landscape at heart.

One thing I have noticed in the 40 years that I alluded to earlier is the increase in the number of trees in our landscape. I remember those broad areas of Eyre Peninsula that were initially predominantly mallee. Certainly, there are some heavier wood and bigger timber areas on the southern tip of the peninsula, but there has been a deliberate effort by landowners and the community to enhance those areas. Often there has been reseeding via direct seeding or the replanting of trees.

A couple of the early projects for the Edillilie Landcare Group were to fence off and plant trees on particular saline sites. I see both of those sites regularly still and marvel at what we managed to do at the time. We have created a real buffer against salinity, but we have also created a haven for wildlife, which is kind of nice in a situation where, in many parts of this state, the clearing of natural vegetation was quite extensive. I would say that is probably understating it. In some areas it was almost completely gone but, as I said, what I am noticing is that there are more and more trees in the landscape than there ever were. That brings its own set of challenges, which is probably a discussion for another day: how that feeds into the fuel loads come bushfire season.

All in all, I am going to congratulate the member for Heysen, who is now sitting in the Speaker's chair—and congratulations on that—on bringing this motion. I refer back to paragraph (b) of the motion where he acknowledges the outstanding contribution of volunteers in our local communities. It is almost always volunteers who take it upon themselves to be involved with these things, and I have talked a lot about landowners. At this stage, it does not have to be landowners—it can be community groups that have a love for our natural environment. Also, paragraph (c) of the motion highlights the importance of local Landcare groups within our communities, acknowledging that there are now over 4,000 Australia-wide.

Although Landcare was a particularly good and well-supported movement, there was a time when the number of groups and the number of volunteers did diminish. I am seeing a turnaround in that of late. I see groups popping up—Friends of Parks groups. I see a lot of coastal care groups on Eyre Peninsula, in my part of the world. In fact, the Minister for Environment and I, not too many weeks ago, joined a Coastcare group down at Greenly Beach for a ceremonial tree planting. I actually went back over the weekend and joined in the working bee and spent a couple of hours planting trees.

It was nice to get the Minister for Environment out there. I know of his love of the coastline. We are going to make that particular patch of Eyre Peninsula a better place for it. So congratulations to the member for Heysen on bringing this very important motion to the house, and good luck and well done to all the land carers who are out there.

The SPEAKER: Before I call the deputy leader, I thank the member for Flinders for moving this motion on my behalf and recognise his contribution.

Dr CLOSE (Port Adelaide—Deputy Leader of the Opposition) (11:42): I am delighted to support this motion, initially moved by yourself, and to follow the member for Flinders in speaking about this. I recall when I gave my maiden speech that I spent some time talking about the importance of landholders' dedication to preserving, protecting and, in fact, restoring the land. It is a pleasure to have members on both sides who truly understand that, particularly from the other side of the chamber, who are themselves people who have managed land and understand the importance of preserving the environment intimately.

One of the great treasures of Landcare is that it is able to bring together the expertise of scientists, environmentalists and very experienced landholders along with an enthusiasm that comes with volunteers being unleashed and welcomed to assist in the restoration of land and in the protection of land. Landcare has always been ultimately about action on the ground, not only caring about the environment but demonstrating that through planting, weeding and other activities.

I had the enormous privilege of briefly working with Rick Farley, who was one of the two founders of Landcare Australia. Obviously, Landcare initially started under premier Joan Kirner in Victoria, alongside the head of the Farmers Federation there. When it evolved into a national level organisation, it did so with the brilliant combination of Rick Farley and Phillip Toyne—Rick from the Farmers Federation and Phillip Toyne from the Australian Conservation Foundation—and with the blessing of Bob Hawke, who was the prime minister at the time and who has come to exemplify a leading political figure who seemed to truly understand the importance of the environment, and investing in it, and also encouraging its protection by all Australians.

I was very fortunate to work briefly with Rick Farley, before he died, when he was on the premier's round table on sustainability, a precursor to the current committee that advises the government. He brought with him in that forum all of that sensibility of understanding the need to work closely with community, to bring community along, but also to respect what science is telling us even if it is uncomfortable, even if it is difficult. As hard as that is and remains for the preservation and protection of land, that becomes still more acute and challenging when it comes to the additional impact of climate change.

What these people have taught us, and what the people who are currently involved in Landcare continue to teach us in this place, is the importance of a fundamental respect for the interconnectedness, the interdependency of everything. Humans now are so prevalent within the landscape and so dominant in the landscape that humans must respect how we depend on the environment and also appreciate that the environment now depends on us. We have now so fundamentally altered the landscape that we must remain actively intervening in order to manage the pest species, the overabundant species and to continually repair and restore the land that we have taken so much from.

I would like to conclude by referring to a quote from Bob Hawke. It is a quote that Landcare chose to reproduce when Bob died. It was one that they felt epitomised his dedication to this cause. He states:

> The degradation of our environment is not simply a local problem, nor a problem for one state or another, nor for the Commonwealth alone. Rather, the damage being done to our environment is a problem for us all—and not just government—but for of us individually and together.

That to me is the epitome of the spirit of Landcare: individually and together, recognising the importance of the environment for the continual prosperity of primary production and, in fact, for the continued prosperity of us all. I would like to add my thanks to Landcare in South Australia, to all of the volunteers and to people who work with Landcare for the work they are doing every year to make our prosperity more secure.

The SPEAKER: The Minister for Environment and Water.

The Hon. D.J. SPEIRS (Black—Minister for Environment and Water) (11:46): Thank you, Mr Speaker. It is a pleasure to be able to stand today to speak to a motion that you have moved. I take this opportunity, as the first time that I have addressed the house since your elevation to the role of Speaker, to congratulate you on that role. I am sure it is a role that you will undertake with dignity and intellect. I trust that you will serve in the office for a considerable period of time.

The motion that is before us today, moved by you, sir, and supported by the member for Flinders in his official moving of the motion, is really recognising not only National Landcare Week but, in particular, the many volunteers who are part of the Landcare movement in South Australia and, more broadly, across the nation of Australia.

We know that government alone cannot do what needs to be done to improve, nurture and revitalise our natural environment and, indeed, to slow and stop the degradation of the natural environment. We know that it is a body of work, an effort, a movement, which requires the involvement of many, many people. And it has to be people on the ground, people connected with the land, people who have a personal passion, maybe a hobby, an interest, or it might form part of their professional expertise, whether that be through land management, farming, food production, fibre production, scientific contributions, ecology and conservation and the like.

There are many people who get involved in Landcare for different reasons. Often, though, people get involved in Landcare because they want to do a small thing to assist, protect and invigorate the natural environment close to the area where they live. In my role as the state's Minister for Environment and Water, I see many, many groups—friends groups, Landcare groups, groups that come under other names and titles—that are getting together and doing their bit within their local community to enhance the environment.

It is often pretty basic stuff. Removing weeds and replanting are activities I have been involved with long before I was involved in politics in South Australia, and it is satisfying work. Sometimes it can be slow and sometimes it can be thankless, but over time, as the member for Flinders discussed eloquently earlier this morning, you can return to those trees that you have planted and see them established in the landscape and contributing to that particular environment. It is incredibly satisfying to be able to see that.

When I go to the Friends of the Lower Field River, that group that I have been involved with in the south of Hallett Cove since 2006, I look at those old, degraded paddocks that we have had stewardship of back in 2006 up to the present day and see little saplings that we planted as just tiny trees in 2006 to 2008, when we did most of our planting. To see them towering above the river today, providing places for birds to nest and for insects and mammals to make their homes in, is incredibly satisfying. You do hope that those small changes that you make at the local level can actually connect together to create landscape-scale environmental change.

That is a big focus of the Marshall Liberal government's approach to conservation in this state: bringing groups together at the local level, such as landcare groups, friends groups, agricultural bureaus and particularly the work of local councils in regional South Australia that have the capacity to mobilise not only volunteers but also resources and planting equipment to get activity happening on the ground. By weaving these various groups together, we have an opportunity to drive forward landscape-scale change, putting together those small patches to create corridors of revegetation that then link into our protective reserve systems and result in areas where our native species of mammals, birds and insects can traverse across the landscape as part of a protected estate.

The protected estate is primarily held by the government in South Australia through our network of wilderness areas, national parks, regional reserves, conservation parks and recreation parks. The vast majority of our land in South Australia has been and always will be owned, in post-European settlement times, by private individuals. Being able to connect with private individuals and work with them to undertake environmental initiatives is how we will really drive landscape-scale change.

Through a movement like Landcare you really do see the opportunity for private individuals to come together to form groups of like-minded people to get support, advice, knowledge and understanding from scientific experts and experts in conservation to put it all together to actually achieve outcomes on the land. We are so grateful as a government, and I am sure I speak for both sides of parliament when I say this, for organisations like the Landcare Association of South Australia, who come together to provide expertise and who are able to support private landowners in undertaking conservation activities.

An initiative that I am greatly proud of is the reinstatement of a very significant amount of funding for heritage agreement conservation in South Australia. Heritage agreements are areas of private land that landowners, usually farmers, agree to set aside to fence off and preserve and/or restore to hand over for habitat for native species.

We have a great network of heritage agreements and heritage landholdings all across the state; in some areas there is more than others. There are particularly good numbers of these on Kangaroo Island, in the Adelaide Hills, in the Murray Mallee part of our state and scattered elsewhere as well, of course. The commitment that these landowners are showing by setting land aside for conservation purposes is really phenomenal, and we think it is worth recognising and celebrating.

By reinvigorating the funding that was available, which had been whittled away to just $3,000 per annum, we have been able to increase that to $3 million over the next couple of years. We are partnering with the Nature Foundation, Trees For Life, Conservation SA, Primary Producers SA and a range of other organisations to deliver this program. We think this will be great.

We think the opportunity for Landcare and friends groups to link in with these private landowners is really substantial. We will see weeding projects undertaken. We will see revegetation projects. We will see creek lines fenced. We will see these heritage areas fenced so that they do not attract overabundant native species, particularly kangaroos, which cause so much pressure and damage to the understorey of our native planting. I am very excited about that program.

I am also excited about the reforms that are created through our Landscape South Australia legislation—with the creation of Green Adelaide in metropolitan Adelaide and the decentralised landscape boards in eight regions around the state, with expert boards consisting of people with local experience, with knowledge and understanding of their particular local and regional environments. They are making a commitment to this landscape-scale restoration.

We have been able to shift some of Adelaide's levy take into the regions, recognising that people from Adelaide benefit from the regions' environments thriving, not only from a food production and fibre production point of view but of course from a recreational point of view and, more important than all that, a resilient, sustainable, natural environment overlaying all that.

These Landscape South Australia reforms legislate for the availability of grants through our Grassroots Grants scheme. That is out for application at the moment. This is an ideal opportunity for Landcare groups to put up their hand and get a little bit of money, which again had been whittled away in previous years. We now have these defined funds administered by landscape boards that Landcare groups can get hold of to advance their work.

To all those involved in Landcare, as Minister for Environment and Water speaking on behalf of the government, we are incredibly grateful for the work that you do. We really could not sustain our natural environment in South Australia without you.

Mr TRELOAR (Flinders) (11:57): Mr Speaker, I thank you again, as the member for Heysen, for bringing this very important motion to the house. I thank the Deputy Leader of the Opposition, as shadow minister for environment, for her contribution and active involvement in Landcare over a long period of time, and our own Minister for Environment and Water. It is always a

pleasure to have him over on Eyre Peninsula; I know he is a regular. As I indicated in my earlier contribution, we took part in a tree planting exercise as part of a Coastal Care group on the Far West Coast of South Australia, and that was very exciting.

It was also great to hear all the good things we are doing as a government to support Landcare and sustainability within the environment. This is a really important motion. Thanks to the dedication of the people in this parliament and also in the broader community who keep the flame of Landcare alive and who recognise in their own way the importance of environmental sustainability and the way it impacts our economic sustainability at the same time.

Motion carried.

CHILD PROTECTION

Ms HILDYARD (Reynell) (11:58): By leave, on behalf of the member for Badcoe I move:

That this house—

(a) recognises Child Protection Week;

(b) recognises Foster and Kinship Carer Week;

(c) acknowledges that protecting children and young people is everyone's responsibility;

(d) recognises the individuals, organisations and communities that have played their part in creating safer communities for children and young people;

(e) appreciates the invaluable work of foster and kinship carers and the contribution they make to the lives of children and young people; and

(f) recognises the enormous impact a foster or kinship carer can have in improving outcomes for children and young people who have faced significant challenges in their early life.

I rise as Labor's lead speaker on this motion. In doing so, I heartily thank the member for Badcoe for bringing it to this house and for the excellent work that she has undertaken as the shadow minister for child protection.

This week is National Child Protection Week, and this year's theme, 'Putting children first', means relentlessly prioritising the health, safety and wellbeing of children. It is important that we acknowledge National Child Protection Week, think deeply about what actions are needed to ensure that all South Australian children are nurtured, loved, heard and engaged, and reflect on what actions must be taken every single week to enable all children, no matter their background, their postcode or their starting place in life, to experience equality of opportunity.

This year, we reach the milestone of 30 years of marking National Child Protection Week—and what a year it is. With the added strain of the COVID-19 crisis, it is crucially important that we reflect on what we can do as a parliament and as a community to ensure the safety, protection and equality of opportunity for all children in the difficult environment that we navigate. I know that many people and organisations are marking this week in different ways, many through online forums and events. Despite not physically being together, the enduring message remains, and that is that we all have a part to play and that we can make a difference.

Putting children first is about prioritising a child's right to be safe and to be loved and cared for. It is about ensuring children have food, shelter, health care, access to education and the opportunity to safely play, explore, connect with others and grow. It is about putting the welfare of children at the centre of every decision, every policy and every action, and it is about all of us taking collective responsibility for that welfare.

Last week, I was appointed as Labor's shadow minister for child protection, a role that I was honoured to take on and that I accepted in full knowledge of the huge responsibility that comes with it. It is a role to which I bring compassion and empathy, and a long-term steadfast commitment to do whatever I can to improve the lives of South Australian children, particularly those who most need us. Over many years, I have been driven by this commitment, and it is my solemn intention to thoroughly explore ways that as a community and as a parliament we can positively and collectively impact some of the most difficult and complex social issues impacting children, their families and communities.

It is also my intention to explore the ways forward through listening to and working with the many people with expertise, knowledge, understanding and deep, sometimes difficult, experience in this area. In saying this, I thank all the hardworking dedicated South Australians employed in the child protection sector, those working in the Public Service and the many working in community organisations. I commend their work in empowering South Australians to heal if they may need to, to build strong resilient family units, to access good support and to provide the care, love and support children need.

Many of these jobs are not as well remunerated as they should be, rightly require ongoing training and the constant updating of skills and knowledge and can be in settings that need increased resources and improved opportunities for effective resourced collaboration. I say to these workers, the leaders of the organisations for whom they work and the unions that represent them, that your hard work, compassion, knowledge and experience make a difference in the lives of our youngest South Australians.

I very much look forward to listening to you, to working alongside you and the outstanding organisations for which you work, to advocating with you for South Australian children and to working together for positive change. Thank you for what you do and thank you for being willing to share your knowledge, wisdom and experiences, and for your willingness to be responsive in the development of policy, actions and evaluation.

It is through working together as a strong, compassionate and connected community, and through listening, engaging and acting with all who are committed to positively impacting the lives of our children and young people, and with children and young people themselves, that we will make a lasting and positive impact. I acknowledge the many individuals, organisations and communities that ensure the focus with our most vulnerable children is on early intervention, prevention and wellbeing and that rightly relentlessly advocate for it.

Prevention and early intervention supports and services are critical to building resilience in families, to keeping children safe and to family and community wellbeing. We currently have more than 4,300 children in some form of care in South Australia, a figure we all know we have to do more to improve upon. Following the Nyland royal commission, the then Labor government invested a further $432 million into the child protection system. As part of this investment, Labor refocused the sector on prevention and early intervention.

Many services and advocacy organisations enable children at risk of being placed in out-of-home care to stay together with their families. They also play a vital role in advocating and promoting the welfare of children and young people who are in care. I thank all who are engaged in those services and supports and all who advocate for them. I also thank the many early childhood educators, the student support officers, the teachers and the school communities who are also integral to children's wellbeing.

I look forward to developing with families, carers, organisations and educators a vision for our state that focuses on supporting strong families and on creating communities that connect and engage families and that enable children to thrive. Next week is Foster and Kinship Carer Week, which highlights and celebrates the extraordinarily generous role foster and kinship carers have in achieving that vision. Foster and kinship carers have been critical to our child protection system and to children's wellbeing for many, many years.

I also look forward to supporting these many family and foster carers. They enable our state to be better placed to deliver effective, long-term improvements that support the health and wellbeing of children right across South Australia. Each one of them deserves our thanks for the tremendous, generous job they do. With enormous hearts and open minds, they provide love and support to children and a valued place in their families. Thank you to every single one of them.

There are also many South Australians who are not formal carers but who take on the role of caring, often for their grandchildren and also for other members of their family. They do not necessarily have formal arrangements and do this incredibly important work out of the goodness of their heart, out of a desire to see their family members get the care and opportunities they need and out of a desire to see the young people in their lives thrive.

They do this sometimes without the support of governments, day in day out, with little or no respite. They do it to ensure the children in their care do not miss out on the attention, love and care they need and deserve. They do this knowing and often feeling that caring for young children can be mentally, emotionally and physically taxing on them. Again, I thank them for this and also acknowledge the role organisations that support those carers play in easing or sharing their burden. I also look forward to working with these carers and all the organisations and groups that support and connect them.

In closing, I thank the member for Badcoe for bringing this motion to the house. I heartily thank her for her outstanding work in her time as shadow minister for child protection. Again, I state how honoured I am to take on the role as Labor's shadow minister for child protection. Today, as we mark National Child Protection Week, I wholeheartedly acknowledge all who generously give their time, energy and support to ensuring that South Australian children are safe, healthy, engaged and enabled to thrive.

This week and always, I will keep them in my mind and above all else I will keep in my mind and in my heart the South Australian children who most need us to hear their voices, to see their experiences and to act.

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (12:09): I rise in support of the motion brought forward by the member for Badcoe. I would also like to congratulate the member for Reynell on her new role as the shadow minister for child protection. Child protection is an enormously important portfolio and I look forward to bipartisan support to improve the lives of those who matter most: our children.

National Child Protection Week is from Sunday 6 September to Friday 11 September. Child Protection Week is an initiative coordinated by the National Association for Prevention of Child Abuse and Neglect, also known as NAPCAN, who are also celebrating their 30th anniversary. Yesterday, I launched the online NAPCAN conference with the theme 'Putting children first'. The theme is very relevant to what I as the Minister for Child Protection and my Department for Child Protection strive to do every day, that is, prioritise the safety and wellbeing of children and young people.

The aim of the week is to engage members of the community in supporting families and protecting children. COVID-19 has been a particularly challenging time for all families, especially those who have recently become financially disadvantaged through unemployment or those who are affected by mental health, domestic violence or substance abuse. It is important to recognise that the broader economic context at an international, federal and state level directly impacts families and organisations all around us in our local communities.

Coronavirus has placed additional pressures on families, and we are working hard across all levels of government to ensure we can respond early to families under stress; however, it is essential the entire community supports vulnerable parents, children and young people at this time. That is why our government acted swiftly to provide additional assistance of a $200 payment to foster and kinship carers for essential items during the early stages of the coronavirus public health emergency.

Significantly, in South Australia we are shifting our focus to provide services that are trauma-responsive, therapeutic and culturally aware to enable children and young people to feel safe, stable and well supported. One example of how we are prioritising child protection and working hard to improve the very lives of those who matter the most, our children, is my recent announcement of a $600,000 investment to bring the therapeutic residential care model Sanctuary to residential care homes in South Australia.

Foster and Kinship Carer Week is also held annually in September and will be held from the 13 to 19 September. The National Foster and Kinship Care Conference that was planned to be held at the Adelaide Convention Centre in September and hosted by Connecting Foster and Kinship Carers SA Inc. has been postponed until June 2021.

Family-based care offers the best outcomes for the majority of children and young people, as it offers a stable, family environment. We recognise, respect and support the role and contribution of all family-based carers across the state. As part of our acknowledgement of the work of our family-based carers, on behalf of the government, I have provided a public statement of commitment to work in partnership and to support our South Australian foster and kinship carers.

This statement was a combined effort between my Department for Child Protection; our carers advocacy service, Connecting Foster and Kinship Carers SA Inc.; and our industry peak, Child and Family Focus SA. The statement of commitment is a joint acknowledgement of the important role that foster and kinship carers play in looking after children under guardianship. It is also a reminder that many organisations have an important role to play in supporting carers so that they are able to best support children in care.

This commitment is part of the Marshall Liberal government's strategy for children and young people in care 2020 to 2023, 'Every effort for every child'. It outlines the foundation principles that contribute to a strong partnership approach between family-based carers, government and the sector to ensure that children under guardianship receive high-quality care. The statement highlights five key priority principles that guide our work with those carers. Those five principles are that carers can (1) expect to be informed; (2) supported; (3) consulted; (4) valued; and (5) respected in their roles. It also acknowledges the important contribution of Aboriginal carers.

The Marshall Liberal government delivered on its commitment to provide carer payments for both kinship and foster carers of young people to age 21. This is fully funded and now an operational program within DCP. This policy change provides support to valuable carers who have opened their homes to a young person in need by supporting them with the costs associated with a young person to remain in their homes up to 21 years of age.

Prior to this policy change, research showed that approximately 30 per cent of young people exiting care were homeless within 12 months. The future of our care system in South Australia is reliant on growing family-based care. I always encourage those who are interested to become foster carers to go to our website fostercare.sa.gov.au or to call 1300 2 FOSTER for more information.

The Marshall Liberal government is committed to supporting families, protecting children and investing in their futures and recognises that it is a whole-of-government and a whole-of-community responsibility. Last year, we released the 'Safe and well: supporting families, protecting children' strategy. This outlines the actions taken by government to create a connected system that ensures the right support is available to children and families at the right time.

This whole-of-government approach supports families who need help, keeps vulnerable children safe from harm and provides stable and loving care for children who can no longer live safely with their parents. At the centre of this are the voices of the children and young people. I commend the motion to the house.

Ms STINSON (Badcoe) (12:15): I am delighted to speak about Child Protection Week, which we are currently marking, and Foster and Kinship Carer Week, which we will celebrate next week. It is a chance to say thanks to all those working hard for families and children and also to reflect on where we need to do better as a state and as leaders ourselves.

This year, I am speaking as the very recently former shadow minister for this vital area, with my great friend and talented, compassionate colleague the member for Reynell now taking up this challenging policy area. I would like to congratulate the member for Reynell on taking up the portfolio. She is an exceptional member of our team, someone I have learned a great deal from in my short time in politics, and someone who listens, understands and seeks to create positive change, which is exactly what the child protection sector needs right now.

Despite the fact that this is no longer my assigned policy area, I really do believe in the third part of today's motion, that is that child protection is everyone's responsibility. To that end, the child protection sector can certainly rely on me to continue to champion the needs of children as I continue my work in Labor's leadership team but also well beyond that. In my case, it is a lifelong commitment.

As many in this house would know, I had some rather rough patches as a kid and my family needed support at times. I was incredibly fortunate to be raised by my grandparents for a significant time when my parents could not look after my younger sisters and me. While some may see that as an unfortunate period in a child's life, I know from those experiences, from having reported on child protection as a journalist and now having worked in the field as a representative and policymaker, that I was very lucky.

I had the care I needed when I needed it and that made all the difference, and it makes all the difference to other children and families who find themselves in similar, or indeed much worse, situations. Bad things do happen to children in child protection but good things also happen. We must continually strive for those outcomes and realise that they are possible. The people who make those good outcomes happen and do their very best when circumstances are not great are our workers in the child protection sector. This week is an opportunity to recognise them.

Whether you are in a non-government organisation or even a private company, whether you are a DCP worker or even in the prevention and early intervention side in DHS, the work you do changes little lives every day. If you are a police officer, a health worker, a domestic violence worker, a teacher or a counsellor working in and with our specialist child protection workers, we thank you too.

I know it is really hard work. I know that if you are a government employee you are often overworked and not given enough support, and that needs to improve. I know that you do it because you believe in opportunities for children and a lifeline for struggling families, and this week we say thanks to you.

If you are on reception taking that first call when someone is reaching out for help, if you are the one who is counselling a new parent with complex needs, if you are the one who enters a home with the horrible but necessary task of taking a child into care or if you are running a family group conference trying to mediate a successful reunion for a child, what you do really matters. What you do is important and we deeply thank you for the work you do on behalf of all of us as a community.

I would also like to thank all of the non-government organisations that have been so generous with their time, ideas and insights during my time as the shadow minister. They are organisations such as Baptist Care, whose innovative thinking is to be admired; Anglicare; and Uniting Communities, who have also kindly given me their time, and I appreciate that. These three groups were also incredibly helpful in connecting me with experts in the UK when I was over there for almost a month, studying child protection innovations for Labor's policy work.

To Lutheran Community Care, Key Assets, ac.care, Centacare and Uniting Country, you have each also given me your time in Adelaide and the regions, and I am grateful and happy to support your work. Thanks also to a few key grassroots groups, who are simply good people doing good things in our community. Sonya Ryan at the Carly Ryan Foundation—I have known Sonya since covering Carly's case many years ago—is a wonderful advocate and a good friend. Thank you. There is the team at Backpacks 4 SA Kids. It is always great to volunteer for you, and I will keep doing that. Rachael moves mountains there, and I would urge all members of this place to support the current effort here in Parliament House to collect goods for Backpacks 4 SA Kids.

Thanks to the child protection groups doing great work in my own electorate of Badcoe. Rikki and the team at Treasure Boxes are fighting for their survival right now. I urge those opposite to have a heart and support their magnificent work. There is Puddle Jumpers, with whom I have a long relationship, and my local VIEW Club, who do great work with The Smith Family.

I would also like to thank the Guardian for Children and Young People in Care, Penny Wright; the Commissioner for Children and Young People, Helen Connolly; and the Commissioner for Victims' Rights, Bronwyn Killmier. I would also like to thank Rob and the team at CAFFSA. Rob has just completed his PhD, and I look forward to reading it.

I would also like to thank Aboriginal Family Support Services, Kornar Winmil Yunti, SNAICC and the Aboriginal Commissioner for Children and Young People. It is outright appalling that 34 per cent of children in care are from First Nations backgrounds. It is a stain on us as a society. It is disgusting, and it is something that each of us here, myself included, bear responsibility for. It is our job to improve life for all South Australians, and surely vulnerable First Nations children should be chief among those that we turn our time, efforts and talents to assisting. I hope in my time in this place we do see change for Aboriginal people, especially the disproportionate number of First Nations children who grow up in care.

I would like to thank the PSA and the Australian Association of Social Workers for their work. I would also like to thank Cathy Taylor, Fiona Ward and the DCP team for their assistance in my time.

This week and next is also a chance to recognise the work of our carers—foster carers, kinship carers and our many informal carers. I have been so lucky to meet so many carers through my work as the shadow minister. The responsibility you each take on, caring for another person's child in their hour of need, is remarkable. Your sacrifice and dedication to a child, a child that sometimes is a stranger to you, cannot be overstated.

For many of you the task has been much harder than you ever imagined it would be. It has tested you and brought you to your limits, but many carers have also told me it has been the most incredibly rewarding experience of their lives. To see a child move from trauma and complex behaviours to settling into a warm and loving environment is no doubt a joy to be a part of. We on this side, and I am sure the other, recognise your sacrifice, your hard work, your dedication and your love for these children, and it is with deep gratitude that we thank you for your work.

I would also like to thank the hundreds of carers who have taken the time to meet with me, to tell me their stories. It has been very rewarding for me, on the occasions that problems have been raised with me, to be able to get a result. It is a shame that politicians and sometimes media are needed to achieve that, but it is satisfying nonetheless.

I recently met with a group of carers from Life Without Barriers, who shared their time with me. I would like to especially thank them for their insights, which will form part of the policy that Labor goes to the next election with. I would also like to take this opportunity to recognise the work of Connecting Foster and Kinship Carers and a group very close to my heart, Grandparents for Grandchildren. Under the leadership of Fiona Endacott, Connecting Foster and Kinship Carers is in very safe hands. There is fantastic advocacy that goes on in that Prospect office, which I am so glad that Labor supported.

Grandparents for Grandchildren—well, what an organisation! What a bunch of fighters! They fight for young people and their grandparents, and they also had to fight for themselves, for their very existence, when the current minister cut their funding. I am so pleased that I was able to help. Keep fighting for grandparents—grandparents like the ones who brought me up, grandparents who give their retirements, their life's savings to care for their grandchildren. They deserve a lot more recognition and help than this government affords them.

The group I most warmly wish to thank are young people—and some older people—who have been in care. I have been very lucky to hear from young people currently in care or who have left care, as well as older people with care experiences. Their experiences can only really be understood by others who have been in similar circumstances, and even then some of their tales are hard to fathom. I appreciate them having trust in me and telling me some of the shocking things that have happened to them, but also I appreciate their insightful, detailed and incredibly constructive analysis of their experiences and their concrete recommendations for change.

I have also been very fortunate to have young people who have been in care volunteer and work for me in recent years. It has been lovely to provide them with an opportunity for their futures, but it is really me who has benefited from their insights and contributions to the work I do. A big thankyou and good luck to them. I would like to thank the CREATE Foundation, which provided some wonderful experiences. Amy, Fabian and the team do a great job and their young advocates are simply outstanding.

Finally, I would like to express my sincere appreciation for people who are now in their 60s, 70s and even 80s who were in care as children and who have shared their experiences. They are history makers. They spoke out and stood up against historic sexual abuse of children in care and they have made the world a safer place for those coming after them. We owe them a huge debt of gratitude, but we owe them more than that: we owe them safety and comfort in their older years. Many are now facing the prospect of being re-institutionalised going to aged-care facilities.

Many people are not overjoyed about going into aged care, but these passionate advocates have made me acutely aware of the intensely frightening prospect they face of again being vulnerable in a care system. It is the prospect of being retraumatised and even victimised again. As a community, we owe it to them to find ways they can either stay in their own homes or enter into care with confidence that they will be looked after.

Thank you very much to everyone who has supported me in my work as the shadow minister. I wish you the very best Child Protection Week and Foster and Kinship Care Week and I congratulate the new shadow minister on her appointment.

Ms LUETHEN (King) (12:26): I rise to support this motion and thank the member for Badcoe for introducing it. This year's National Child Protection Week theme is 'Putting children first'. Under this year's theme of putting children first, I invite all South Australians to look at how they can prioritise children's safety and teach their children protective behaviours because putting children first means prioritising the safety and wellbeing of children.

To grow up well, children need to feel safe and loved, have a chance to play and explore, have a say in decisions that affect them, and access to essential things like food, shelter and health care. For children to thrive, we need to be brave and come together as a community and put children's needs first during National Child Protection Week and every week. We need to do this because all children and young people have a right to be treated with respect and to be protected from harm, to be asked for their opinions about things that affect their lives and be listened to, to feel and be safe in their interactions with adults and other children and young people, and to understand as early as possible what is meant by feeling and being safe.

For the past seven years, I have been advocating to and lobbying the previous Labor government to improve the safety of children in South Australia, and now I am so pleased to have the opportunity to work with the hardworking, caring and accountable Marshall Liberal government ministers to more effectively implement our child protection curriculum for our South Australian schools.

The SA Keeping Safe: Child Protection Curriculum is a child safety program for children and young people from age three to year 12. It teaches children to recognise abuse and tell a trusted adult about it, to understand what is appropriate and inappropriate touching, and to understand ways of keeping themselves safe. The Keeping Safe curriculum is mandated in all public preschools and schools and is designed to be taught every year by teachers who have completed a full-day training course. It is a world-class evidence-based child safety program used by a range of other Australian and international schools.

It is a great program, but frequently when I ask local parents what they think of the child protection curriculum being taught at their local school parents are often unaware of the curriculum. This means they are not receiving the information they should about what is being taught or what is not being taught.

Some people argue that we should not have to provide personal safety programs in schools because adults should take responsibility for children's safety; however, the sad reality is that adults and families have an abysmal record in child protection. Evidence of the extent of Australian families' failure can be seen in our statistics: damning data about the rates of domestic and sexual violence, the numerous child abuse inquiries and reports conducted in South Australia, and today's statistics on increasing child exploitation online.

I have been told by South Australia Police that, in over 60 per cent of incidents of domestic abuse they attend, children are present witnessing the abuse, and this is child abuse. In too many South Australian family homes violence is the norm. It is through education at our schools that we can teach children from a young age in an age-appropriate way that this should not be the norm. Just as we teach children in schools to learn how to swim, to be careful with heat, with knives and scissors, schools are the best place to teach children how to be safe with people.

I know personally so many people who were sexually abused as children, and it is estimated that in Australia one in five children will be sexually abused. I speak up again on the sexual abuse of children because these children need a voice, these survivors need a voice, because it is so common and this abuse is not talked about. In order to stop child sexual abuse we need to start talking about it. All children are at risk of sexual abuse regardless of their age, gender, social class, race or religion. Most child victims are abused by someone they know and trust.

Children trust adults to keep them safe, and five year olds are fearless. Without a child protection program they implicitly trust adults to keep them safe. Child abusers use coercion, tricks, bribes, threats, blackmail, secrecy and sophisticated seduction and grooming techniques to

manipulate their victims and their victims' families, and without a child protection program that tells children exactly what is unacceptable and reportable, abuse victims are likely to believe offenders when they say things like, 'It's okay. It's fun. It's what guys do. This is what people do when they love each other. Would I ask you to do something wrong when I love you?' or, 'You're safe with me.'

Victims are very confused when offenders are relatives, authority figures or people trusted by their parents. Children are taught to obey adults and taught to keep secrets. Child sexual abuse is made possible by the culture of secrecy, and that is why I keep speaking up. Without the confidence and knowledge that comes from a comprehensive child protection program, children will not risk telling their secrets to the most caring of parents because they fear a negative emotional response and the withdrawal of affection or worse.

I have heard many survivors who have been told that their abuser told them that if they took it then their siblings would not, and many years later they find out that it was not just them. We must take this threat seriously because children's futures depend on it. The early sexualisation of children can cause enormous damage to their development.

At school, most abused children exhibit learning problems. If there is no therapeutic intervention, they are likely to suffer lifelong adverse relationship, career and health outcomes. The financial and social costs of child abuse to society are enormous. Police forces across Australia are this week urging parents and carers to talk to their kids about online safety.

Since January this year, the Child Abuse and Sex Crime Squad has arrested more than 560 people and laid more than 2,800 charges following investigations into child sexual assaults, serious physical abuse, extreme cases of neglect and online grooming. This Child Protection Week we are asking every adult to put children first before their own fears and feelings of being uncomfortable. I urge adults not to think, 'What if I'm wrong?' but to think, 'What if I'm right?'

Most parents and caregivers do not want to think about their children, their nieces, their nephews, their children's friends in class, the children next door being hurt and sexually abused and for this reason there is a high level of denial and complacency in our community today. Most adults trust their partner, their family, their friends, their neighbours, the local sports coaches, the local dance leaders and their children's teachers.

This Child Protection Week I ask parents to (1) ask your school what child protection curriculum is being taught and, if they cannot tell you, then ask why not; and (2) seek your own books and videos to teach body safety and online safety to your children. It is never too early or too late. There are great parent helping handbooks and story books by great Aussie authors.

Eighty-two per cent of children sexually abused are less than 10 years old when their sexual abuse starts. Please put children first. We all have a part to play in protecting all the children in our community. Even small actions can help to improve a child's future and together we can create safer environments for our children to thrive.

Mr BELL (Mount Gambier) (12:35): I rise to support this motion. A safe and stable home environment is one of the greatest things you can give a child, giving them a sense of belonging and permanency. Young children experience much of their world through parents and caregivers and, in their early life, it has major implications on their future life and relationships.

As of May this year, there were 4,300 South Australian children in the state care system. The term 'state care' takes into account foster and kinship care arrangements, plus those living in non-family based residential care arrangements. There were more than 3,700 children in family-based care, including 1,621 in foster care and more than 2,000 in kinship care.

When a child cannot be cared for by family members, foster care is one of the best options. In a 2006 study looking at permanency in foster care, it was determined that safety and security, along with connections and enduring relationships, were two key elements of permanency. There is a definite shortage of foster carers in South Australia, despite the work of the Department for Child Protection and lead agencies in recent years.

Last year, there was a target of signing up 50 additional carers as part of a push to reduce the number of children in residential care. I give credit to the Minister for Child Protection, Rachel

Sanderson, and the efforts of agencies such as ac.care to achieve this. The minister has said previously in this house that she is committed to reform and improvement for the carer experience, and this is essential if we want more carers to join the system.

As of June 2019, there were nearly 1,300 foster carers in South Australia, all with different backgrounds and circumstances. I commend anybody who decides to take on this important role, and there is no such thing as the average foster carer. Elderly people, married couples with children of their own, single men, single women, same-sex couples—people from all walks of life decide to become foster carers for different reasons. They include people like Mount Gambier parents Nicole and Ian, who became foster carers with ac.care and have welcomed 16 children into their home over the last six years for respite and long-term periods, and also Barb, nicknamed Nanna Barbie, who has opened her home to more than 100 children over two decades.

It is truly one of the most selfless and undervalued roles in our society today to dedicate your life and your home to a vulnerable child when they need it. Sometimes foster carers get just a few hours' notice before a placement and will have no idea how long that child will be with them. It is important to recognise that foster care is a team effort. It is not only the people actually caring for the children, but the Department for Child Protection and agencies working together to provide the best support possible.

Since the 1980s, ac.care has been the main provider of foster care services for the Limestone Coast, the Riverland and Murraylands, with a network of carers and support staff available around the clock. When someone takes the first step in deciding to become a foster carer the agency offers training, support and advocacy for carers, links them in with networks and other carers, and conducts regular home visits.

When foster carers need a break, ac.care offers respite. Currently, there are 254 children with 185 foster carers across the Limestone Coast. It is a sad fact that it is unlikely there will ever be enough carers to meet the needs of the growing number taken into state care; ac.care wants to recruit an additional 30 foster carers over the next year across the region and also retain their existing network.

It is an ongoing challenge to find the right placement, the right fit for both the child and the carer. The more carers there are in the system the more choice there is to find that placement. When you start to research the state care system, it is easy to get lost in the data and statistics, but at the centre of all this data is a child, wanting and deserving a family of their own, a safe supportive home and the best start in life.

The old adage that it takes a village to raise a child is correct. Protecting our children is everybody's responsibility. Today, I want to acknowledge and give thanks to those who tirelessly work in difficult circumstances, including DCP, ac.care and our network of foster and kinship carers across the Limestone Coast.

Motion carried.

MORTAL KOMBAT

Mrs POWER (Elder) (12:41): I move:

That this house—

(a) recognises the commencement of filming of *Mortal Kombat*;

(b) acknowledges the significant contribution of the film to the South Australian economy;

(c) acknowledges the contribution of the film to the South Australian screen industry; and

(d) congratulates Warner Bros on delivering 800 South Australian jobs and supporting 675 South Australian businesses during production in our state.

When the minister asked me to move this motion, I was quite pleased to do so for two reasons: (1) to acknowledge all those in the arts sector and the great work they do, particularly with the challenges they have faced during the COVID pandemic; and (2) the importance of this film to South Australia in bringing jobs. The Marshall Liberal government has a strong commitment to growing more jobs and ensuring that South Australians have great job opportunities here in their own state.

In May last year, the exciting announcement was made that South Australia would be the stage for *Mortal Kombat*, a highly anticipated, epic action film from Warner Bros New Line Cinema. It was based on the hit computer game which has become one of the most successful franchises in the history of video games, I am told, selling over 35 million units since 1992.

Now is an opportune time to recognise the anniversary of the commencement of filming of *Mortal Kombat* and what it has brought to our South Australian film industry, despite the recent impacts of COVID-19. Filming for *Mortal Kombat* took place across the state, taking in regional and metropolitan locations, and wrapped up at the end of last year. Post-production then immediately commenced, also here in South Australia.

Warner Bros are to be congratulated on utilising approximately 688 South Australian vendors, and the production and post-production has delivered an estimated total of 800 jobs. Interestingly, there were 3,000 applicants for the 1,500 extras roles, and this demonstrates the incredible interest that this film has had in our state and in our state's film industry.

Our local post-production and visual effects companies, supported with programs such as the state's PDV rebate, continue to contribute to film production long after the cameras stopped rolling. These companies include Rising Sun Productions, KOJO, Resin and others. While the COVID-19 pandemic has halted the majority of film production globally, and has certainly impacted our local industry, *Mortal Kombat* work has enabled South Australian post-production and visual effects companies to retain staff and continue to work through this time of uncertainty.

Several of the post-production vendors have advised that the film has been of critical importance for the viability of the company over recent months, providing a constant pipeline of work during the COVID-19 pandemic. I think we can all appreciate how important that is. Post-production will continue through to October 2020. In addition to the international recognition for and boosted reputation of the South Australian screen industry, the film is on track to eclipse the projected $70 million contribution to the state's economy.

There is a diverse mix of skills and experience required on productions of this scale, and we have seen locals from our theatre, event and festival sectors having their first experience on a film set. Some of the key roles secured that have boosted local talent and business experience include Adelaide Studios tenants, Heesom Casting, who secured the contract to run the national selection of cast, and Mark McGowan of local company Jetty Films, who won the contract for the unit publicity.

Many key production and crew positions were filled by South Australian residents. South Australian director Ms Victoria Cocks was appointed to the prestigious position of director's attachment. There were similar attachment appointments made within special effects, editing, accounts and electrics. Such attachment positions on productions of this scale are a terrific opportunity to advance career development with our local industry.

Perhaps the intrinsic value of putting the SA film industry onto the global stage is best summed up by E Bennett Walsh, the executive producer of *Mortal Kombat*. He told us that South Australia is a wonderful place to make a production because of the ease of getting around our city, such enjoyable and unique places to film, such as Coober Pedy, Leigh Creek and Mount Crawford, and the world-class post-production sector that we have here.

Obviously that is no news to South Australians. We know how our great our state is, but it is fantastic for it to be spoken about on the global stage in the film industry. Mr Walsh adds, and I quote:

> I have produced movies throughout the world as well as in the eastern states, and one of the benefits here in Adelaide and South Australia is the ease and the support you get from the government and the SAFC to problem solve what we needed to make a successful production.

He went on to say, and I quote:

> It's an industry, and the South Australian government recognises that, so they are right there with you saying, 'OK, what can we do to help?' You don't get that in the eastern states.

I think all of us as South Australians can be exceptionally proud. I certainly commend the minister and his team for his work in securing this great opportunity for our state and, most importantly, this opportunity for South Australians to advance their career, be exposed to new experiences and for all the jobs this has created here in our state. I commend the motion to the house.

Ms STINSON (Badcoe) (12:47): I rise to support the motion celebrating the filming of *Mortal Kombat* and expressing support for the broader South Australian screen industry. I thank the member for Elder for bringing this important motion to the house. It is of course easy for Labor to get behind this motion, seeing as Labor is the party that realised the value of investing in this exciting sector over the past decade or more.

To that end, we believe this motion can go further. We would like to recognise the hard work and investment over many years of previous governments to build, promote and invest in the film industry and we would like to ensure that commitment is continued with investment by this government in the arts, creative industries and entertainment sectors, which has been sorely lacking and is desperately needed at this time. To that end, I move to amend the motion as follows:

Insert new paragraphs (d) and (e):

(d) acknowledges the significant investment in the SA film sector, particularly the SA Film Corporation, under former Labor governments, growing a strong screen sector capable of attracting job-creating productions to our state;

(e) calls on the current Marshall Liberal government to invest in the future of the arts in South Australia, particularly considering the severe job losses and underemployment in the sector due to pandemic restrictions;

Mr Acting Speaker, I want to start by walking you through the circumstances leading up to *Mortal Kombat* coming to South Australia because it is important to reflect upon and recognise how these things are achieved.

Back in 2011, the Rann Labor government had the foresight to create a film hub at Glenside, the Adelaide Studios. It was a decision mocked by some of those opposite at the time, but that ambitious and visionary approach saw an investment of $8 million for the studios, featuring two sound stages, state-of-the-art mixing theatres, a Foley stage, a 100-seat screening theatre and a set construction workshop, among other things.

This investment followed the Rann government's revival of the Adelaide Film Festival in 2002 with a new fund ensuring it could commission or invest in new work. It was a Labor government that introduced an uncapped rebate for visual effects—which the member for Elder referred to earlier—the Post Production, Digital and Visual Effects rebate, which provides companies with a rebate of 10 per cent on top of their South Australian expenditure, added to the 30 per cent rebate available from the feds. Importantly, the PDV rebate was not limited, meaning an increase in the scope and diversity of productions that were able to bring their post-production to South Australia.

This is an investment that has created hundreds of South Australian jobs in post-production and generated an estimated $200 million at last count in economic benefit for our state. It was Labor that invested $2 million in a dedicated video game industry hub, Game Plus, to raise the profile and professionalism of South Australia's gaming, animation and software development sector. This investment also saw app developer Mighty Kingdom sign on as an anchor tenant at the Pirie Street headquarters, with company director Phil Mayes saying at the time that this was a game changer, and so it has proven to be.

The rebate has also drawn other players, like Technicolor. I remember being with Jay Weatherill at my local cinema, the beautiful Art Deco masterpiece that is the Capri on Goodwood Road—in the member for Unley's seat, I believe—to announce with the Technicolor bosses, who had flown in from France, that they would be setting up shop in our city. We talked about how they needed a place where their young employees could work and build a life, somewhere with small bars, a bit of night-life and good schools so that they retained their young workers, somewhere affordable so that their workers' hard-earned dollars went further.

They found that place, they told me in early 2018, and that was right here in Adelaide. Technicolor announced their plans to establish a 500-person visual effects centre in Adelaide, propelling South Australia as an international film production hub. They established Mill Film in Adelaide, which many may be familiar with, a $26 million 3,000-plus square metre visual effects studio. Technicolor worked on films such as *The Shape of Water*, which is one of my favourites. It is an absolutely beautiful film that was nominated for 13 Oscars.

I have a giant list of other things that they have worked on, so they are an impressive international operation. This investment was a massive boost for existing Adelaide VFX businesses, with the centre of excellence and academy attracting talented artists to South Australia from across the world. The Weatherill Labor government provided nearly $6 million from the economic investment fund to support the project, which generated an economic benefit estimated at around $250 million over 10 years.

The fact the *Mortal Kombat* production team chose to shoot in Adelaide is no accident, and it should be put in its rightful context. It, and the attraction of several other high-profile productions, has been the result of those wise decisions and investments of those who came before us. In my previous life as a reporter, I was almost sick of the amount of times the Weatherill government dragged us out to Adelaide Studios for announcements; however, as a young reporter, I also got quite a collection of selfies with the various movie stars who have held press conferences out there over the years. Everyone loves a movie star, of course, myself included.

At that time, I saw how committed those in the former governments were to screen production and the arts more generally, and that has informed and inspired the work I do as shadow minister today. The fact is that the screen sector is an exciting one, but it is also one that creates jobs—high-end, lucrative jobs. It is an intense industry and there are knock-on benefits in terms of accommodation, food, travel and professional services.

The second part of my amendment to the motion addresses the need for this government to do more to assist the screen and wider arts and entertainment sector. At this very challenging time, the arts sector has necessarily pretty much ground to a halt. Of course, we need to put people's health first; however, the pandemic restrictions, particularly for national and international travel and constraints on crowd numbers, have cost thousands of jobs and strangled an otherwise active sector, both here and around the world.

However, there is an opportunity for South Australia right now. We just need to harness that same vision that those before us did. South Australia's relatively good result in tackling COVID, thanks to leadership from Nicola Spurrier and Grant Stevens, means that South Australia is in a prime position to compete on the world stage when it comes to nabbing large and lucrative productions from interstate and overseas.

We should be ambitious. So far this government has shown relatively little interest in the creative sector, with both of the Marshall Liberal government's budgets slashing funding to the arts to the tune of somewhere around $35 million, but here is an opportunity and an invitation to do more and to create jobs in SA, one I hope those opposite will embrace.

As I mentioned earlier, there is always a buzz around movie stars, and the filming of a new production injects energy into our city, or even the smaller regional towns where filming is done amid our beautiful landscapes and those character-filled towns. It was exciting for all those Adelaideans who tried their luck getting an extra's gig and lining up at auditions for *Mortal Kombat*, it was exciting for the workers who were cordoning off roads for shooting all while looking out for a star, it was exciting for film students able to see real-life production in a field they hope to work in one day.

Of course, it is exciting for the Adelaide-based companies that benefit from these productions, from the catering companies to the super-specialised visual effects experts we are lucky to have in Adelaide. In fact, I ran into English actor Martin Freeman at the optometrist in Hutt Street while he was here filming in 2016. He was shooting a zombie horror flick called *Cargo* at the Adelaide Studios. Members might recall that Martin Freeman appeared in *The Hobbit*, in which he played Bilbo Baggins, as well as *Black Panther*, *Captain America*, the classic *The Hitchhiker's Guide to the Galaxy*—a breakthrough role—the UK version of *The Office* and, one of my all-time favourite rom-coms, *Love Actually*.

This megastar and I had a nice little chat, as he waited for his special effects contact lenses to be a zombie. He remarked on our pretty city and state and about wanting to come back for a holiday. He enjoyed the shops and restaurants and commented fondly about how friendly we all are here in Adelaide.

I tell this story not simply to name-drop—although that is a benefit—but also to say that that wonderful encounter was exciting. It made me proud of where I live and what we can achieve. I told so many people about that, and he was in the star-spotting section of *The Advertiser*. It is all part of that buzz of Hollywood coming to town and that buzz, those little everyday interactions, do something for a city. It makes it alive and happening, a place where people want to be and one they can be proud of. It makes us want to reach higher.

The ACTING SPEAKER (Mr Cowdrey): Member for Badcoe, I hesitate to interrupt but, before your time expires, as a matter of process I need you to read into *Hansard* exactly your insertion of paragraphs in the amendment you wish to make.

Ms STINSON: I have already done that, sir. I did it earlier in my speech.

The ACTING SPEAKER (Mr Cowdrey): Not specifically the changes.

Ms STINSON: Yes, I read the changes into *Hansard* earlier in my speech, sir. If you would like me to do it again I can.

The ACTING SPEAKER (Mr Cowdrey): If you can, please, just for the clarity of the house—that is, amending the motion by inserting paragraphs (d) and (e).

Ms STINSON: Yes.

The ACTING SPEAKER (Mr Cowdrey): That is what you are wishing to do?

Ms STINSON: To repeat what I said earlier, I will be inserting a new paragraph (d), which reads:

> (d) acknowledges the significant investment in the SA film sector, particularly the SA Film Corporation, under former Labor governments, growing a strong screen sector capable of attracting job-creating productions to our state;

and also inserting paragraph (e):

> (e) calls on the current Marshall Liberal government to invest in the future of the arts in South Australia, particularly considering the severe job losses and underemployment in the sector due to pandemic restrictions;

Existing paragraph (d) would then become (f), which is the line that talks about congratulating Warner Bros.

The ACTING SPEAKER (Mr Cowdrey): Thank you very much.

Ms STINSON: No problems. Just to conclude, as the shadow minister for arts I offer my congratulations to Warner Bros on delivering 800 South Australian jobs and supporting 675 more, and I wish them all the best in their endeavours. I am excited to see their contribution to the growth of our local film industry here in South Australia. I commend the amendment to the house, and I commend the motion as it stands with the amendments—

Time expired.

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (12:59): Amazing, a starstruck response there from the member for Badcoe, who completely misunderstands the purpose of the film industry here in South Australia. It is not about the stars who are imported from overseas; it is about the people who live here in South Australia having access to creative and interesting careers. That is what this government is all about. It is faux congratulations from those over there. They did nothing but complain about the trip to Los Angeles by the Premier and I that directly resulted in landing—

Ms Stinson: We did nothing but set up an industry for you to benefit from and crow about and not do anything to improve and then you cut the whole arts sector.

The ACTING SPEAKER (Mr Cowdrey): Member for Badcoe!

The Hon. D.G. PISONI: —*Mortal Kombat* here in South Australia. They were majoring in the minors, worrying about the expenses that were incurred travelling around Los Angeles and

having these appointments with the studios in Los Angeles, including Warner Bros. That was their focus and because we pulled off the biggest ever production in South Australia—

Ms Stinson interjecting:

The ACTING SPEAKER (Mr Cowdrey): Minister, please be seated.

The Hon. D.G. PISONI: —now they are trying to get a piece of it.

The ACTING SPEAKER (Mr Cowdrey): Minister!

The Hon. D.G. PISONI: They had nothing to do with it, sir. I seek leave to continue my remarks.

Leave granted; debate adjourned.

Sitting suspended from 13:00 to 14:00.

Parliamentary Committees

LEGISLATIVE REVIEW COMMITTEE

Mr CREGAN (Kavel) (14:00): I bring up the 11th report of the committee, entitled Subordinate Legislation.

Report received.

Mr CREGAN: I bring up the 12th report of the committee, entitled Subordinate Legislation.

Report received and read.

Parliamentary Procedure

INDEPENDENT COMMISSIONER AGAINST CORRUPTION, SPEAKER'S STATEMENT

The SPEAKER (14:02): Honourable members, before I ask if there are questions without notice I wish to bring to the attention of the house that I have been provided with copies of correspondence between the Independent Commissioner Against Corruption and officers of the House of Assembly, certain members of the House of Assembly and the staff of certain members of parliament.

The correspondence relates to the investigation being undertaken by the Independent Commissioner Against Corruption into Country Members' Accommodation Allowance claims by certain members of parliament. When I have had an opportunity to consider the correspondence more comprehensively, I will report back to the house.

The Hon. A. KOUTSANTONIS: Point of order on a matter of privilege: it would be prudent to table that document because the privilege is not yours, it is the house's.

The SPEAKER: There is no point of order, member for West Torrens, and I do not propose to add further to my statement for the time being.

Question Time

ECONOMIC STIMULUS PACKAGE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:03): My question is to the Premier. Why is the Premier's economic stimulus spending in response to the COVID-19 pandemic the lowest in the nation? Sir, with your leave and that of the house I will explain.

Leave granted.

Mr MALINAUSKAS: South Australia's economic stimulus, as a percentage of the state's economy, is the lowest in the nation. Every other state's share of economic stimulus is higher. Why is the Premier refusing to adequately support South Australian workers and South Australian businesses?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:04): I thank the Leader of the Opposition for this important question and I note that we didn't have any questions whatsoever on

COVID yesterday in question time. Finally, the opposition has found some interest in this topic. I was very interested, when I woke up the other morning, to turn on the radio to have the Labor Party out with their attack ads, their attack ads in terms of our economic stimulus and support.

My question to the Leader of the Opposition is: who paid for those ads? Because we know who paid for the last lot of attack ads that the Labor Party ran. It was the Leader of the Opposition's budget: the taxpayers of South Australia. And it reminded me, when I got up yesterday, that I must call the Treasurer and find out whether the Australian Labor Party—

The Hon. A. KOUTSANTONIS: Point of order.

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —has paid the money back.

The SPEAKER: Order! The member for West Torrens rises on a point of order.

The Hon. A. KOUTSANTONIS: The Premier is debating, sir.

The SPEAKER: On the point of order, the member for West Torrens raises a point of order I presume in respect of standing order 98. I think the Premier has finished his answer. The point of order is as to debate. I note that in answering the question the minister is required to respond to the substance of the question. The Premier is doing so for the time being. I will listen carefully. I call on the Premier.

The Hon. S.S. MARSHALL: Thank you, sir; I was just providing some background. I am delighted that the opposition is interested in our economic stimulus and support, but I certainly don't accept whatsoever the premise of his question, which suggests that we've got the lowest rate of stimulus and support in the nation. I am not going to be lectured by those opposite regarding economic stimulus and support.

I am not going to be lectured by them because I can see what they would do. I've had a look at what they did during the global financial crisis, when they postponed projects, they cancelled projects, they cut the Public Service—all the things that we are being told by the Reserve Bank Governor, Dr Philip Lowe, that we shouldn't be doing. In fact, South Australia has followed very assiduously the advice of both Dr Lowe and also Dr Steven Kennedy, the Treasury Secretary, and we have applied ourselves diligently.

In fact, we were the first jurisdiction in Australia to implement a stimulus package. That was $350 million. We announced that right back in March this year. We followed it up with a further $650 million and, in addition to that, have provided now a further $1 billion in terms of programs, whether they be deferrals or waivers or funds or bringing forward of projects to create the economic stimulus and support.

By the end of this financial year we would have expended, I believe, around 90 per cent—that is the figure the Treasurer has provided—of that stimulus and support. Can I just say that what the federal Treasury and, of course, commentary by Dr Philip Lowe have shown is that at the state level there has been around 2 per cent of gross state product applied to date—around 2 per cent.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Our $2 billion is around 2 per cent because we have an economy, we have gross state product, each year of around $100 billion, so $2 billion is around 2 per cent, so that's what we provided. But I have said right from day one that there needs to be more.

But what we have learnt with regard to this terrible global pandemic—which is not just affecting other countries; it's affecting Australia, more specifically us here in our state—is we are not going to have a deep V and we are not going to have an immediate snapback; in fact, it's going to be with us for some time. So it's very important that we apply that stimulus and support over the life of this pandemic, and that's precisely what we are doing.

We are spending the taxpayers' dollars prudently. We are applying it to those areas which are going to have the greatest need. We are not wasting taxpayers' dollars. Yes, we know that the cost of capital at the moment is amongst the lowest in the history of the world, but it doesn't mean we can just spend any money without the relevant controls put in place. That's precisely what we are doing.

Members interjecting:

The SPEAKER: Order! Before I call the Leader of the Opposition, I call to order the member for Playford, the member for Badcoe, the member for Ramsay, the member for Lee—and I warn the member for Lee—the leader, the deputy leader and the member for Kaurna.

GOVERNMENT ADVERTISING

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:09): My question is to the Premier. Is the Premier planning to spend more than $1 million on an infrastructure advertising campaign?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:10): I don't know exactly and precisely what the Leader of the Opposition is referring to, but it is important that, from time to time, we spend money to advertise the work that we are doing as a state to stimulate confidence—consumer confidence, business confidence, investor confidence—here in South Australia.

One of the key issues that has been raised again and again in national cabinet is the importance of getting three fundamental things right: first of all, the health response. That seems pretty obvious. The second, of course, is the economic response, and the third is to keep that level of business and consumer and investor confidence high, and can I just say that in Australia we have done this well.

We have seen a crash in confidence in so many jurisdictions around this country and in other countries around the world, and we don't want that here in South Australia. It is important that we provide information to the public from time to time, but this must be done in a responsible way, and what we have done since coming into parliament is change the rules as they relate to government advertising.

What we saw under the previous hopeless regime was that at every single opportunity they had advertising which clearly had the images of politicians on it promoting their personal policies in the lead-up to the election. We are nowhere near an election. We are not having an election this year, we are not having an election next year.

Members interjecting:

The Hon. S.S. MARSHALL: In fact, we are having an election the year after, but we do have important work to do to make sure that the people of South Australia understand the stimulus and support that we are offering so that we can keep confidence high in South Australia.

The SPEAKER: Before I call the leader, I call to order the member for Light, I call the Minister for Education, I call to order the member for Reynell and I call to order the member for West Torrens.

NORTH-SOUTH CORRIDOR

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:12): My question is to the Premier. Why won't major construction on the final stage of the north-south corridor commence for another four years?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:12): I thank the Leader of the Opposition for this question. At the moment, we are embarking upon the largest infrastructure program in the history of this state, and we are very proud of that, but there is a lot of detailed work to be done to make sure that when we spend that money we do it in the best way possible, delivering the best results for the people of our state. We know what happened under the previous regime. They sold projects to the people of South Australia, and the first person they went and saw was the graphic designer. They would go and find out—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —what something was going to—

Mr Malinauskas interjecting:

The SPEAKER: Order, leader!

The Hon. S.S. MARSHALL: —look like, and they had all the resources of government to do the detailed design work. Let me tell you, when we came to government the cupboard was bare. There was virtually nothing in that department whatsoever, and so we have been working very diligently to get on top of the—

Mr Malinauskas interjecting:

The Hon. S.S. MARSHALL: I'm not quite sure why the Leader of the Opposition is so angry all the time. He has had his reshuffle. He's knifed the people he wanted to get rid of. The poor member for Light, he hasn't even got a seat anymore. It's quite extraordinary, and he is still angry. What will it take to make this guy happy? It's hard to know.

Members interjecting:

The SPEAKER: Order! The Premier will resume his seat for a moment. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: The first point of order is standing order 98. He is not answering the question, sir; he is debating it. And, again, 127, personal reflections on members. He is making personal reflections on the Leader of the Opposition.

Members interjecting:

The SPEAKER: Order! There is no point of order. I do indicate that the Premier was responding to interjection. He shouldn't respond to interjection. Those interjections were repeated and they were becoming louder, particularly from the leader, and I warn the leader.

The Hon. S.S. MARSHALL: Thank you very much, sir, and I apologise for responding to interjections. They were loud, furious and increasing in velocity, and I will not respond to them in future. What I will do, though, is respond to the question, which was about the north-south corridor. This is an important project; we were the ones who put it onto the agenda. I remember, from opposition, putting forward the proposal for a continuously flowing north-south corridor and delivering that for the people of South Australia.

We weren't successful. We weren't successful at the 2014 election. When I say we weren't successful, we weren't successful in winning the right number of seats. We did actually win the majority of the vote, but we didn't form a government. What that meant was that we weren't in power for those four years to do the detailed work that was required to complete this multibillion dollar project. That work is being done at the moment. It's being done. We are considering the scenarios that will ultimately come to cabinet, and when we have an announcement to make we will make sure that the people of South Australia know that it's an important project for the future of South Australia.

JOY BALUCH BRIDGE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:15): My question is again to the Premier. Why hasn't major construction commenced on the Joy Baluch Bridge?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:15): I thank the leader for his question. It is a pleasure to be the minister in this area where we are spending a record amount of money. I was talking to my colleagues just last week about the figure of $12.9 billion, which I think is a very, very substantial figure. It's a great body of works. In fact, I have just come from the Pym to Regency site, where I was meeting with people from Bowhill Engineering, who are doing an outstanding job on that project. It is great to be delivering for South Australians when you couldn't. In fact I was just up—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —at Port Wakefield the other week with the member for Narungga. We called in for a bite to eat. I wanted to have a pie. I didn't have a pie; I am just trying to watch my waistline. But it was good to be at Port Wakefield, and, lo and behold, across the road the site officer arrives for the Port Wakefield overpass that we are building up there—a significant project in alliance with the Joy Baluch Bridge. So we are investing the money. We are getting on with the projects and they are rolling out. As the Premier pointed out, previously there were no plans, no actions, just a couple of sketches on a paper. We know what happens when you deliver projects like that.

Members interjecting:

The Hon. C.L. WINGARD: You are the one. You are right behind it. They still mention your name in the department with how abominable you were. Draw a plan up and now deliver that. No work was done—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —no planning done, and the wall slides down. But take responsibility for it. Stand up and take responsibility. We are delivering $12.9 billion—watch this space—delivering for South Australia.

The Hon. S.C. MULLIGHAN: Point of order, Mr Speaker.

Members interjecting:

The SPEAKER: Order! The member for Lee on a point of order.

The Hon. S.C. MULLIGHAN: The minister continues to refer to you in the most unparliamentary terms, sir. I would ask that you ask him to cease.

The SPEAKER: Member for Lee, you might care to identify those parliamentary terms and the standing order that's applicable.

The Hon. S.C. MULLIGHAN: He continues—

The SPEAKER: I just didn't hear.

The Hon. S.C. MULLIGHAN: In his answer, he continued to use the terms 'you' and other similar pronouns, which certainly meant that he was referring to you, sir, rather than the substance of the question. So you can take your choice, sir. Perhaps we could start with 98 and you could adjudicate on that.

Members interjecting:

The SPEAKER: Order! There is no point of order, and I warn the member for Lee for a second time.

The Hon. S.C. Mullighan: You could just record it, sir, and replay it every time we raise a point of order.

The SPEAKER: The member for Lee is warned for a second and final time. There is no point of order. Has the minister finished his answer?

The Hon. C.L. WINGARD: Yes, sir.

QUEEN ELIZABETH HOSPITAL

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:18): My question is to the Premier. Why hasn't major construction started on The QEH development?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:18): I don't have detailed information on that project. What I do know is that we are massively, massively increasing expenditure to upgrade our hospitals. What we know is that under the previous government—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: Now what are we getting from the opposition? I am not responding, sir, but I am just making an observation that—

The SPEAKER: Don't respond.

The Hon. S.S. MARSHALL: —what we are getting, in a general term, from the opposition is that when they were running Health it was all going tickety-boo. As it turns out—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —it wasn't. It was an absolute debacle. Since we have come to office, sir, as you would be more than aware, we have had to put in excess of $1.8 billion back into the operating budget of the health system in South Australia to fix up the mess that we inherited. In addition to that, of course—

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: —we had to extend the capital budget to deliver the facilities that the people of South Australia so desperately need. There are a range of projects that are fixing the mess. In particular, under the previous government they tried to concentrate all of their services into the three major spine hospitals: the Flinders Medical Centre, the Lyell McEwin Hospital and, of course, the Royal Adelaide Hospital. They downgraded or closed—or closed—hospitals that weren't part of that arrangement.

By contrast, we took to the people of South Australia an ambitious program to upgrade those other hospitals, whether it be Noarlunga Hospital or The Queen Elizabeth Hospital or, of course, the fabulous Modbury Hospital.

I can tell you, when I'm out with people, speaking to people about what is important to them, they love the fact that we are investing in The Queen Elizabeth Hospital. We have restored those cardiac services that those took away. We're building the facilities that are required. At the Flinders Medical Centre, sir, you would be more than aware that one of the things that we're doing there—

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

The SPEAKER: Order! The Premier will resume his seat. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: Sir, we are two minutes into this question and the Premier is debating the question—98.

The SPEAKER: Order! There's no point of order. The Premier.

The Hon. S.S. MARSHALL: Thank you very much, sir. I find it extraordinary that people would think that it's debate to provide information to the house about the incredible upgrade to health services that we are providing in South Australia. I was just about to advise the house about the excellent work being done at the Flinders Medical Centre.

The emergency department there was significantly undersized, and what we are doing, with a program that we have brought forward, is doubling the size of the adult emergency capacity at that hospital. That is a project that should have been done years and years ago. That will have a flow-on benefit to Noarlunga Hospital, to the Royal Adelaide Hospital, but most importantly to the people of South Australia.

What we are also doing, while upgrading the vital health services in South Australia, is we are providing jobs. That is unequivocally the most important issue at the moment outside of the immediate coronavirus health issues. Providing those jobs, whether they be in construction, whether

they be in the building sector, whether they be in the hospitality sector, whether they be in the education sector, these are the things—

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

The SPEAKER: Order! The Premier will resume his seat.

The Hon. S.S. MARSHALL: —that keep us motivated every single day to come into this house. Thank you, sir.

The SPEAKER: I think the Premier has concluded his answer. The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: My point of order, sir, was that the question was, 'Why hasn't major construction work started at The QEH development?' and the Premier was speaking about Flinders Medical Centre, Modbury Hospital and other hospitals. I was going to raise standing order 98 about debate, but the Premier has finished his answer.

The SPEAKER: I will address the merits of the point of order. On the point of order, Minister for Energy and Mining?

The Hon. D.C. VAN HOLST PELLEKAAN: Point of order, sir: if the member opposite does want to be finicky, then actually the question was out of order according to standing order 97.

The SPEAKER: You are a bit late, Minister for Energy and Mining. On the point of order raised by the member for West Torrens, I consider that the Premier's answer was germane to the question—to use a phrase I understand a former Speaker has used. I have listened carefully. I understand the Premier has concluded his answer.

Before I call on the leader, I think for a sixth time, I warn the leader for a second and final time for interjections in the course of that answer. I warn the member for Kaurna, I warn the member for Reynell, and I remind the house of the importance of listening to the question and the answer. This is your question time. I call on the leader.

WOMEN'S AND CHILDREN'S HOSPITAL TASKFORCE

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:23): My question is to the Premier. Why hasn't the government released its task force report, which it has held for 18 months, into the new Women's and Children's Hospital site?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:23): It is a similar answer to the one that I provided earlier, and that is that we need to do the detailed work. The difference between those opposite, sir, and us as a new government, is we are listening to clinicians. I think every South Australian now understands the problems associated with the new Royal Adelaide Hospital and we are working as diligently as we can to fix the mess that we inherited from those opposite.

In contrast to the work done by the previous government, where they ignored the clinicians, we are sitting down with the clinicians to design the very best new facility. It will be a co-located facility with women and children on that site with the new Royal Adelaide Hospital. Those opposite didn't support that—sorry, then they did support it, and then they didn't support that. Nobody actually knows what they currently believe. What we believe is that the people of South Australia deserve the very best and that's why we are working with the clinicians.

The Leader of the Opposition was the health minister. He had an opportunity to do work with the Women's and Children's Hospital. Did he do it? No. His career highlights to date basically deal with knifing Mike Rann, continuing the privatisation of Mount Gambier Prison and closing the Repat Hospital. That's what that guy delivered for South Australia.

Members interjecting:

The SPEAKER: Order!

The Hon. S.S. MARSHALL: And by contrast, every single day that we are here we are working hard for the people of this state and we don't apologise for getting it right, doing the detailed

design work, speaking to the clinicians, so that we can deliver a world-class facility that the people of South Australia deserve.

The SPEAKER: I have allowed, I think, six questions to the leader, all of a particular kind. I am going to turn to my right now and then I will give the leader another opportunity.

CORONAVIRUS

Dr HARVEY (Newland) (14:25): My question is to the Premier. Can the Premier update the house on South Australia's world-leading response to COVID-19?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:25): I thank the member for Newland for his excellent question. He is interested in the state government's response. To date, it has fallen into two key areas: the immediate health response and then, of course, the immediate and ongoing economic response. South Australia, right from day one, has been extraordinarily well served by the health professionals we have within SA Health, SA Pathology and the Communicable Disease Control Branch. We are also extraordinarily well led by the health department more broadly in Dr Chris McGowan, the chief executive of that department, and of course, the minister the Hon. Stephen Wade.

Right from day one we have shown innovation and unmatched agility in terms of our response to the coronavirus. While many other jurisdictions in the world may have been sitting on their hands or on the back foot trying to recover with the immediate health requirements, we have been thinking in advance of time about the types of things that we would need to put in place as quickly as possible.

One of the areas where we have unequivocally led the world is in the area of pathology. I would like to put on the public record my very grateful thanks to Dr Tom Dodd, the clinical lead for SA Pathology, for the world-leading work that he did making sure that coronavirus tests were done when all respiratory swabs were taken. This put us in an extraordinarily good situation. He then rolled out the drive-through COVID-19 testing facilities. We now have more and more of those coming online and they have been taken up right across the world.

That innovation is occurring right here in South Australia and we should all be extraordinarily grateful for the work that he has done, as well as the great work that Dr Louise Flood, head of the Communicable Disease Control Branch, has done and, of course, Professor Nicola Spurrier and her team of deputy chief public health officers for the great work that they have done keeping the people of South Australia safe and strong. They have worked with the police commissioner, the Transition Committee and, most importantly, with the people of our state. It has been a real partnership.

Somebody eventually will write a paper on why it has been that we have had the lowest level restrictions and the highest level of compliance. I think it is because there has been an amazing partnership with the people of our state. I commend all those health professionals who have worked hand in hand with the police commissioner as the State Coordinator and the government during this major emergency declaration.

In terms of our economic response, we also have been leading the way. We got on the front foot on day one, being the first jurisdiction in the country to put our stimulus package out. In fact, we did that right back in March—$350 million. To remind you, it included key items like bushfire response and recovery expenditure and roads infrastructure, whether it be the $15 million going to the Heysen Tunnels refit, the $12 million to the regional north-south freight route project, the $6 million for capping of the Adventure Way and the Innamincka Airport, which I know is very well regarded.

There was a $52 million package for regional road networks, with works on the Stuart Highway, the Dukes Highway, the Riddoch Highway and the Yorke Highway. There was $59.5 million for road safety improvements, including Long Valley Road between Mount Barker and Strathalbyn, the South Eastern Freeway (I drove through the works being done there on the weekend) and other key regional projects.

We also put another $70 million into the Economic and Business Growth Fund. We invested very significantly and will continue to invest very significantly in projects to do with nature-based tourism which have an economic stimulus component and also a legacy component to drive regional tourism in South Australia.

We've worked with the local government for projects through the Planning and Development Fund—country health facilities have had significant upgrades, social housing and grassroots sporting facilities—then, of course on top of that, a $650 million package which included a massive $190 million worth of $10,000 grants to small business in South Australia plus many other opportunities to stimulate and support the businesses that are doing it tough.

There is still a long way to go. There is still an extraordinarily long way to go. We are not going to be out of this pandemic in the next month, in the next three months. We are not going to be out of it by the end of the year. It is going to be with us for some time, but we will always be supporting those businesses that are finding themselves in a difficult situation in South Australia.

INFRASTRUCTURE PROJECTS

Mr MALINAUSKAS (Croydon—Leader of the Opposition) (14:30): My question is to the Premier. Will the Premier acknowledge that his infrastructure agenda is not actually delivering real construction jobs on the ground, right now, when South Australians need it most?

The Hon. S.S. MARSHALL (Dunstan—Premier) (14:30): No.

FACILITIES MAINTENANCE SERVICES MANAGEMENT

The Hon. G.G. BROCK (Frome) (14:31): My question is to the Minister for Transport and Infrastructure. Can the minister please update the house on, firstly, if the minister is proposing to continue with the government's proposed outsourcing of DPTI facility maintenance services management. If so, can the minister please advise when has a regional impact assessment statement been carried out on the possible impacts on local communities with this proposal; if not, when will this be carried out?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:31): I thank the member for the question. Maybe just to give a little bit of background and context to this, of this amount of maintenance work that has been done—in the last financial year I think it was some $290-odd million—half of that is managed through an outsourced provider which is Spotless; the other half is done through the department. The Spotless contract, I think, was signed in—member for Lee, help me out here, you signed it—

The Hon. S.C. Mullighan: In 1999 by Diana Laidlaw.

The Hon. C.L. WINGARD: —2015. Yes, they signed an outsource contract over there as well—very happy about that they were at the time too. That left the other half of the work still being done by the department. Very sadly, there was an incident that happened up in the Hills, where tragically someone died at a facility, and coronial reports that followed and Ombudsman reports that followed suggested that the management could be done better. With that, we are going through an outsourcing process at the moment for that management.

What that does ultimately mean as well is that at the moment about 98 per cent of that work, 98 per cent of that $290 million, goes out to small businesses, small tradies and local communities, and that is fantastic. What we want to do is actually take that out to 100 per cent so that all that work is then going out to those local communities and getting them more jobs. So that's another $6 million actually into the marketplace for the local businesses.

We are going through at the moment with a roadshow, going to all the communities, talking to those local businesses, taking them through the process along with the Industry Advocate to make sure that they can have a say in the way that this contract is framed and to make sure that local businesses will have a significant say in that. In fact, I was in the regions this week to speak with some people—again with the member for Narungga, a very good member, working very hard in his community—and talk to a number of those businesses, explaining that this is what was going to happen.

I know those opposite were out fearmongering because they went along and handed out signs. Interestingly, they gave signs to people who actually run private businesses saying, 'Don't have private contractors,' which was a little bit ambiguous, but that's they way they think over there. They don't want private business to work in private communities, but on the other side we do. We want these small businesses to be doing that work.

So we are out running the roadshows and we will be in your regions too, talking to those people, taking their input on board and, again, working with the Industry Advocate so that when we do move this work to an outsourced contractor, like Labor did in 2015—and, again, if you want more details you can speak to the member for Lee; he signed the contract—we will be taking on board what they have to say and making sure we shape the contract so that they will get that work.

An honourable member interjecting:

The Hon. C.L. WINGARD: 2015, sorry, did I—

Members interjecting:

The SPEAKER: Order!

The Hon. S.C. Mullighan: Did you think you were in a small bar? Is it time to start yelling at someone again?

The SPEAKER: Order!

The Hon. C.L. WINGARD: The member for Lee is almost getting as angry as the leader, almost getting as angry as the member for West Torrens. They're very angry over there at the moment.

The SPEAKER: Order! The minister will resume his seat. The member for Lee has been on two warnings. The member for Lee will leave for one hour under standing order 137A—

The Hon. S.C. Mullighan interjecting:

The SPEAKER: —and he will leave in silence.

The honourable member for Lee having withdrawn from the chamber:

The SPEAKER: Minister.

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

The Hon. C.L. WINGARD: In the—

The SPEAKER: The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: Standing order 127: make personal reflections on other members. Through the contribution of the minister, he has made a number of personal reflections on members. He has also imputed improper motives to us, which I believe not only digresses from 127 but he has also entered into a debate, which again caused a provocation.

Members interjecting:

The SPEAKER: Order! There is no point of order pursuant to standing order 98. I just indicate to the member for West Torrens that in case there is any personal reflection on a member, it is for that member as a matter of general practice to identify that with some particularity so that it may be ruled on. What I have heard from the member for West Torrens is an observation in the broad. I have not heard a sufficiently particularised point of order. If you would care to particularise it by way of a further point of order, then you may do so.

The Hon. C.L. WINGARD: He likes the argy, doesn't like the bargy. Member for Frome—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —to complete the answer to your question: yes, we will be out in the regions, we will be speaking to people and taking them on the journey and, yes, we do want to make sure that they are involved in this process so that they have a say in how that contract is framed. We will be doing that in the coming weeks.

Members interjecting:

The SPEAKER: Order! The member for Frome on a supplementary and, before I call on you, member for Frome, I warn the member for Reynell for a second time and I warn the Minister for Education. The member for Frome on a supplementary.

FACILITIES MAINTENANCE SERVICES MANAGEMENT

The Hon. G.G. BROCK (Frome) (14:36): To the minister. I did ask if a regional impact assessment statement had been carried out to actually identify the impacts either good or bad on those regions, but you didn't answer that part.

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:36): What I did say to the member for Frome was there would be the potential for an increase of $6 million in contracts going out to the regions, so that can only be a good thing.

Members interjecting:

The SPEAKER: Order! The member for Elder.

INFRASTRUCTURE FUNDING

Mrs POWER (Elder) (14:36): My question is to the Minister for Infrastructure and Transport. Can the minister please update the house on how the Marshall Liberal government is delivering more jobs by fast-tracking its record $12.9 billion infrastructure investment?

The Hon. C.L. WINGARD (Gibson—Minister for Infrastructure and Transport, Minister for Recreation, Sport and Racing) (14:37): I thank the member for Elder for that question—a very good question, a very passionate member in her local community.

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

The SPEAKER: Order! The member for West Torrens on a point of order.

The Hon. A. KOUTSANTONIS: Standing order 97, sir: questions not to involve argument. The member used the terms 'fast-tracking' and 'record'.

The SPEAKER: Order! I have called the member for West Torrens to order. There is no point of order and I warn the member for West Torrens. Again, I encourage the member for West Torrens that if there is to be a point of order it better be a good one and going to substance, otherwise the member for West Torrens will be leaving under standing order 137A.

The Hon. C.L. WINGARD: Again, I thank the member for Elder for her question. She is very passionate about projects that are developing and being fast-tracked in her electorate. We could turn to the Flinders Link train line, and the new Tonsley station, that is happening in her electorate—an absolutely outstanding project. She has been a great advocate for it and I was with her there only a few weeks ago to see the sleepers going down.

This is moving along incredibly well. Speaking to Flinders University and also to Flinders Medical Centre, the opportunities that are going to be there for growth are fantastic, but she did resonate with that number I raised a few moments before, which was $12.9 billion, and I can understand why. It is a big sum. It's a sum those on the other side would not know about and have never seen.

I want to commend the former minister, who did a very good job at attracting a lot of those funds in partnership with the federal government. This will grow more jobs in South Australia over the next four years than we have seen for a long time. It is something that those on the other side of the chamber have not done. No jobs—don't care about jobs over there, not interested in jobs. We go and attract $12.9 billion—

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: —worth of infrastructure and they want to complain about it. There is no surprise: we are getting on with the job over here. In roads, in particular, almost $4 billion over the next four years. That's a billion dollars a year. I hark back to 2016 when they were in

government: $200 million. That's all they could muster, $200 million of projects. We are doing a billion a year, five times more than they ever delivered over there. That is absolutely sensational, and it will be jobs, jobs all the way.

I mentioned I was at the Regency to Pym project before—$354 million dollars. Bowhill Engineering, a regional company, a good company delivering for South Australia, is building the cantilevers, if you like. The pillars will be built and moved onto South Road. It is all being built alongside the road and then it is going to be trucked onto the road and dropped in place there. This is a great South Australian company that has doubled its number of employees since picking up work like this. This is absolutely fantastic, and congratulations to Jeremy Hawkes and all the team there. They are a steel fabricator doing a fantastic job.

The Gawler electrification line is a project they talked about a lot over there. They talked about it forever. They never delivered it.

An honourable member interjecting:

The Hon. C.L. WINGARD: Tony Piccolo never delivered it.

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

The SPEAKER: Order, Minister for Education!

The Hon. C.L. WINGARD: The member for Light, nowhere near it—the champion for Gawler.

The Hon. A. KOUTSANTONIS: Point of order.

The SPEAKER: Order! The member for West Torrens has a point of order. The minister will take a seat for a moment.

The Hon. A. KOUTSANTONIS: Sir, again 127: personal reflections on members, and he named a member by his name rather than by his title in the house, which is disorderly.

The SPEAKER: Member for West Torrens, what is the nature of the personal reflection you are taking issue with?

The Hon. A. KOUTSANTONIS: Claiming a motive on the member for Light, sir, which is improper.

Members interjecting:

The SPEAKER: Order!

Members interjecting:

The SPEAKER: Order, those on my left!

Members interjecting:

The SPEAKER: Order! There is no point of order. The member for West Torrens is on his second warning. Minister.

The Hon. C.L. WINGARD: Thank you, sir. I refer to the Gawler line electrification project, one they had on again, off again, on again, off again more times than I care to imagine, but we are delivering another 250 jobs. I mentioned the Flinders project, an outstanding project. The Tonsley train line going up towards Flinders Station is a joy to behold. I stress the point, having been there a number of times over the past few months, that seeing the people working on that site, getting this project done, is absolutely outstanding.

The Managed Motorway Project as well, on the South Eastern Freeway to Stirling, adding an extra lane, is another outstanding project, and I know a lot of country members are very happy with the work we have been doing in the regions to improve their roads. Some three-quarters of a billion dollars worth of road maintenance had been left to wrack and ruin by those opposite when they were in government. We are upgrading those and upgrading eight country roads to get the speed limits back up to 110. I know, as we make those roads safe and we put those speed limits up, the members on this side are extremely pleased about that.

I was at the Goyder Highway just recently, and we were changing the signs over there, which was outstanding. We mentioned the Port Wakefield overpass; I talked about that before. The Joy Baluch Bridge the leader says hasn't started yet, but it has. No doubt the leader has never been there.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: North of Port Wakefield; wouldn't know what was going on north of Port Wakefield, wouldn't know where the regions are.

Members interjecting:

The SPEAKER: Order!

The Hon. C.L. WINGARD: Springbank and Goodwood and the north-south freight corridor—$12 million. We are investing that number again, $12.9 billion.

The SPEAKER: Order! The minister's time has expired. Before I call the member for Enfield, I call to order the member for Chaffey and the Premier, and I warn for a second time the member for Kaurna. The member for Enfield.

ECONOMIC STIMULUS PACKAGE

Ms MICHAELS (Enfield) (14:43): My question is to the Premier. Specifically in relation to small business support, why has the Premier not provided greater and more urgent stimulus for small businesses in South Australia, given the extreme economic impact of COVID?

The Hon. D.C. VAN HOLST PELLEKAAN: Point of order: standing order 97, sir. The question is out of order; it contains two lots of argument.

The SPEAKER: The Minister for Energy has a point of order. I might say, member for Enfield, I would benefit from hearing the question once again, and you may care to couch it in terms that might bring it into order.

Ms MICHAELS: My question is again to the Premier. Why has the Premier not provided greater and more urgent stimulus to South Australian small businesses?

The SPEAKER: I anticipate the point of order. It is a good point of order: the question is out of order.

Members interjecting:

The SPEAKER: Order! The question from the member for Enfield included argument. I gave the member for Enfield an opportunity to ask the question again. It continued to include argument and it is out of order.

Mr PICTON: Point of order, Mr Speaker: there was no argument in that question. Asking a question is appropriate and I ask you to clarify where you believe the argument was in that question.

The SPEAKER: I have ruled in relation to the question. I will go to—

Parliamentary Procedure

SPEAKER'S RULING, DISSENT

The Hon. A. KOUTSANTONIS (West Torrens) (14:45): I move:

That the Speaker's ruling be disagreed to.

The SPEAKER: It has been moved. Is it seconded?

Honourable members: Yes, sir.

The SPEAKER: The member for West Torrens will be heard for 10 minutes in accordance with standing order 135.

The Hon. A. KOUTSANTONIS: Thank you, sir. Sir, I moved a point of order previously on a question asked by the member for Elder about fast-tracking, and you said that did not involve argument. When the member for Enfield asked a question saying, 'Why has the Premier not provided greater and more urgent stimulus?' you said that did involve argument. Throughout the entire proceedings of question time—

Members interjecting:

The SPEAKER: Order! The member for West Torrens will be heard in silence.

The Hon. A. KOUTSANTONIS: Thank you, sir. Through the entire proceedings today, I have to say I have never seen such a level of bias as I have seen today.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: It is the hubris and arrogance of the Premier using his majority in this parliament to stifle what is one of the most important hours in the day in parliament. It is because when we attempt to ask questions, when we attempt to ask legitimately framed questions under the standing orders, the government is using its majority to stop that or frustrate that, or to try to ridicule people who are asking questions, demanding points that quite frankly try to stop the flow of question time because they are frustrated they dare to be asked questions.

Members opposite in their answers openly attack the opposition and make flagrant statements like we don't care about creating jobs on this side of the house. They impute improper motive on us as if we are somehow callous and want to hurt the people of South Australia, and we raise that they are debating answers, that they are imputing improper motive.

The Hon. D.C. VAN HOLST PELLEKAAN: Point of order, sir: I ask you to bring the member back to the substance of the motion, which was your specific ruling which he is dissenting—not anything else that may or may not have happened during question time.

The SPEAKER: The motion is dissent in my ruling in relation to the member for Enfield's question, and I ask the member for West Torrens to address the subject matter of the motion.

The Hon. A. KOUTSANTONIS: It is clear to me, sir, that your ruling on that question and your rulings on all other questions today have been cloaked and soaked and bathed in bias, and I have to say, sir, it does you no service to do this. It does you and the parliament no service to behave in this way. The parliament could be flowing a lot more freely. The questions that we ask on behalf of the people of South Australia are for the benefit of all South Australians. There is an old adage that a good government needs a good opposition. We are a good opposition, hence the littered ministers on the backbench now who were the first to resign in disgrace.

The SPEAKER: Order! The member for West Torrens will address the motion.

The Hon. A. KOUTSANTONIS: Yes, sir.

The SPEAKER: The motion specifically relates to dissent in a particular ruling just now—

The Hon. A. KOUTSANTONIS: Sure, sir.

The SPEAKER: —and the member for West Torrens will address the subject matter of the motion.

The Hon. A. KOUTSANTONIS: Thank you, sir. Sir, you have erred in your ruling. You have got this one wrong, and horribly wrong, sir, and you are doing it deliberately. I accuse you of motive, sir, and your motive is plain and obvious for all to see: it is political. It is not because you are trying to assist the house. You are not attempting to help the member for Enfield. What you are trying to do is to humiliate her. What you are trying to do is to aid and abet ministers who are not equipped to answer the question, so you are using your office, sir—your office—to attack a member who is asking a question. It is just not necessary, sir.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: It is beneath you. It is beneath you, just the way the Premier behaves is beneath him. But we have to endure it, but what we will not endure, what we cannot endure—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —Mr Speaker, is you ruling that the member asking for more urgent advice, more urgent assistance for business is somehow debate.

The Hon. J.A.W. Gardner: Have you ever looked at a video of you answering in question time?

The SPEAKER: Order, Minister for Education!

The Hon. A. KOUTSANTONIS: Again, Mr Speaker, it is quite obvious that warnings on this side of the house for interjections completely outweigh the warnings for members opposite.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Any casual observer of the Premier's behaviour—shouting, name-calling, the way he looks at people, the way he behaves, the way he shouts at people—is ignored whilst all of our transgressions are brought to the fore.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Sir, you have erred here. You have made an error here, sir, and your behaviour today—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. A. KOUTSANTONIS: —quite frankly, sir, is unbecoming for a Speaker.

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: There they are, screaming again.

Members interjecting:

The SPEAKER: Minister for Transport and Infrastructure!

The Hon. A. KOUTSANTONIS: Not a warning in sight, not a warning in sight, sir.

The Hon. S.S. Marshall interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Here it is again, sir: the Premier interjecting with no warning from you whatsoever. Members from across the chamber are yelling out—no warning from the Speaker. Why? Because they are Liberals. It is that simple—for now. Wait until the charges are laid to see what happens then. But, of course, Mr Speaker, on this ruling—

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

The Hon. A. KOUTSANTONIS: —the reason we have done this—

The SPEAKER: Order! The member for West Torrens will resume his seat. Minister.

The Hon. D.C. VAN HOLST PELLEKAAN: I ask that you ask the member to withdraw and apologise for that absolutely disgraceful statement suggesting that any charges are going to be laid against any member in this chamber.

Members interjecting:

The SPEAKER: Order! I have made a similar ruling in relation to a point of order raised by the member for West Torrens earlier this question time. I will listen carefully to the member for West Torrens. The member for West Torrens.

The Hon. A. KOUTSANTONIS: Thank you, sir. Consistency—I am very impressed. Thank you, sir. That is a—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —very good ruling. Sir, I have to say, the reason we are raising dissent on this issue is because we have been led to this point through a series of rulings throughout this question time, and this is your first question time, sir. So I have to say it was the straw that broke the camel's back, which was already heavily burdened—heavily burdened. Because, as question time was playing out, you could see, sir, the path that you were taking, and the path you were taking was hyperpartisan. Quite frankly, I think that is unnecessary, and that is why we are moving this dissent motion: not because we want to but because we need to; we have to. It is the only thing we have.

We do not have the numbers in this house. Anyone who knows how this house operates, knows it can be a dictatorship unless you have impartiality and goodwill, and there is no goodwill from the government to allow the opposition to ask its questions because the ministers answering them are not up to the answers, so they need the protection of the Speaker, and the Speaker obliges by trying to stop questions.

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

The SPEAKER: The minister on a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: I ask you to bring the member back to the substance of the motion, which is a specific ruling on a specific question.

The SPEAKER: I accept the point of order. The member for West Torrens has been brought back to the subject of the motion. It relates to dissent in a particular ruling. I give the member for West Torrens one last chance to do that.

The Hon. A. KOUTSANTONIS: Even as we raise dissent we are being threatened. Even as we raise dissent we are threatened by the government with their majority and you, sir, with the position of power you hold. We cannot even raise dissent without being threatened. We cannot even defend ourselves without the threat of expulsion, because it might offend the sensibilities of the Manager of Government Business and the Speaker. This is getting pathetic. It is getting pathetic and becoming pathetic. Let us ask the questions and let the government attempt to answer them.

Sir, like any good umpire you should be invisible, but, sir, like the AFL you are out here with your fluorescent jumper on, running around yelling, 'Look at me, look at me, look at me,' trying to be involved in the debate. You should be invisible, sir. We are big enough and ugly enough to look after ourselves, as are members of the government. Let the house have its question time. Let us ask the questions. Let the government answer them. Stop running a protection racket for people who—

Members interjecting:

The SPEAKER: Order, members on my right!

The Hon. A. KOUTSANTONIS: —are not capable, like the Minister for Infrastructure. When he gets up everyone holds their breath.

The Hon. V.A. Chapman: Shut him down.

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: Here we go, the Attorney-General yells, 'Shut him down,' and you oblige.

The SPEAKER: Order! The member for West Torrens has been given ample opportunity to address the subject matter of the motion of dissent. The member has repeatedly strayed from the subject matter of the motion of dissent to a more generalised assessment of the state of the house.

I have given him now three opportunities to bring his address back to the subject matter of the motion. If the member for West Torrens has anything to add on the subject matter of the motion, then I invite him to do so in the time that is remaining, otherwise he will not be further heard.

The Hon. A. KOUTSANTONIS: Well, you cannot stop me from speaking, sir. You can invent standing orders, but you cannot actually do it without a vote of the house. I am doing exactly what the Premier did when the Leader of the Opposition asked him, 'Why hasn't major construction started on TQEH development?' and the Premier spoke about everything else but, and the Speaker ruled it was context. I am following your ruling sir—

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

The SPEAKER: The Minister for Energy and Mining on a point of order.

The Hon. A. KOUTSANTONIS: —on the context.

The SPEAKER: The member for West Torrens will take his seat. The minister on a point of order.

The Hon. D.C. VAN HOLST PELLEKAAN: Exactly the same point again, sir. I ask you to bring the member back to the substance of the question.

The SPEAKER: I uphold the point of order. The member for West Torrens will come back to the subject matter of the motion that is before the house.

The Hon. A. KOUTSANTONIS: Yes, sir, and I again point out to the house that every time I attempt to make the argument that the Speaker's ruling is unfair, that the Speaker's ruling is biased and wrong and the way it has been interpreted is wrong and not in keeping with the practices and customs of this house, the government simply moves a point of order. The example I provide is that the Attorney-General just sat back with her arms crossed and said, 'End this,' and the Speaker obliged, intervened even without a point of order.

Members interjecting:

The Hon. A. KOUTSANTONIS: And here we are again—

Members interjecting:

The SPEAKER: Order!

The Hon. A. KOUTSANTONIS: —more members interjecting, and the Speaker is silent—silent! Here we are again, the bias on display. And, sir, this ruling of yours is the final straw and we will not take it anymore. We are not going to accept you using your numbers in the house to just try to stop debate, to protect ministers who cannot protect themselves. It is not my fault. We cannot put in what God left out. It is not my fault. It is not my fault that he cannot do it on his own, that he needs you, sir. What I say is: let us ask the questions and be invisible.

The SPEAKER: The question is that the ruling of the Speaker be disagreed to. Before I call on the Minister for Energy and Mining, I call to order the member for Unley. I warn for a second time the Minister for Education, and I call to order the Minister for Infrastructure and Transport. The Minister for Energy and Mining.

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (14:58): Thank you very much, Mr Speaker. The member opposite could not put together a cogent argument about the motion that he himself moved. The member opposite said that he disagreed with your specific ruling on that specific question, and then talked about all of his other grievances, and his other grievances could very easily be repaired by himself, his leader and his deputy leader.

The member went to a great deal of trouble to tell us things like, 'Just let us get on with question time. Why don't we get to ask questions?' Well, the opposition gave up its question time

yesterday and the opposition has interrupted its own question time today. The opposition are scared of question time. The opposition, by its own actions, is avoiding its opportunity to ask questions—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: —by making up—

Members interjecting:

The SPEAKER: Order! Minister for Energy and Mining, the question is that the ruling of the Speaker be disagreed to. I call the minister back to the subject matter of the question, and I ask that the minister be heard in silence as he addresses the subject matter of the motion before the house.

The Hon. D.C. VAN HOLST PELLEKAAN: Yes, Speaker. The reason that the opposition is doing this—this faux outrage about this one instance of one question asked by the member for Enfield—is clearly incorrect. I am sure many people who advise members in this chamber have already checked *Hansard*, and in offices—Liberal, Labor and Independent—around the building they are shaking their heads, wondering why the member for West Torrens raised this motion.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: When *Hansard* is re-read, it will be very clear to everybody that the first time the member for Elder asked the question it offended standing order 97 twice. Speaker, you generously allowed the member for Enfield to ask again, and I think your words were something like, 'The member may ask again and might like to adjust the wording of the question.' The member for Enfield removed the end of the question, removed one of offences of standing order 97, but kept the offence of standing order 97. That was in the first part of this question, which is essentially saying, and I will paraphrase, 'Why hasn't the government done enough on stimulus spending?' That is essentially—

Members interjecting:

The SPEAKER: Order! The member for Kaurna is on two warnings, as is the leader. The minister will be heard in silence.

The Hon. D.C. VAN HOLST PELLEKAAN: Thank you, Speaker. So that is clearly an offence of standing order 97. It is clearly an inappropriate question. It is clearly an opportunity, attempted to be taken by the opposition, to assume something to be correct when it is not necessarily correct. That is the substance of what was done. It was done twice the first time the question was asked, it was done once the second time the question was asked and you, Speaker, were entirely within your rights to call it out of order the second time. You would have been entirely within your rights to call it out of order the first time, but you were very generous to the opposition, as I am sure you will continue to be.

Why is the opposition bringing this forward? They already nailed their colours to the mast yesterday with their motion of no confidence, Mr Speaker. There is nothing that they could say about you that could be taken on face value from now on because they have already disclosed their bias against you as Speaker. They have disclosed their bias against you—

Members interjecting:

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

The Hon. D.C. VAN HOLST PELLEKAAN: They have already disclosed their bias against you as Speaker, and this is just another cheap attempt to try to undermine you and to undermine the government, without wanting to work through question time. The opposition has a golden opportunity every sitting week to go through question time, to ask questions.

Members interjecting:

The SPEAKER: Order! The minister has been directed to the subject matter of the motion now on one occasion. Numerous points of order were made in the course of the member for

West Torrens' contribution to the debate. I ask that the minister come back to address the subject matter of the motion, and that is that the ruling of the Speaker in relation to this particular question be disagreed to.

The Hon. D.C. VAN HOLST PELLEKAAN: Yes, Speaker, and I think in question time today you accepted a couple of points of order from me, you rejected a couple of points of order from me and you have given me that instruction. You could not be fairer or more impartial, Mr Speaker, clearly by the way you are treating me at the moment. Let me just say that another excuse—

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: Another excuse the member for West Torrens tried to use in an effort to attempt to say that your ruling was incorrect was that you somehow would just do anything you wanted because the government has the numbers. The problem for the opposition is that while we have the numbers that does not make them right. It does not make them right just because we have the numbers.

Members interjecting:

The SPEAKER: Order!

The Hon. D.C. VAN HOLST PELLEKAAN: The Leader of the Opposition would have people believe that you are misusing your role in the chair and that somehow, if we win a vote in the chamber, we must have been wrong because we only had the numbers—absolutely ridiculous reasons. They have accused you of—

Members interjecting:

The SPEAKER: Order, leader!

The Hon. D.C. VAN HOLST PELLEKAAN: They have accused you of making your ruling as an attack on the member. They have accused you of being partisan, politically partisan. They have accused you, through this motion on this ruling, of giving advantage to the government. They have accused you, through your ruling on this motion, of completely taking advantage of your position in an inappropriate way.

When those opposite go home tonight with cooler heads and have a look at *Hansard*, they will see that the words spoken by the member for Enfield in this chamber twice were completely out of order with regard to standing order 97 and it was very generous of you to give the member for Enfield a second chance.

The SPEAKER: I note that my ruling is in relation to the question as put on the second occasion by the member for Enfield, consistent with practice. It is possible for a member, in asking a question, to introduce facts or argument but only by leave of the house. It is in those circumstances that the question is ruled out of order.

Motion negatived.

Question Time

MUNA PAIENDI PRIMARY HEALTH CARE SERVICES

Ms BEDFORD (Florey) (15:07): My question is to the Premier in his role as Minister for Aboriginal Affairs. What consultation was undertaken with Aboriginal communities before the Muna Paiendi clinic at the Lyell McEwin health service was repurposed as a COVID-19 clinic? What impact did this have on the Aboriginal clients there, and what alternatives have been put in place to service their needs?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:07): I thank the member for Florey for her question. I don't have the information that she requires, but I will endeavour to get that information and bring an answer to her as quickly as possible.

INDEPENDENT COMMISSIONER AGAINST CORRUPTION INVESTIGATION

The Hon. A. KOUTSANTONIS (West Torrens) (15:08): Sir, my question is to you. Can you explain to the house your reasons for withholding correspondence on the former ICAC commissioner the Hon. Bruce Lander QC to the house?

The SPEAKER (15:08): I refer to my statement to honourable members prior to the commencement of question time. As I indicated, for the time being I have nothing further to add. I will come back to the house in due course.

RENEWABLE ENERGY

Mr COWDREY (Colton) (15:08): My question is to the Minister for Energy and Mining. Can the minister update the house on jobs in renewable energy and the role of the South Australia to New South Wales interconnector?

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (15:08): Thank you to the member for Colton for his question and of course his ongoing keen interest in creating more jobs in South Australia. All members on this side of the chamber are very focused on this and it is interesting to note that South Australia is performing better than other states in that regard. We have actually created an enormous number of jobs in South Australia since coming to office, but specifically with regard to renewable energy and the interconnector.

There are many people who believe that jobs and investment opportunities in renewable energy projects in Australia, and particularly South Australia, are some of the best opportunities that we have for stimulus, for renewable energy, for cheaper electricity and for job creation. That is exactly what we are doing in South Australia.

One of the key projects that we are focused on, as members know, is the interconnector with New South Wales, an incredibly important piece of infrastructure not only with regard to job creation but also with regard to getting the price of electricity down, making electricity more reliable and, of course, cleaner as well. Very interestingly, there will be hundreds of jobs in the construction and also hundreds of jobs in the ongoing operation. Normally, in infrastructure-type projects you see massive jobs during construction and then far fewer in the ongoing operation of that piece of infrastructure. That is not the case with this piece of infrastructure.

Interestingly, AEMO has said that the interconnector between SA and New South Wales is a No Regrets project—very importantly a No Regrets project. In fact, that's how the current opposition described it a few years ago, back in government. It was a very positive project, in their words back then, something that needed to be done, in their words back then and specifically in the words of the shadow minister. Back when he was the minister, he thought it was a very good project.

Now, of course, for some strange reason, the opposition is the only group of people who seem to oppose this project and that's disappointing because that would imply that they don't want the benefits of jobs, of cheaper electricity, of greener, cleaner electricity and more reliable electricity. We are determined to try to make this project work. We are determined to try to get it up, as are many other players in the market, in fact.

It was very interesting to see announced a couple of days ago the ACT government award a clean energy contract to Neoen, the company that wants to build the Goyder South renewable energy project in the electorate of Stuart, very happily, near where this interconnector path will run. The ACT government has contracted to Neoen 100 megawatts of electricity over 14 years to underpin stage 1 of this project, which is a tremendous development. But, isn't it interesting to note that this project and the interconnector are so integrally linked. The Labor ACT government is so supportive of this project, yet the Labor opposition in South Australia remains opposed to it. That is absolutely staggering.

Another interesting feature is the fact that Nexif's energy project stage 1 has been completed. Stage 2 is soon to start at Lincoln Gap near Port Augusta. Stage 3 has been announced as an intention by Nexif. The shadow minister for energy actually tweeted what a fantastic project stage 3 would be. He thinks that would be wonderful if that goes ahead. That support, of course, is welcome. But, interesting to note that that project, stage 3, which the shadow minister and I both support,

depends upon the interconnector being built, and yet the shadow minister still opposes the interconnector.

We are determined to deliver jobs through renewable energy projects in South Australia and it is about time that the opposition got on board and supported our constructive and productive energy policies.

MEMBERS, ACCOMMODATION ALLOWANCES

The Hon. A. KOUTSANTONIS (West Torrens) (15:12): My question is to the Attorney-General. Have any parliamentarians applied for a reimbursement of legal fees in relation to the current corruption ICAC investigation of the country members' accommodation allowance?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:13): Not that I am aware of but then I wouldn't be the recipient of such an application. I have, since coming into government, had brought to my attention approval of legal fees for former members of the last government, and there were a few, but to date, none that I am aware of.

MEDICAL CANNABIS

Mr DULUK (Waite) (15:13): My question is to the Premier. Can the Premier update the house on the progress of the government's pilot to trial the use of medical cannabis to treat children with epilepsy, and what is the expected time frame for the rollout of that pilot?

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (15:13): I thank the member for Waite for the question. On behalf of the Minister for Health I am happy to take that question. I will make inquiries of the Minister for Health as to where that is up to and bring back a response to the house and to the member for Waite.

LEGISLATIVE COUNCIL PRESIDENT

The Hon. A. KOUTSANTONIS (West Torrens) (15:14): My question is to the Premier. Why did the Premier immediately seek to expel Legislative Council President, John Dawkins, for exercising his democratic right to run for the presidency when the Premier took no action over the conduct of other members of his party?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:14): That's a matter for our joint party room and I certainly don't divulge that information.

Members interjecting:

The SPEAKER: I'm not sure I heard the leader. Does the leader care to repeat that remark?

Members interjecting:

The SPEAKER: I remind all members that questions and answers are to be heard in silence, free of interjection and particularly interjection that might reflect on the Chair. The leader might reflect on that, and if he would wish to raise the matter, then to do so other than by way of interjection. Member for West Torrens.

LEGISLATIVE COUNCIL PRESIDENT

The Hon. A. KOUTSANTONIS (West Torrens) (15:15): Thank you, sir. My question is to you. Given your contribution on privilege yesterday, has the Premier breached the privileges of parliament by threatening to expel John Dawkins from the Liberal Party for exercising his democratic right to run for the presidency of the Legislative Council?

The SPEAKER (15:15): The member for West Torrens' question is couched in terms of my statement to the house yesterday. To that extent, I have nothing further to add to that statement and insofar as the statement I made to the house at the commencement of question time, I have already indicated I will come back to the house when I have anything further to add to that statement. The member for King.

CHILD PROTECTION

Ms LUETHEN (King) (15:16): My question is to the Minister for Child Protection. Can the minister inform the house how the Marshall Liberal government's investment in child protection and education will lead to job creation in research and better support for our most vulnerable children and young people?

Members interjecting:

The SPEAKER: Order! The Minister for Child Protection.

Members interjecting:

The SPEAKER: Order! We are nearly there. If any member has a point of order to raise, then they might raise it; otherwise, I will call on the Minister for Child Protection. The member for Kaurna, on a point of order, I presume?

Mr PICTON: That question was a significant breach of section 97.

The SPEAKER: Standing order 97. The member for Kaurna might particularise the point of order.

Mr PICTON: There was very significant argument in the question that was asked by the member for King, and consistent with the previous ruling that you've made in relation to the question that was asked by the member for Enfield, I ask that you rule this question out of order as well.

The SPEAKER: I hear the member for Kaurna's point of order. As I gave the member for Enfield an opportunity to put the question again and, if I may, having made the observation about the necessity to seek leave if leave is required, I will give the call to the member for King and invite the member for King to couch the question in a way that may not contravene standing order 97. The member for King.

Ms LUETHEN: Can the minister inform the house how the Marshall Liberal government's investment in child protection will lead to job creation?

The Hon. R. SANDERSON (Adelaide—Minister for Child Protection) (15:18): I thank the member for King for her question, and I note both her strong interest in education as well as child protection, both of which this covers. I am pleased to announce that the Marshall Liberal government is investing $1 million as part of a $1.25 million partnership with the Australian Centre for Child Protection (ACCP) at the University of South Australia.

The program is to support 10 new child protection PhD scholarships to undertake world-leading research and in turn better support our most vulnerable children and young people. The scholarships are a partnership between the Department for Child Protection and the Australian Centre for Child Protection at the university.

The program, which is open to existing and new scholars, will focus on supporting new and innovative ways to deliver better outcomes for vulnerable children and young people. The Marshall Liberal government's new $1 million commitment builds on our significant and ongoing investment in child protection. We are focused on ensuring every child and young person has an opportunity to grow up in a safe, loving and supportive environment where they can thrive. It is a responsibility we all share as a community.

The field of child protection is always evolving and changing. Our $1 million commitment to support world-leading child protection research will not only create more research jobs but also ensure we are implementing the best and new ways of doing things better to support our children and young people who have experienced child abuse and neglect, including those who are already in care.

It is expected that students will be accepted into the program this year with research beginning next year and across the following three years. This field of work is incredibly important for us to get right and I urge South Australians with a keen interest in child protection and improving outcomes for our most vulnerable children to apply for this wonderful opportunity.

The PhD program will operate under the leadership and oversight of the Australian Centre for Child Protection's leadership team of Professor Fiona Arney, Professor Leah Bromfield and Associate Professor Tim Moore. Key research topics that could be addressed through the research projects include responding to trauma and mental health, building a therapeutic practice, enhancing reunification practice and creating sustainable partnerships with Aboriginal stakeholders.

The new partnership highlights my department's commitment to enhancing and expanding its practice knowledge with a strong focus on quality and therapeutic care. Research will support the Department for Child Protection to be world leaders in child protection practice and research, building our expertise and capacity to deliver better outcomes for children in care. Participants in this program will be part of a new generation of research leaders and will drive quality and excellence in the child protection sector and lead the development of new policy and practice nationally and globally.

It will also build on the existing groundbreaking work of the Australian Centre for Child Protection and support its commitment to creating a brighter future for children and families. At the heart of this program is a desire to produce outcomes and impacts that will make a real and tangible difference in the lives of vulnerable children and their families.

HUMAN SERVICES DEPARTMENT, CHIEF EXECUTIVE APPOINTMENT

Ms COOK (Hurtle Vale) (15:21): My question is to the Premier regarding the Chief Executive Officer of the Department of Human Services. With your leave and that of the house, sir, I will explain.

Leave granted.

Ms COOK: During the earlier part of this year, Tony Harrison suddenly left his role. This was on 6 March. We are now more than six months down the track and an extensive and comprehensive search for a replacement has occurred. Some three months ago, a recommendation was made to your office for the appointment of the current acting CEO. Why has this not happened?

The Hon. S.S. MARSHALL (Dunstan—Premier) (15:22): Some of that was accurate. I am happy to answer this question. The reality is that we have been in a global pandemic. This has, I think, taken our focus off the appointment of a permanent head of that department. I can say that the current acting chief executive has been doing a fine job in that time, acting in that capacity. That has been extended, as the member has suggested, but, certainly, we have not formed an opinion as to what we should be doing in that department going forward.

LIBERAL PARTY COUNTRY MEMBERS DINNER

The Hon. A. KOUTSANTONIS (West Torrens) (15:23): My question is to you, sir. Did you attend a dinner of Liberal Party country members at the Cathedral Hotel in August?

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

The SPEAKER: The Minister for Education on a point of order.

The Hon. J.A.W. GARDNER: I believe that question offends standing order 96, point 2, in relation to the circumstances in which a member who is not a minister may be asked a question and for what purpose. That question does not meet the threshold set by standing order 96.

The SPEAKER: I have the point of order. Members will have noted that I was puzzling over the relevance of the question. The question does not relate, so far as I can discern at this point, to any matter that is within standing order 96, and so I rule the question out of order. The member for Elder.

Members interjecting:

The SPEAKER: Order! The member for Elder will be heard in silence.

ONLINE FAMILY DISPUTE RESOLUTION TOOL

Mrs POWER (Elder) (15:24): My question is to the Attorney-General. Can the Attorney-General please advise the house about the recent launch of the online family dispute resolution tool?

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (15:24): I thank the member for her question and interest in not only the use of technology but also the important initiative funded by the federal government to establish this project, with National Legal Aid and our own Legal Services Commission here in South Australia. We have a commission that is highly functioning in this state, and it has been recognised and was brought in with National Legal Aid to undertake this project.

Launched on 30 June this year amica, as it is known, is a dispute resolution tool for parties seeking to deal with the resolution of family law matters. It may be a child residence and access or contact arrangement, it may be in relation to settlement of property matters, and for many South Australians this has been an important initiative. It is an online service that has the driving philosophy behind it of ensuring that individuals are both informed as to what obligations they have to disclose to each other and are able to proceed to settle legal disputes after their relationship has broken down.

Not everyone has access to legal aid funding and not everyone has the financial resources to receive the services of a private legal service, so this has been a very important initiative. It also helps couples in dividing up their money, their property, their chattels, their furniture, cars, dogs and cats even, and to be able to deal with these things in a fairly difficult situation.

What is really important, apart from using artificial intelligence to facilitate the population of the information into the forms and the format to drive forward a suggested resolution and division for the parties, which is pretty groundbreaking in itself, is that there are a number of safeguards built into this program, and I will quickly list them:

- screening steps that prioritise specific information about family violence prior to registration;
- terms of use which inform users of their obligations for full and accurate disclosure;
- referral out to a free legal helpline, a web chat service and support resources throughout the amica site;
- the ability for each party to opt out at any time;
- sentiment and tone analysis to prevent aggressive language being used in the tool; and
- warnings to the users if the proposed division of assets falls outside the expected range, recommending they seek legal advice.

So there are important protections built into this service, and it is a valuable service.

I want to especially acknowledge Gabrielle Canny, the chief executive, who is not only very significantly experienced in providing new initiatives through the Legal Services Commission and a stellar administrator but she has now had exposure to international television and social media. She has done interviews in Europe and, of course, in the United States via AVL, and has also been on morning sunrise television programs, the news, and extensive social media.

I was very impressed by the catalogue of presentation of this, selling this extraordinary message to the world of an important initiative established here in South Australia. I am proud of her and I expect that the house will also be proud. I thank her for that contribution.

The Hon. S.S. MARSHALL: Sir, immediately prior to the deputy leader rising to answer that question I heard, very clearly, a statement from the Leader of the Opposition directed to you, sir. I quote: 'You put yourself in the spotlight, you pay the price.' I ask you to consider that threat and whether or not it is parliamentary. It seems extraordinarily out of order.

Members interjecting:

The SPEAKER: Order! The Premier has brought a matter to our attention. It is the subject, as I understand it, of an interjection of the leader. There have been a number of interjections from members—and on both sides—through the course of question time today. I must say, I was not paying attention to interjections to the extent of being focused on those words.

I would for the time being simply remind members of the house that it is important at all times that debate in this place is conducted in a courteous and orderly manner, and if on a review of the *Hansard* there is more to say about that then I will come back to the house accordingly.

Grievance Debate

DISABILITY SUPPORT WORKERS

Ms COOK (Hurtle Vale) (15:30): Sadly, today what we are seeing unfold again is another terrible chapter for people living with disability here in South Australia. We were alerted to this particular episode some weeks ago when *The Advertiser* broke the information that a disability worker was facing investigation over alleged sexual assault, and this particular person has appeared today in court. What we are told is that this worker from the north-eastern suburbs, aged in their 40s, is a current employee with the Department of Human Services and has been providing support work to some of the most vulnerable people in our community.

I have spoken many times on disability before in here and attest to the fact that people live strongly, happily and solid lives with disability if they are surrounded by the right people and if they are encouraged and provided with good policy and frameworks that see them thrive. What is happening in those surrounding environmental, cultural and influential aspects is failing people with disability, and we as a community have to accept that.

What on earth is it that gets into someone's mind that makes them think it is okay to sexually assault somebody with an intellectual disability? It is abhorrent, it is appalling and, frankly, it makes me sick, and I am confident that every member in this place feels exactly the same. We have many questions that need answering regarding this on behalf of the community. I have already had people ask me questions in the community about this particular case.

How many sites did this worker work across? We have had people tell us today that this worker has certainly worked across multiple sites, and there was confirmation when the story first broke that the Debelle procedures had to be undertaken because the person had worked across a number of sites, so that was already in the public sphere.

Have they worked across a number of employers? That is another problem because people who work in support work do so in a very low-paid job. They work very, very hard and often need to undertake multiple jobs because the workforce is so casualised that it is putting them in this position of no choice. That is not to give excuses that within these settings you can treat someone so appallingly.

There have been reforms undertaken in Disability SA, including changes to the structure and changes to the people working on site providing support to these workers—oversight. This has happened in the last year. The people who are providing this oversight do not necessarily have the requisite experience. They are not the same types of people you are used to seeing providing oversight. They have come in to do other work and now they are finding themselves supervising. Well, it is not appropriate, and this is happening under the minister's watch.

The minister has to take responsibility and reach in immediately and provide some response to supporting these workers. We know that absolutely the vast majority of disability support workers are incredible, patient, loving, kind people. I have disability support workers coming to me saying that they are embarrassed to say they are a disability support worker right now because of these awful people out in our community doing shocking things.

It is incumbent on the government to get up, stand up, and say, 'We are not going to put up with this. We are going to increase staffing levels, we are going to increase education, we are going to provide better support, better oversight.' We are seeing a tsunami of horror coming through our media at the moment towards these people.

I recently FOI'd critical incidents. This might give you a little bit of an insight into what is going on in that department right now. Usually, you see one a month. It is a complex area, right—people with intellectual disability, people with brain injury, mental health problems. You will see incidents against staff towards staff, against clients. Well, do you know what? It was crickets—crickets—since November last year: nothing, nothing, nothing, no reports, nothing, nothing, nothing. Oh! Hello June,

when the opposition starts asking questions in parliament. Hello, June! Not one, not two, but three backdated reports on this critical incident register from as early as December last year.

So what on earth is happening? This is not right. There is something going on here and the minister has to stand up and change this now.

The SPEAKER: Order! The time has expired.

HARTLEY ELECTORATE

The Hon. V.A. TARZIA (Hartley—Minister for Police, Emergency Services and Correctional Services) (15:35): Thank you very much, Mr Speaker, and can I congratulate you on your recent elevation to this most prestigious role. I am sure you will do an excellent job.

Today, I wish to provide an update in terms of my local electorate, the electorate of Hartley. I am particularly excited that two schools in my electorate are set to receive significant upgrades as part of the Marshall Liberal government's massive $1.3 billion investment in education.

Mr Picton: Thanks, Susan.

The SPEAKER: Order!

The Hon. V.A. TARZIA: Obviously, the Norwood Morialta High School is undergoing an over $50 million upgrade. The upgrade will increase the capacity of its Parade campus to over 1,700 students, which will enable all students to be based on the Parade campus. The upgrade will deliver several things. Amongst those is the construction of a new three-storey middle school building with a rooftop play space, a new two-storey building for the school's technical and specialist precinct, refurbishment and extension of the existing gym, a new facade entry statement for the schools and, of course, new landscaping, car parks and sports courts.

Then there is Charles Campbell College, which also stands to receive over $10 million in an upgrade that will deliver several things, such as major refurbishment of the senior school main building to create modern, flexible STEM learning areas; much-needed refurbishment of the performing arts centre—

Mr Picton interjecting:

The SPEAKER: Order!

The Hon. V.A. TARZIA: —refurbishment of six general learning areas in the junior school into larger and more flexible modern learning spaces; and some replacement of ageing infrastructure. I would like to also thank the very tireless, hardworking and dedicated governing councils at both schools. They do a marvellous job week in week out supporting the school wherever they can. There is a real sense of anticipation at both schools.

There is also a similar level of excitement for the new facilities at the Tower Hotel. I congratulate them on the recent improvements they have made as well. I was delighted to speak only a few weeks ago at the Tower Hotel for the Rotary Club of Morialta. I have to say that the turnout was fantastic, which is a real credit to their local president. It was great to see so many community members at the Tower Hotel, all behaving, of course, in a COVID-safe manner. I was greeted at the door by Mr Paul Haylock, a local resident, who was politely making sure that every attendee was aware of the COVID-safe requirements.

As a local MP, seeing such a high level of interest and engagement in groups like Rotary is really heartening. It demonstrates how community-minded and tightknit people are in the electorate. There was also fantastic turnout on the weekend, when I opened the Tranmere Bowling Club season. It is fair to say that I was more nervous about bowling that first ball than I was coming into question time this week. Unfortunately, my bowl went a little bit to the right—not too far to the right, but just enough. We need to keep practising and our bowling will get better.

More and more we talk about the social benefits of sport in the same vein as we talk about the physical benefits. There was a period this year when local sport could not be played. Of course, we have all had to endure certain sacrifices during this time of the COVID crisis, but this period was undoubtedly tough for many people, especially for those who rely on activities, like having a social bowl at their local bowls club, for so much of their social interaction.

There is much enthusiasm at the Tranmere Bowling Club, not only for the sporting aspect but also for the social opportunities. I really enjoyed talking to people like the club president, Dino DeCorso, and also his executive who put in a lot of preparation for this season, so I wish them and the entire club the very best, of course.

I would also like to thank the constituents who have written to me in recent times congratulating me on my recent role. Obviously, before anything else, I am the member for Hartley, so I just want to reiterate to the good constituents of Hartley that I am here to listen. I am here to work as hard as possible and make sure that I represent their interests.

It was fantastic to attend a street corner meeting in Hectorville last weekend. It was cold, it was wet, it was windy. I thought that we might not have many people there, but I think that we had over 10, so it is great to see that democracy is at work and in action. I certainly ended up with much more work to do the Monday after.

It is great to see that we have also been able to open the newly minted, adapted, improved Paradise park-and-ride, which this government is delivering. I thank the house for the opportunity just to put a few thoughts on the record in terms of what we are doing in the local electorate at the moment.

SMALL BUSINESS

The Hon. S.C. MULLIGHAN (Lee) (15:40): It has been a fraught return to parliament after the winter break. We have had several weeks in between parliamentary sittings, and certainly a lot of my time has been occupied fielding calls from individuals, households, but particularly small businesses that have been concerned about the impacts of the coronavirus, and in particular the restrictions on social movements and business operations, on their livelihoods.

It has been an extremely busy time for me trying to assist these businesses to try to navigate the different government authorities and agencies so that they can either get better clarity on the restrictions or can petition the government perhaps to reconsider some of the elements of the restrictions so that they themselves can get some normality to their lives and try to keep their head above water in these difficult times.

I have always kept in mind that we had parliamentary sitting days coming quite soon so that I would have the opportunity on behalf of my constituents, and all those other people outside the electorate of Lee, who have contacted me to raise their concerns with the government. I was looking forward to doing that yesterday, sir. Of course, we had the—how can we put it—unpleasantness of a ballot for the Speakership followed by a further ballot for the Speakership. Well, we have already reflected on what happened after that, haven't we, sir? Unfortunately, as a result we were denied the opportunity for a question time because other more pressing important matters needed to be canvassed.

I was looking forward to the opportunity for my colleagues and me to raise some of these issues today, and I found it curious, I have to say, that some members were able to better articulate their questions in the question time that we have just had and that those questions, despite having points of order raised against them for containing debate, for example, were able to continue and be answered by ministers, but other questions—for example, one from the member for Enfield—were not.

I would have thought that in these times it would be the strong wish of all parliamentarians to hear concerns from all members, to hear questions from all members, so that we can get further and better information from the government about what the government plans to do to help those households and help those businesses deal with the worst impacts of the coronavirus, and in particular small business.

South Australia at recent count had something of the order of 140,000 small businesses, and a large proportion of those are sole traders. You might be surprised to learn, sir, that sole traders have not been eligible for state government assistance when it comes to small business. You might be interested to know that because they did not qualify for JobKeeper, they were not entitled to qualify for the small business grants, which were briefly available from the state government.

The Leader of the Opposition quite correctly raised the issue that South Australia has the smallest economic stimulus spend in the nation. That is not our contention: that is the contention of the Prime Minister of Australia. That is the contention of the Reserve Bank governor. That is what has been widely reported in national broadsheet newspapers, and so it is a little offensive when we have a Premier here in South Australia who tries to say differently to this place, who tries to tell South Australians something that quite frankly is untrue.

South Australia is not pulling its weight when it comes to economic stimulus in response to the coronavirus. It is absolutely imperative that all of us in this chamber, particularly those of us on this side who do not have all the benefits of being able to speak to their counterparts in government who might hold the treasury bench, have the opportunity to raise issues on behalf of our constituents. Sir, if I could provide some advice, such as it were in this position, could I perhaps seek your indulgence in considering how well you would do by this place by ruling a little more equitably and fairly when it comes to giving us the opportunity to raise issues on behalf of our constituencies.

When we do not have those opportunities, our electorates—the 25,000-plus voters within them, and their households and families—are unrepresented in this place. So, please, sir, do us the same service that you do your party colleagues.

GOLDEN GROVE LIONS CLUB

Ms LUETHEN (King) (15:45): I rise on behalf of the people living in King to speak about the Golden Grove Lions annual handover. As a long-serving Golden Grove Lion, it is a pleasure to be able to acknowledge the achievement of the Lions. I would like to acknowledge the attendees at the handover, including the member for Makin, Tony Zappia; district governor Tony Pederick OAM and his wife, Lion Marilyn; past district governor Meg Butler; past zone chairperson and current GMT chairperson, Peter Korndorfer; Lions partners; and the Golden Grove Lions members, of course.

Our outstanding president, Annette Slater, who was re-elected as president for the coming year, is a King local community member. She paid tribute to our members and our local board of directors for their absolutely outstanding service. President Annette remarked on the positive relationships that exist in our Golden Grove Lions Club, which she said made it a pleasure to be a leader.

The Lions ethics and purposes are practised and guide the Lions' interactions. One of these purposes is to be careful with criticism and liberal with praise, and to build and not destroy—an absolutely admirable objective. Recently, the Lions Club International President, Dr Jung-Yul Choi, informed us that the Lions vision to improve the lives of at least 200 million people per year has been achieved in the last 12 months. That is such a credit to all Lions members in over 200 countries worldwide.

At a local level, the Golden Grove Lions Club's activities have included the annual Clean Up Australia Day, Fred's Van barbecues to feed the homeless, reading glasses collection and distribution, hearing dogs training, apple picking for Foodbank, Youth of the Year, supporting bushfire relief and a generous contribution towards a new caravan for Camp Quality. The pandemic impacted the local fundraising for Lions, but we are back on the barbecue at Bunnings next Saturday.

We were lucky enough to attract Ann and Richard as new members in the past year and Sajin as a transferee. They have all brought a breath of enthusiasm and new ideas to the group. Sadly, one of our members, Harry Drury, passed away early this year. His generosity in allowing us to pick apples from his orchard for Foodbank each year will be long remembered, as well as his outstanding commitment to his local community.

An incredibly successful activity in the past 12 months was the provision of a hearing dog, Merlin, to Adrienne Williams, under the leadership of Lion Warren, which has made such a positive difference to Adrienne's life. Adrienne shared her experience with us and made us laugh and feel very good about this activity. Dogs and follow-up support are provided free of charge by Lions. The overall cost is estimated at approximately $30,000 per dog. This is a wonderful example of Lions service.

The Golden Grove Lions continue to be active in coordinating large volume skin cancer screenings for the local community, which has been led by Lion Graeme, and feedback has indicated

that it is very probable that this screening could have helped to save some lives, which is so exciting for the Lions.

Lions' involvement by serving food at Fred's Van is a humbling experience. We resumed this service on Sunday 6 September after a COVID break and provided hot meals for many local people in Salisbury. As president Annette said, it is impossible to go home afterwards without feeling lucky about one's own circumstances in life, and more importantly, feeling humbled by helping someone else in need.

Lions food service at Turramurra evacuation centre during the December and January fires was a similar experience. We thanked and acknowledged Lions Peter and Warren for organising the Gumeracha Show and Shine, which has been running for eight years. This was a fundraiser for Camp Quality.

In the past 12 months, Golden Grove Lions fundraising activities have supported many organisations and individuals. In total, The Golden Grove Lions Club donated $15,862. The Golden Grove Lions celebrated its 30th anniversary in October 2019 and all of our members fondly reflected on our service to the community and the great benefit of enjoying fellowship together.

FOUNDATION BAROSSA

The Hon. A. PICCOLO (Light) (15:51): Today, I bring to the attention of the house a project undertaken by a foundation in the region. The foundation I would like to speak about is Foundation Barossa. Foundation Barossa is undertaking a very important project in partnership with Kids Under Cover and Centacare Youth Homelessness in the Barossa area.

We all know that homelessness is a major problem in our community, and in particular, youth homelessness. What we do not fully understand is how the pandemic has made it worse. The foundation has done some research in the Barossa area and found that prior to the pandemic being declared in South Australia, there were 44 children in the Barossa region who were identified as homeless. In their view, this number has increased significantly, with children as young as eight years old presenting as homeless to Centacare, one of the partners in this project.

Foundation Barossa believes that with COVID people across the country are being told to stay home. For some young people, this is a very difficult ask. There is no youth shelter in the region and there is a worrying increase in the number of children sleeping rough and in cars during the cold winter. There is a misconception in society that young people experience homelessness by choice. The reality is very different. As with all homelessness, people assume it is a choice. The issues are vast and complex

For at-risk young people, their lives have become emotionally and often physically unbearable. Their home life may be impacted by the disadvantage of poverty, neglect, abuse, unemployment, substance abuse, health issues, disability and mental illness, amongst others. I commend Foundation Barossa for undertaking to work with Kids Under Cover and Centacare to initiate this project.

Kids Under Cover runs an innovative, evidence-based studio program which provides secure and stable accommodation for young people at risk of homelessness. They build relocatable one-bedroom and two-bedroom (with bathroom) studios that are installed in the backyard of the family or carer's home. Each studio is used to prevent homelessness on average for four children. The extra space relieves overcrowding, eases tensions and provides young people with a secure and stable place, giving at-risk young people the room to recover and develop.

The other partner, Centacare, provides case management, early intervention, outreach, post-crisis, and waitlist support to young people who are homeless or at risk of homelessness in the Barossa region. The foundation is now very busy trying to raise $100,000 to support this project. The foundation also does other things, such as offering scholarships, which I will talk about on another day. The foundation is now seeking to find 100 people who will donate $1,000 each to make this project sustainable in the long term. I commend the foundation for the work they have done.

I also commend the work being undertaken by the churches in my town of Gawler. The churches have now embarked on a project to provide a night shelter for people sleeping rough in the

town of Gawler. Sadly, this government has neglected to actually address the issue of homelessness outside the CBD. I commend the work they did in the CBD, but out in the regions, in places like Gawler and the Barossa, there has been no additional money put into budgets to support those programs to treat homeless people. The churches are coming together now to hopefully open next year a night shelter service, which will provide a meal, a place to sleep, a place to wash and a place to wash clothes and provide some people with some dignity.

The last matter I would like to raise very briefly today is the issue of country football. I am sure that a lot of other members in this place would relate to country football. The clubs are now fast approaching their finals. I understand the restrictions in place are there to keep people safe. There is no dispute there, but what I am seeing now are a lot of clubs and leagues doing it really tough to actually keep the clubs financially sustainable.

My local league, the Barossa Light and Gawler Football Association, are seeking some support from the government to actually ease some of those restrictions, if possible, to make sure that the final series can be successful and to make sure that we have a league next year.

HOPE VALLEY RESERVOIR

Dr HARVEY (Newland) (15:56): Today, I rise to speak about the opening of the Hope Valley Reservoir for recreational activities. This is an extremely exciting initiative of the Marshall Liberal government, providing the local community with the opportunity to explore a site that has not been accessible to the public for almost 150 years. In fact, the Hope Valley Reservoir is the oldest operational reservoir in Adelaide, constructed in 1873 and, I believe, the second oldest in Adelaide, the oldest being not far down the road at Thorndon Park, which was completed in 1860.

The opening of our reservoirs was a key commitment in the lead-up to the 2018 state election and this is another example of the Marshall Liberal government delivering on its promises. The previous Labor government said it could not be done, but the Marshall Liberal government has shown that it can. I am proud to be part of a positive government that believes in our state and doing things rather than talking down our state. In particular, I would like to commend the Minister for Environment and Water for driving this fantastic initiative.

In the local area, the South Para Reservoir opened late last year and is only 30 minutes from Tea Tree Gully. Visitors to the reservoir can hike, cycle, kayak, fish and much more. A number of months prior to the opening, I was fortunate to visit the South Para Reservoir with the Minister for Environment and Water and the member for King to help stock the reservoir with fish. Around 180,000 fingerlings were released into the reservoir, which included Murray cod, silver perch and golden perch. I understand that the reservoir is now quite a good spot to go fishing.

In addition to the South Para Reservoir, the Warren Reservoir, just down the road, has had restrictions on kayaking relaxed and this follows the highly successful opening of the Myponga Reservoir, which started out with access to the reserve only, with further access being granted over time.

Last weekend, the Minister for Environment and Water released the concept plans for activities at the Hope Valley Reservoir. It is expected that the reservoir will be open by summer. At the announcement, we were joined by local advocate Stephen Ross and his family. He has been a local champion for opening the reservoir to allow people to walk around it. Importantly, the local community played a key role in the designs of the reserve.

Last year, the government engaged with the Hope Valley community about their ideas and then established a community reference group earlier this year, which has done a great deal of work over a number of months to help shape plans for the use of the reserve for recreational activities. I thank all members of the community reference group for their contribution. I certainly think that what they have arrived at is fantastic.

The reservoir reserve will include a network of walking and cycling trails that will link up to existing paths along the O-Bahn busway, providing ready access to many local areas, such as nearby Hope Valley and Modbury. In fact, on the weekend I was doorknocking a particular part of Modbury adjacent to the O-Bahn track and the residents were very excited about how immediately upon

opening of the reservoir they will be very close to that reserve, not needing to go on any main roads but simply following the existing path right down to the reservoir.

Other exciting additions will include picnic areas, fitness equipment and later a nature play space. The concept plan will also allow visitors access to the dam wall. From the dam wall, the views are simply stunning. Looking out across the water you can see all the trees on the other side and then the beautiful Adelaide Hills beyond. It is a wonderful place to sit down and simply enjoy the area or go for a walk along that wall.

The reality is that many thousands of people travel past the reservoir every day, either via Lower North East Road, Lyons Road or along the O-Bahn. As such, there is an enormous amount of curiosity about what is on the other side of the fence. In fact, at the weekend, Stephen Ross reflected on taking a walk along Lyons Road with his wife a number of years ago and looking out at the reservoir and discussing how nice it would be to get in there and enjoy that space. Since then, he has certainly been advocating for that.

I am thrilled that we will be providing such a fantastic opportunity for the local community to satisfy that curiosity; moreover, it is also true that so many from the local community are looking for opportunities to enjoy the outdoors, whether it be getting the kids out of the house, exercising, exploring local wetlands or, down the track, planting native vegetation, there is an incredible desire for these sorts of activities and I am very excited that the Marshall Liberal government is providing such opportunities right in the heart of the north-eastern suburbs.

Parliamentary Committees

PUBLIC WORKS COMMITTEE

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:01): By leave, I move:

That the committee has leave to sit during the sitting of the house on Thursday 10 September 2020.

Motion carried.

ABORIGINAL LANDS PARLIAMENTARY STANDING COMMITTEE

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:02): By leave, I move:

That Mr Cowdrey be appointed to the committee in place of the Hon. J.B. Teague (resigned).

Motion carried.

ENVIRONMENT, RESOURCES AND DEVELOPMENT COMMITTEE

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:02): By leave, I move:

That Mr Ellis be appointed to the committee in place of Ms Luethen (resigned).

Motion carried.

NATURAL RESOURCES COMMITTEE

The Hon. D.C. VAN HOLST PELLEKAAN (Stuart—Minister for Energy and Mining) (16:02): By leave, I move:

That Ms Luethen be appointed to the committee in place of the Hon. J.B. Teague (resigned).

Motion carried.

Bills

SINGLE-USE AND OTHER PLASTIC PRODUCTS (WASTE AVOIDANCE) BILL

Final Stages

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

No. 1. New clause, page 7, after line 23—After clause 13 insert:

13A—Annual report by Minister

(1) The Minister must, on or before 30 September in each year (other than in the year in which this section comes into operation), prepare a report on the operation of the provisions of this Act for the financial year ending on the preceding 30 June that includes the following:

(a) information regarding the extent to which the Act has achieved the objects set out in section 5;

(b) information regarding consideration given to including additional plastic products within the ambit of the definition of *prohibited plastic product* by regulation pursuant to section 6(1)(h);

(c) the number of reports or complaints received from members of the public in relation to breaches or purported breaches of the Act;

(d) information regarding the measures taken by authorised officers in relation to monitoring compliance with the Act;

(e) information regarding any enforcement action taken by authorised officers under the Act including—

(i) the number of persons issued with expiation notices for the purposes of the Act and the general nature of the notices; and

(ii) the number of persons charged with an offence against the Act and the general nature of the charges;

(f) the Authority's assessment of the impact of any exemption granted under this Act on the goal of reducing single-use plastics in this State.

(2) The initial report prepared under subsection (1) must include information regarding consideration given to including the following additional plastic products within the ambit of the definition of *prohibited plastic product* by regulation pursuant to section 6(1)(h):

(a) single-use plastic cups (including coffee cups);

(b) single-use plastic food containers;

(c) single-use plastic bowls;

(d) single-use plastic plates;

(e) plastic lids of single-use coffee cups;

(f) plastic balloon sticks;

(g) plastic balloon ties;

(h) plastic-stemmed cotton buds;

(i) plastic bags.

(3) The Minister must, within 12 sitting days after completing the report under subsection (1), cause copies of the report to be laid before both Houses of Parliament and published on a website determined by the Minister.

No. 2. New clause, page 8, after line 36—After clause 17 insert:

18—Review of Act

(1) The Minister must, as soon as practicable after the third anniversary of the commencement of this Act, appoint a person to prepare a report on—

(a) the effect on the community of Part 2 and Part 3 of the Act; and

(b) any public information campaigns conducted by or on behalf of the Government on reducing the use of plastic products and increasing the recycling of plastics; and

(c) any other matters determined by the Minister to be relevant to the review of this Act.

(2) The person must report to the Minister within 6 months after the person's appointment.

(3) The Minister must, within 12 sitting days after receiving the report under this section, cause copies of the report to be laid before both Houses of Parliament.

Mr PICTON: Deputy Speaker, I draw your attention to the state of the house.

A quorum having been formed:

Consideration in committee.

The Hon. D.J. SPEIRS: I move:

That the Legislative Council's amendments be agreed to.

The CHAIR: We have two amendments from the Legislative Council. Minister for Environment, would you like to indicate if you wish to deal with these separately or together?

The Hon. D.J. SPEIRS: Together.

The CHAIR: Do you wish to speak to these amendments?

The Hon. D.J. SPEIRS: Yes, I will speak very briefly to these amendments. It is a historic day in South Australia with the approaching passage of the Single-use and Other Plastic Products (Waste Avoidance) Bill 2020. It is great to be able to say that we will be the first jurisdiction in Australia to ban a range of single-use plastics. That really solidifies our role as the leading jurisdiction when it comes to waste management and resource recovery.

Back in 1977, South Australia was the first place in the nation to put a container deposit scheme together, allowing 5¢ at the time and later 10¢ returns on a range of cans and bottles. In 2008, we phased out those lightweight single-use plastic bags in supermarkets. Now we have certainly responded to the community's desire to see government lift its game when it comes to single-use plastics, and we have put in place legislation that will phase out a whole range of single-use plastics in the coming months and years.

Because of COVID-19 and the particular challenges that have been put on small business operators in South Australia, we are going to see this legislation start in a few months' time once business has the opportunity to absorb the challenges of the COVID-19 era. It is my belief, and I am very confident, that many businesses will respond to the challenge quickly and they will respond to consumer demand.

To be honest, many are headed in that direction already, looking for alternatives and working through what their customers are after when it comes to re-usable, compostable or alternative products to straws, to drink stirrers, to takeaway containers and to coffee cups. Indeed, we will be looking at these other items in the future.

We have set up this legislation so that it can easily be added to in the future as consumer demand drives or as alternatives become apparent in the marketplace. One of the great things about this legislation is that South Australia is saying very clearly to the market that we want to be the place where these alternatives are manufactured so that, when the other states catch up, it can lead to job creation here.

It has been great to be able to work across the parties within this place to see a bipartisan approach to this legislation. I thank the deputy leader, the shadow minister, for her contribution and the Hon. Mark Parnell in the other place for his contribution as well.

This is a historic step forward. We hope that other jurisdictions will follow us, and that this is just the beginning of South Australia phasing out a whole range of single-use plastics. We know they are harmful to the environment. The South Australian community wants change, and it is great to be able to lead that change. With that, I accept these amendments.

Dr CLOSE: I am pleased to also support these amendments, which were moved in one form earlier in this chamber but not passed. They are now returned to us complete and supported by all sides of parliament, which is excellent. I am very pleased about this piece of legislation coming through. I think it speaks very well to the future of South Australia and also to its proud tradition of leading the nation with CDL as well as with attempts—and finally success—in removing single-use plastic bags.

To briefly go to the content of these amendments, one initiative the Hon. Mark Parnell in the other place—an outstanding member of this parliament—wanted to advance was to extend the range of products that would, by virtue of this legislation, be removed from circulation. I appreciate that the government has designed a bill that does not require a return to parliament to add additional products, that lists an initial series of products and then allows for regulation to extend that list. However, I think the Hon. Mark Parnell was concerned that that might never be used, and that he or his successors in this place would not be in a position to be able to extend it without opening up the act in defiance of the government wish.

We talked about what one could do about that, and the Hon. Mark Parnell had a desire to simply add to the initial list. Although we were very sympathetic to the idea of removing many of these items from circulation, it would be difficult for business, having engaged in consultation with the government where they had understood that a certain list was being supported, to then discover there was an additional requirement. We felt that was of particular concern in the context of the pandemic.

The solution I proposed was that, as part of a proposition to have the minister report annually, the first report would be required to indicate where the government had reached in looking at these additional products. As the Hon. Mark Parnell has indicated, these products have already been banned if not by the EU as a whole then by many nations within the EU—and it may, in fact, be the entire EU. I think we have reached a reasonable accommodation there, and the opposition is happy to support that amendment.

The second amendment is about reviewing the act. It is important that we understand that while there is much self-congratulation here—and it is not unearned—to have this piece of legislation, the rapidity with which community sentiment is moving about protection of the environment and about recognising the dangers of plastic requires us to make sure that no government can simply say, 'Well, that job is done and now we can think about other things.' The job of dealing with plastics is not done, so the idea of having a review ensures there is a focus applied to this bill to see that it remains fit for purpose.

It would be my bet that any changes made would be only in the direction of further addressing the problem of plastic and towards better protection for the environment in concert with community desire. The opposition is very pleased to see the bill come back and very pleased that the government has now decided to support both amendments.

Motion carried.

STATUTES AMENDMENT (SENTENCING) BILL

Introduction and First Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (16:14): Obtained leave and introduced a bill for an act to amend the Criminal Procedure Act 1921 and the Sentencing Act 2017. Read a first time.

Second Reading

The Hon. V.A. CHAPMAN (Bragg—Deputy Premier, Attorney-General, Minister for Planning and Local Government) (16:14): I move:

That this bill be now read a second time.

I am pleased to introduce the Statutes Amendment (Sentencing) Bill 2020 into parliament today. This bill amends both the Sentencing Act 2017 and the Criminal Procedure Act 1921 to improve how sentence reduction schemes operate within our criminal justice system. It responds to the

recommendations made in the report by the Hon. Brian Martin AO QC, following his 2018-19 review of the sentence reduction scheme.

The sentence reduction scheme, often known as sentence discounting, is contained in part 2, division 2, subdivision 4 of the Sentencing Act. The scheme was introduced by the former Labor government through the Criminal Law (Sentencing) (Guilty Pleas) Amendment Act 2012 and came into operation on 11 March 2013. The scheme adopted into legislation the principle that had previously operated as part of the common law; that is, an offender's sentence can be reduced if they plead guilty before trial. It did so by creating a tiered scheme specifying the maximum percentage by which an offender's sentence can be reduced based upon the particular stage in the court's process at which the guilty plea is entered.

When it was introduced, the stated purpose of the scheme was to tackle the problem of delays in the criminal courts in this state, to provide a fairer and more transparent scheme than existed at common law, and to ensure that the reductions received by offenders diminish rapidly for pleas entered later in the prosecution process.

Importantly, the scheme aimed to encourage guilty defendants to plead guilty early in the prosecution process by linking the extent of the reduction available to the defendant directly to the stage of the court proceedings at which the plea is entered. The earlier the plea is entered, the greater the reduction to be applied. This was intended to reflect the benefits that early guilty pleas provide to the community, the justice system and to victims of crime.

Let me be clear about one thing: the sentencing reduction scheme that currently operates in our state was developed, introduced and passed through the parliament by the former Labor government . This is their scheme and it is their legacy. The government at the time openly stated that the main objective was to improve the operation and effectiveness of the criminal justice system by decreasing delays and backlogs in cases coming to trial.

Before I go on to speak about what the bill I am introducing today seeks to remedy, I want to reflect on the words of the former deputy premier, the Hon. John Rau SC, when he first introduced the legislation into the South Australian parliament. He said, and I quote, the legislation 'should not result in the granting of unduly lenient sentences for offenders through excessive discounts', and further to that, 'Any perception that the bill will allow offenders to escape their "just deserts" and appropriate punishment by pleading guilty is mistaken.' Those words should haunt the members opposite, for we all know this prediction has not been borne out in practice.

In September 2018, Mr Brian Martin AO QC was appointed to conduct a review into the sentencing reduction scheme. The report, which was published in June 2019, made a number of recommendations suggesting appropriate amendments be made to the scheme. Some of those recommendations represent what could be described as technical changes to the Sentencing Act and the Criminal Procedure Act to ensure that the sentencing process operates more smoothly and fairly, whilst other recommendations represent more substantial policy changes.

Mr Martin recognised in his report a tension between two often competing public interests. These are the public interest in 'the protection of the public through the imposition of sentences that will best achieve that objective', on the one hand, and the public interest in 'assisting victims and in economic considerations attached to the operation of the criminal justice system', on the other. Again, let me be clear that, when we talk about economic considerations, we are talking about the former government's clear agenda to try to save money in respect of the reforms that it offered in that bill.

Mr Martin both examined data and received submissions from criminal justice sector stakeholders, members of the public, academics and victims. The data he examined revealed that the scheme has encouraged a greater number of defendants to plead guilty early in the proceedings but has not, on the whole, shortened the time taken to finalise serious matters.

A key theme to emerge during consultation was that the victims feel devalued by the current scheme, which is exacerbated by the extent of the available discount—up to 40 per cent for some cases. The significant reductions received by offenders are also out of touch with community expectations, which is particularly so when the offending is serious and there is a strong prosecution case—sentiments echoing the then opposition's concern back in 2013.

Public sentiment was that a significant reduction being applied to a sentence that the court has otherwise deemed appropriate suggests that the offender is not receiving a punishment that matches their crime. However, a number of criminal justice sector groups expressed support for the retention of the scheme in largely in its current form on the basis that it provided certainty for defendants and thus greatly encouraged the guilty to plead guilty at an early stage.

The Law Society in its submission to Mr Martin, however, acknowledged that even though the scheme appeared to be working well from a case load management perspective, if public confidence in the scheme is lacking then there is a case for reform. Ultimately, Mr Martin concluded that the maximum discounts available to offenders for serious offences are too high, but by making adjustments to the existing scheme, an appropriate balance could be struck between an affordable criminal justice system on the one hand and public confidence in that system on the other, and that is precisely what this bill does.

Most of the recommendations made by Mr Martin have been adopted in this bill and all key recommendations have been adopted, namely:

1. Reducing the maximum discounts available for guilty pleas for all major indictable offences;
2. Further reducing the maximum discounts available for guilty pleas to serious indictable offences, including, amongst others, offences which result in the death or serious harm to a person and serious sexual offences;
3. Retaining the discounts available to the Magistrates Court;
4. Ensuring that courts can apply a lesser discount if a guilty plea is entered in the face of an overwhelming prosecution case; and
5. Ensuring that courts can apply a lesser discount if a defendant:
    - has shown no genuine remorse for his or her offending;
    - has intentionally concealed his or her crime; or
    - has disputed the factual basis of a plea and the court has not found in their favour.

Adoption of these recommendations will ensure, firstly, that reductions received by defendants are more closely aligned with community expectations and, secondly, that courts can apply the reductions more flexibly than has been the case to date.

Turning to consider the bill more closely, the most significant amendments are found in part 3 of the bill, which amends the Sentencing Act. The scheme of reductions for sentences for guilty pleas to summary and minor indictable offences in the Magistrates Court is found in section 39 of the Sentencing Act. As recommended by Mr Martin, the reductions available under this provision are maintained at current levels.

The scheme for reduction of sentences for guilty pleas and other cases—that is, major indictable offences and other offences finalised in the District Court and Supreme Court—is found section 40 of the Sentencing Act. This bill amends this section to provide for two separate tiered schemes, one for serious indictable offences and one for all other offences dealt with under section 40.

The bill provides that a 'serious indictable offence' is defined to mean a serious offence of violence, within the meaning of section 83D of the Criminal Law Consolidation Act 1935, and a serious sexual offence within the meaning of section 52(1) of the Sentencing Act for which the maximum penalty is or includes at least five years' imprisonment. Defined in this way, 'serious indictable offence' will include, for example, offences of murder, manslaughter, causing death or serious harm by dangerous driving, rape, maintaining an unlawful sexual relationship with a child, unlawful sexual intercourse, aggravated indecent assault and offences relating to the production and dissemination of child exploitation material.

For these serious indictable offences, the maximum reduction that a court may apply for a guilty plea will be up to 25 per cent, which has been reduced from the current maximum of up to 40 per cent. The reductions available to defendants pleading guilty to serious indictable offences will be similarly reduced at each tier, such that a plea entered at the first arraignment in the District Court or Supreme Court will attract a maximum reduction of up to 5 per cent. Currently, the applicable reduction is up to 15 per cent.

For other offences falling within the scope of section 40 of the Sentencing Act the reductions at each tier are consistent with the recommendations of Mr Martin—reduced by 5 per cent. Accordingly, a plea within four weeks of the first appearance will attract a reduction of up to 35 per cent (compared with 40 percent), whilst a plea at first arraignment will attract a reduction of up to 10 per cent (compared with 15 per cent).

In addition to this, both sections 39 and 40 are amended to provide that all sentencing courts must have regard to the following additional factors when determining the appropriate reduction in respect of any offence:

- First, whether the defendant disputed the factual basis for sentence and a hearing occurred in relation to that dispute, which is not determined in favour of the defendant;
- Secondly, whether the defendant intentionally concealed the commission of his or her crime and, if so, the period of time for which the concealment persisted. An example of this might be a murder in which the offender has hidden the deceased's body and other evidence of the murder and has told lies about the deceased having run away in order to hide the fact of their disappearance;
- Thirdly, whether any genuine remorse on the part of the defendant is so lacking that a reduction by the percentage contemplated would be so inappropriate that it would, or may, affect public confidence in the administration of justice; and
- Fourthly, whether the prosecution case against the defendant is so overwhelming that a reduction by the percentage contemplated would be so inappropriate that it would, or may, affect public confidence in the administration of justice.

The latter two factors, genuine remorse and the strength of the prosecution case, are expressed as mandatory considerations once a court is satisfied that the threshold has been reached, that is, where there is so little remorse or the prosecution is so strong that the contemplated reduction may affect public confidence in the administration of justice.

This seeks to strike a balance between flexibility of approach on the one hand—that is, enabling a court to lessen a reduction in appropriate cases—and ensuring that courts are not overwhelmed with the task of having to make an assessment as to the strength of the prosecution's evidence in relation to every charge for every offender who comes before the court. Such a requirement would create an enormous burden for courts and may also further traumatise victims of crime if, for example, a court determined that the prosecution case was weak, particularly if it relied largely on that victim's evidence.

Importantly, the bill provides that a court should ordinarily make the assessment as to the strength of the prosecution case by reference to affidavits and other documentary evidence before the court. This is to avoid witnesses, for example the victim of a sexual assault, being required to give evidence solely for this purpose. Such a situation would significantly negate the benefit of a guilty plea. The bill also extends to both the Magistrates Court and the higher courts respectively the time within which defendants can receive the first tier of reductions in very limited cases.

In his 2019 review, Mr Martin received submissions to the effect that the strict four-week time frame is too short for some defendants to properly instruct and receive advice from a lawyer. This is often particularly the case for Indigenous defendants living in remote communities, living itinerant lifestyles or for whom English is not their first language. Such defendants may be many hundreds of kilometres from a lawyer and may have very limited access to linguistically and culturally appropriate interpreters.

Similar submissions were received and a similar recommendation made by Mr Martin when he conducted a review of the scheme back in 2015, which was mandated by section 9 of the Criminal Law (Sentencing) (Guilty Pleas) Amendment Act 2012.

Accordingly, the bill amends sections 39 and 40 of the act to provide that a court may apply the highest reduction if a plea has been entered within 14 days of the expiry of the first tier and the court is satisfied that the defendant was unavailable to obtain legal advice due to remote residency, itinerancy or communication difficulties stemming from the inability to speak reasonably fluent English. So the circumstances for that applicability, of course, are quite narrow.

The bill also repeals section 38 of the Sentencing Act, which currently allows for a reduction in penalty of up to 10 per cent even when the defendant did not plead guilty, put the prosecution to proof and was convicted following a trial, but notwithstanding all that, he or she had still complied with all procedural requirements.

Mr Martin's report concluded that this provision is out of step with community expectations and moreover that compliance with procedural requirements will often be more of a reflection on the defendant's lawyer than on the defendant themselves. The Marshall Liberal government agrees that this reduction in sentence should no longer be available to guilty defendants who have put victims through the trauma of giving evidence at a trial.

Part 2 of the bill amends the Criminal Procedure Act 1921. These amendments are what might be described as more procedural in nature. The most significant amendment is found in clause 5, which creates a new division 3A of part 5 of the act, comprising a new section 115A. This will empower a magistrate to take a plea to a statutory alternative to a charged offence or an attempt to commit the charged offence.

This amendment is important in the context of the sentence reduction scheme because it will mean that the sentence reduction clock (which determines the maximum reduction that can be applied) for all offences—both charged offences and uncharged alternatives or attempts—will start ticking at the defendant's first court appearance.

Currently, if the defence and the prosecution agree upon a plea to an uncharged statutory alternative or attempt—that is, an attempt to commit the offence—fresh information would need to be filed in order for the plea to be entered, and the clock would then start ticking all over again at that point. In this situation, defendants would be entitled to a reduction of up to 40 per cent, notwithstanding that the plea to the lesser alternative was not entered or even offered until well after four weeks after their first court appearance. Section 115A will remedy this anomaly.

I am pleased to introduce these important reforms into parliament today that will put the protection of the community back at the heart of the sentencing laws in our state. The amendments contained in this bill will remedy the errors made by the former Labor government when they chose to place a desire for improved court efficiency and saving money over all other considerations in the sentencing process.

Whilst we will always strive to ensure that our court system is as efficient as possible, it is our—that is, the Marshall Liberal government—view that this should never come at the cost of justice. Members, I commend this bill to you. I seek leave to insert the explanation of clauses into *Hansard*, which I trust will assist in the further debate of the matter.

Leave granted.

EXPLANATION OF CLAUSES

Part 1—Preliminary 1—Short title 2—Commencement 3—Amendment provisions

These clauses are formal.

Part 2—Amendment of *Criminal Procedure Act 1921*

4—Amendment of section 108—Division not to apply to certain matters

A new subsection (3) is inserted for the purposes of avoiding any doubt in relation to the operation of section 108(2).

5—Insertion of Part 5 Division 3A

New Division 3A is inserted into Part 5 of the Act:

Division 3A—Pleas to alternative offences and attempts in the Magistrates Court

115A—Pleas to alternative offences and attempts in the Magistrates Court

New section 115A makes provision in relation to a person charged with an offence who please guilty to an alternative offence or an attempt to commit the offence charged. It provides for the Magistrates to sentence the person or commit the person for sentencing in a superior court (if relevant). Provision is also made for circumstances where the person changes or withdraws their plea of guilty.

6—Amendment of section 133—Conviction on plea of guilty of offence other than that charged

The phrase 'sentenced for the offence to which the plea of guilty is entered' is added after the reference to a person being convicted on a plea of guilty to an alternative offence to the offence charged. Paragraph (c) is deleted.

Part 3—Amendment of *Sentencing Act 2017*

7—Repeal of section 38

Section 38, which relates to the reduction of sentences for cooperation with procedural requirements, is repealed.

8—Amendment of section 39—Reduction of sentences for guilty plea in Magistrates Court etc

Certain considerations are added to the list of considerations a court must have regard to in determining the percentage by which a sentence for an offence is to be reduced in respect of a guilty plea.

A provision is included to allow for the maximum sentence reduction to be applied in the sentencing of a person who pleads guilty no more than 14 days after the expiration of the period during which the maximum sentence reduction is ordinarily available under the section, if the person lives in a remote location, has an itinerant lifestyle or specified communication difficulties.

9—Amendment of section 40—Reduction of sentences for guilty pleas in other cases

The various percentages by which a sentence for an offence may be reduced in respect of a guilty plea are amended and the percentages differ according to whether offence is a serious indictable offence or not such an offence.

Certain considerations are added to the list of considerations a court must have regard to in determining the percentage by which a sentence for an offence is to be reduced in respect of a guilty plea.

A provision is included to allow for the maximum sentence reduction to be applied in the sentencing of a person who pleads guilty no more than 14 days after the expiration of the period during which the maximum sentence reduction is ordinarily available under the section, if the person lives in a remote location, has an itinerant lifestyle or specified communication difficulties.

The term *serious indictable offence* is defined.

10—Transitional provision

A transitional provision is inserted for the purposes of the measure.

Debate adjourned on motion of Ms Hildyard.

CONTROLLED SUBSTANCES (CONFIDENTIALITY AND OTHER MATTERS) AMENDMENT BILL

Second Reading

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:32): I move:

That this bill be now read a second time.

The Marshall government made an election commitment to implement a real-time prescription monitoring system for schedule 8 medicines in South Australia. This bill is an important step in delivering on that commitment and, more importantly, it is a critical step towards reducing the misuse of controlled medicines in our community. Sadly, the misuse of controlled medicines, which includes pain medication such as oxycodone, morphine and fentanyl, has become increasingly prevalent.

The real-time prescription monitoring software will integrate with existing prescriber and pharmacist software to provide access to real-time prescribing and dispensing of information and to enable real-time detection and alerts for regulators and prescribers. The built-in alert functionality will help health practitioners identify patients with a history of problematic access to high-risk prescription

medicines and enable them to make more informed decisions that minimise the risk of overdose, addiction and death.

The South Australian real-time prescription monitoring system will link with other jurisdictions' real-time prescription monitoring systems through the commonwealth-managed National Data Exchange to provide real-time access to prescribing and dispensing data nationally. Amendments to the Controlled Substances Act 1984 are limited to those required to effectively implement real-time prescription monitoring, and these amendments will not change the broader intent or objectives of the act or the role of the government regulator. The proposed changes include:

1. Sanctions for inappropriate use of data collected under the real-time prescription system;
2. Additional regulation-making powers so that the current general confidentiality provisions can be clarified and tightened under the Controlled Substance (Poisons) Regulations 2011;
3. Increasing penalties for offences under the Controlled Substances (Poisons) Regulations 2011, along with the ability to expiate offences; and
4. Allowing information under section 18A to be provided electronically, including via the new system. The changes to the confidentiality provisions will ensure that only relevant patient information is collected, can only be accessed by relevant health professionals and regulators and is only used for the explicit purpose of the system, which is to minimise the risk of harm from the legitimate use of high-risk prescription medicines.

Patients can be assured that real-time prescription monitoring will not prevent them from receiving treatment with the medicines they require, whilst the families, friends and carers of patients who are drug-dependent can be more confident that there will be less risk of inadvertent harm and overdose. There will be minimal day-to-day impact on prescribers and pharmacists, as the system will be integrated into existing practice software.

The changes proposed will impose only minor additional record keeping or reporting obligations on prescribers and pharmacists who are not using integrated software. The administrative burden for most pharmacists will be reduced, as the existing obligation to submit monthly reports of dispensing data to the government regulator will be automated with an integrated real-time prescription monitoring system.

Stakeholders strongly support the implementation of this system in South Australia and have been actively engaged in determining the specific elements of the system, including the high-risk medicines to be monitored, the staged rollout, the training and support required for end users and the information and education required for the wider community. Many of these elements will be captured in amendments to the Controlled Substances (Poisons) Regulations 2011, which will be amended in a concurrent process.

Victoria implemented a real-time prescription monitoring system, SafeScript, in April 2019, and in April 2020 it became mandatory for prescribers and pharmacists to use the system. Other jurisdictions are at various stages of their development and implementation processes. As more jurisdictions implement real-time prescription monitoring and link with the National Data Exchange, more information will be available to health practitioners, further reducing the risk of harm to patients who may be doctor shopping across borders.

The bill before the house will enable the implementation of a real-time prescription monitoring system in South Australia to provide a national source of information about the prescribing and dispensing of high-risk medicines in real time to address the growing problem of addiction, overdose and death associated with legal use of these medicines. I commend the bill to members and seek leave to have the explanation of clauses inserted into *Hansard* without my reading it.

Leave granted.

Explanation of Clauses

Part 1—Preliminary

1—Short title

2—Amendment provisions

These clauses are formal.

Part 2—Amendment of Controlled Substances Act 1984

3—Amendment of section 18A—Restriction of prescription or supply of drug of dependence in certain circumstances

Section 18A of the Act empowers the Minister to give a registered health practitioner an authority to prescribe or supply a drug of dependence in certain circumstances. This clause amends section 18A to provide that an application for such an authority be made in a manner and form approved by the Minister (rather than in writing), and for such an authority, or the variation or revocation of such an authority, also to be given in a manner and form approved by the Minister (rather than in writing).

4—Substitution of section 60A

This clause substitutes section 60A of the Act.

60A—Confidentiality

Proposed new section 60A makes it an offence for a person to disclose confidential information obtained (whether by that person or any other person) in the administration or enforcement of the Act except—

(a) as required or authorised by or under the Act or any other Act or law; or

(b) with the consent of the person from whom the information was obtained or to whom the information relates; or

(c) in connection with the administration or enforcement of the Act; or

(d) for the purposes of any legal proceedings arising out of the administration or enforcement of the Act; or

(e) in accordance with the regulations.

The maximum penalty is $10,000.

The proposed new section also makes it an offence for information disclosed for a particular purpose to be used for any other purpose by—

(a) the person to whom the information was disclosed; or

(b) any other person who gains access to the information (whether properly or improperly and whether directly or indirectly) as a result of a disclosure.

The maximum penalty is $10,000.

However, the proposed section does not prevent the disclosure of statistical and other information that could not be reasonably expected to lead to the identification of any person to whom it relates.

Confidential information is defined to mean—

(a) information relating to trade processes;

(b) medical information relating to any person;

(c) any other information that—

(i) is of a personal nature; or

(ii) is by its nature confidential; or

(iii) was specified as confidential by the person from whom the information was obtained;

(d) information of a prescribed class.

5—Amendment of section 63—Regulations and fee notices

This clause amends section 63 so that fines up to $10,000 can be prescribed for offences against the regulations and expiation fees of up to $2,000 can be prescribed for alleged offences against the regulations. It also amends the section to provide for fees to be prescribed by the Minister by fee notices (under the *Legislation (Fees) Act 2019*.

Mr PICTON (Kaurna) (16:37): I rise to speak on the Controlled Substances (Confidentiality and Other Matters) Amendment Bill 2020, and I indicate that I am the lead speaker for the opposition.

This bill seeks to implement some changes to the legislation that will help to bring in real-time prescription monitoring. It is fundamentally good and important for South Australia for it to be brought into place.

We know the danger of the abuse of pharmaceuticals. We know that prescription drugs are abused in our community and are at significant risk of being abused. That is why it is important to have real-time prescription monitoring and we absolutely support this measure being introduced. It is already in place in other states, as I understand. We have seen Victoria implement it and we have seen Queensland implement it. We will now be following those other states that have implemented this system.

This legislation puts in place a number of relatively small changes that will help to enable that process to be brought in. The significant detail of the changes are not in the legislation that we are debating but in the regulation that will form underneath the legislation. We have been provided with a copy of the draft regulations that have been proposed, and they have also been provided to various stakeholders, and we thank the government for that consultation.

The vast majority of the system and function will be in the regulations. Obviously, that is something that parliaments are usually reluctant to do. However, when it comes to the implementation of technology, I can see in this instance there are some good arguments for the vast majority of that being under the regulations rather than the legislation. The fact that the government has provided copies, and provided copies to its working group and stakeholders more broadly, does give some comfort that the regulations are broadly supported by those people who will be using the system and protecting people with the system.

Essentially, the idea is that we need to link up pharmacists and link up our distribution of prescription drugs, in particular opioids, to make sure that people are not hopping from pharmacy to pharmacy, from doctor to doctor, to try to get access to additional drugs due to an addiction. That alone is not going to solve the addiction of those people. That alone is not going to solve the abuse of pharmaceuticals, but it is an important step and can be an important measure in terms of reducing the harm. Obviously, it will also need to be met with support for those people, support for our drug and alcohol services and support for those addiction services as well.

As the minister stated, the government said this was a very urgent matter that needed to be implemented very urgently. However, it was a matter that sat around for the first two years of this government. We saw very little to no action happen until about two years and three months into the term of the government, when the legislation was provided to the house and we are now 2½ years in and the legislation is being debated in this house now. It is still some time away before the system is actually implemented.

If the minister is happy, I will seek him, in his summing up, to provide any updates to the time lines for the implementation. We were told that there would be an implementation in March 2021 and stakeholder trials to begin in October or November this year, with a mandatory implementation of the system to come perhaps a year after that.

Where this goes from a voluntary system to a mandatory system is really going to be where the rubber hits the road in terms of the implementation of the IT rollout and making sure that this works for those pharmacists, GPs and others who will be using the system. We have heard feedback from some of the medical groups who have seen the rollout happen in other states, that they were concerned that there were some strong deadlines about putting in place a mandatory system and that things essentially were not working properly in the lead-up to when a mandatory date was going to come into place. Obviously, you do not want in place a system that is not working, forced upon everybody, with everybody facing delays.

Essentially, the people we are dealing with here, the pharmacists and GPs, are very busy. We do not want a system that is going to unduly delay and obstruct them in the work they are doing. We want a system that is going to be collaborative and conducive to the work that they undertake, considering how busy they already are. As this rolls out, first in the small number of trials potentially later this year and then in a voluntary rollout from March next year, if we see that there are problems, what we are hearing from people is the government needs to make sure they are not rushing to a mandatory rollout before the issues in the system are fixed.

It is hard to know at this stage whether there are going to be issues. The company that the government has selected is obviously a national company that is in place in other states. I would expect that on one hand the fact that issues would have been identified in other states would assist in terms of the rollout in South Australia. However, I am sure that there are particularities of our legislation and our medical and pharmaceutical industry and environment that would have to be taken into account in terms of the implementation of that. You cannot unplug it from one state and plug it in here in South Australia. There are a lot of changes that would need to be put in place to get that right.

We will certainly be watching closely the rollout of that over the next, looks like, year or two to see if that is in operation. It certainly does not look like this will be in place in a mandatory way across all pharmacies in the state by the time of the next election, which is disappointing. I suspect if there had been action a lot earlier after the promise had been made then we would have seen that. But we are where we are and we need to make sure that what is implemented now is not going to be put in place in a way which is going to cause more difficulties than it is solving.

We will continue to talk with stakeholder groups, and we will continue to listen to their feedback as the rollout of this continues. We have received some very detailed submissions, some of which have been mentioned by my colleague the Hon. Kyam Maher in the other place. We have heard of issues that have been raised in particular about the Royal Australian and New Zealand College of Psychiatrists. They have said that their members are cautiously optimistic; however, they want to take advantage of this to raise matters surrounding the execution of the system which need to be in consideration. Specifically, they have stated:

> Feedback from our Victorian counterparts has been that identifying patients based on their name as an identifier is not sufficient, due to the potential for errors. Our view is best practice would be to use Medicare numbers to identify patients. We acknowledge this would need integration and cooperation from the Commonwealth Department of Health in order to achieve and is therefore not the easiest method—however also note that should a national prescription monitoring system be implemented, doing so now would allow for much easier integration in future.

I would raise that issue that I think is a significant question as this is very important in making sure that the identification of people is correct. If we are going to have a system that is only going to rely on the names of people, then obviously maybe for me or you even, Deputy Speaker, that might be okay but there might be some names out there, perhaps the member for Playford's name, Michael Brown—I suspect there are a lot of Michael Browns in South Australia.

An honourable member interjecting:

Mr PICTON: And long may all those Michael Browns reign across South Australia. You would not want a situation in which—

An honourable member: What about Chris Pictons? He is unique.

Mr PICTON: Well, I said that earlier. Many of us are unique, but there are many Michael Browns. In fact, we just had a council election in my electorate where a Michael Brown ran unsuccessfully for the council that was resolved yesterday. I do not believe that was the member for Playford; if it was, he did very badly.

We have clearly seen issues in Victoria that the College of Psychiatrists are raising in relation to the use of names. This is something that we raised with the Minister for Health and Wellbeing in the other place. His answer is that, effectively, we cannot do it because it is the commonwealth who runs Medicare and we cannot get access to that.

I found that answer a little bit underwhelming I have to say in that, as I understood it, this is a tripartite agreement where the commonwealth is a signatory to the agreement and the commonwealth is a party to the rollout of prescription monitoring. This is not a unique thing that we are doing here; this is a national agreement to roll this out across the commonwealth, so why can we not have a situation in place where we could use that as an identifier for people to make sure that we have the right identity?

In a similar way, through the rollout of the national eHealth system and patient records, there is a national identifier. Each one of us has an identifier in that system. This was put in place long

before the system was constructed to make sure that we are all being identified through that system. Most of us I am sure do not know what our eHealth identify number is, but we all have one.

If what the College of Psychiatrists is saying is correct and this is going to rely on names, then that would seem to create the potential for error and the potential for problems down the track. They have also said:

> What steps will need to be taken to ensure transparency between prescribers and consumers regarding the use of the RTPM system?
>
> In principle, an RTPM system should not be accessed in circumstances other than when the prescriber is making a prescription for their patient. Where circumstances require access to the system to make a prescription without the patient in the room, we would suggest there be a mechanism by which the patient can be notified their record has been accessed.

This does go to privacy issues, which I think it is really important are addressed through the implementation of this scheme. The privacy of records is something that we are still having to grapple with not only in Health but across government, making sure that people are only accessing things to which they are entitled. In the past couple of years, I believe some SA Health staff were in trouble for accessing records they had no need to access, other than the name of somebody who was in the public eye and they were snooping on that person.

I am sure the vast majority of people would not do this, but anywhere there is the potential for somebody to do this, we do need to think through how some systems will be put in place to make sure that that does not happen. That needs to be addressed in the implementation of this, as well. They have also said:

> Clinical guidelines for actions prescribers should take when a RTPM notification identifies an issue with an individual's prescription history. In many cases, it is not as simple as deciding to continue or stop a patient's medication.
>
> While we absolutely agree that the final decision should be based on the clinical decision of the health practitioner, the provision of a certain measure of advice and guidance is not inappropriate.
>
> Guidelines as to how primary and secondary care, as well as pharmacists and other prescribers, should communicate regarding notifications about individuals in the RTPM system.

They also said it must be considered:

> Where health professionals should direct an individual identified as having a substance misuse issue for assistance. Alcohol and Other Drug (AOD) services are very often stretched, and it is likely the RTPM system will lead to identification of additional individuals who require assistance. It may be necessary to consider increased resources for these services in order to meet an anticipated growth in demand.

This goes to the point I made earlier that this system alone is not going to address the issues, it is not going to end the abuse of pharmaceuticals and it is not going to stop people who are addicted to prescription drugs. In fact, by definition, if it works and we are detecting people who are doing this, we are going to be finding out about more people who are addicted. There will need to be in place additional services, additional staff and no doubt additional funding to make sure that we can manage.

The college is certainly right in that alcohol and other drug services are very stretched. DASSA is very stretched. We hear this quite a lot from families and from other concerned people in the community. If this system is doing what it is meant to, by definition, we will be finding more people who will need more assistance.

Further to that, the system not only needs to detect these people but we need to have in place some guidance for clinical staff in terms of what the next steps will be and how they should go about addressing those issues when they are detected. I think that would be entirely appropriate and I would encourage the government to listen to the college and to make sure that is a feature of the implementation of this measure.

As I said, this is a measure that has the support of the opposition. I know that the Hon. Kyam Maher has raised a number of questions in the other place during the committee stage. Many of them were very good questions, may I add—I may well have even suggested some of those questions. The minister has answered the majority of them. As much as I would love to test the Minister for

Education on his knowledge of the RTPM system, I suspect that, at the very least, they will be the same answers that the minister gave in the other house.

I am happy to dispense with the committee stage and indicate our support for this measure, for this program, for this bill. We will be keeping in close contact with all the people involved here to make sure that the implementation of this is successful and that we do not see difficulties that could cause problems as the rollout continues.

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:55): I thank the member for Kaurna for his contribution and for indicating the opposition's support for this legislation. I would also like to take this opportunity to thank Narelle Hards, from the Minister for Health's office, as well as Kerin Montgomerie, the manager of the Drugs of Dependence Unit in the Department for Health, for their assistance in ensuring I have the necessary wherewithal to respond to the member for Kaurna's questions.

I take on board the member for Kaurna's assurance that he does not need the committee stage in the best interests of the speedy resolution of this through the house, and I thank him for that. Nevertheless, I know that Narelle and Kerin and many other people have been working very hard on this bill for very long period of time. I will respond briefly to two of the points made by the member for Kaurna, one on which he requested a response. The other I will reflect on briefly.

The work done on this bill has been significant. The member for Kaurna suggested there was nothing until earlier this year: to the contrary, work towards the preparation of this measure has been underway since the second half (and not the end of the second half) of 2018, and there has been a significant level of stakeholder engagement with a large number of people. I would like to put on record my gratitude to all the officers in SA Health, the Department for Health and the Minister for Health's office, as well as all those external bodies that have contributed to that level of engagement.

Over the last two years, as I said, work has been done to prepare us to get to where we are now and get us ready for this. The member for Kaurna asked about time frames and outlined his understanding of what those time frames were, and I am pleased to advise him that the time frames he identified in the chamber—October, March and so forth for the next stages—are currently still the time frames identified. We are looking forward to seeing that in place.

The member for Kaurna raised a series of questions that were identified by the Royal Australian and New Zealand College of Psychiatrists in relation to matters that would need to be addressed before the measure was finally put in place. I can reassure the member for Kaurna that those matters have all been part of the process and have been addressed over the last two years.

The feedback from the Royal Australian and New Zealand College of Psychiatrists was useful because they were one of the stakeholders that had been working in the external advisory group since October 2018 in supporting the development of this legislation, along with about 20 other organisations that were part of that group. All their work, all their contributions, all the suggestions that have been made about matters that needed to be taken into account in ensuring this legislation and its accompanying regulations, which the member for Kaurna identified have already been produced, will help the project go from here.

The work has been done over those two years to ensure it is in a state where the people of South Australia, the many psychiatrists who have already signed up to take part in the trial—hopefully starting just a month or two from now—and all the other people who have an interest in this program, can have confidence it is appropriate, that the mechanisms are appropriate, that the technology is ready.

It will be a great advancement for the people of South Australia. I thank all members for their contributions. I thank the opposition for their support and commend the Minister for Health and his team for their work. Once more, I commend the bill to the house.

Bill read a second time.

Third Reading

The Hon. J.A.W. GARDNER (Morialta—Minister for Education) (16:59): I move:

That this bill be now read a third time.

Bill read a third time and passed.

TRAINING AND SKILLS DEVELOPMENT (MISCELLANEOUS) AMENDMENT BILL

Committee Stage

In committee.

(Continued from 8 September 2020.)

Clause 7.

Mr PICTON: Sir, I draw your attention to the state of the committee.

A quorum having been formed:

The CHAIR: There are six amendments to this clause standing in the name of the Minister for Innovation and Skills. Minister, would you like to move one or all of them? It is up to you.

The Hon. D.G. PISONI: I would be happy to debate them all together.

The Hon. Z.L. BETTISON: We would like to reserve our right to go through the separate clauses, but we can accept the amendments together.

The CHAIR: I will just explain this. We are on clause 7 and there are six amendments . If we choose to deal with them en bloc, we still only have three questions each.

The Hon. D.G. PISONI: It is possible to allow latitude.

The CHAIR: Either that or we deal with them individually. It does not worry me. If it is tidier to do it individually, let's do it that way. We will deal with them individually. It gives them a new opportunity, but I will keep you to three questions. Minister, let's begin by moving the first amendment in your name.

The Hon. D.G. PISONI: I move:

Amendment No 1 [InnoSkills–1]—

Page 7, lines 13 to 15 [clause 7(4)]—delete subclause (4)

This is the removal of a certificate of proficiency. Concerns have been raised that the concept of a certificate of proficiency of all types of skills, as certified in the act, was confusing and did not sufficiently distinguish between apprenticeships and traineeships, and skills and experience obtained outside of the training contract.

The clauses throughout the bill have been amended to remove references to certificates of proficiency, and that has led to some consequential amendments. In their place, the amendment bill provides the South Australian Training and Skills Commission with the power to certify individuals' competence in a trade or declared vocation, whether obtained through the completion of an apprenticeship, traineeship or other pathway or through other training experiences.

Amendment carried.

The Hon. D.G. PISONI: I move:

Amendment No 2 [InnoSkills–1]—

Page 7, after line 31 [clause 7(12)]—Insert:

> *Higher Education Standards* means the Higher Education Standards Framework (Threshold Standards) 2015 made under the *Tertiary Education Quality and Standards Agency Act 2011* of the Commonwealth, as in force from time to time;

The protocols have been discontinued and replaced under the Tertiary Education Quality and Standards Agency Act 2011 with the Higher Education Standards Framework (Threshold Standards) 2015. This amendment provides a definition of Higher Education Standards.

Amendment carried.

The Hon. D.G. PISONI: I move:

Amendment No 3 [InnoSkills–1]—

Page 7, after line 35—Insert:

(12a) Section 4(1), definition of *National Protocols*—delete the definition

Amendment carried.

The Hon. D.G. PISONI: I move:

Amendment No 4 [InnoSkills–1]—

Page 8, after line 35—Insert:

(20a) Section 4(1), definition of *spouse*—delete the definition

This amendment deletes the definition of 'spouse' where there is no reference to a spouse in the bill. The definition was carried forward from the current act.

Amendment carried.

The Hon. D.G. PISONI: Sir, you will see this is a theme through the amendments. I move:

Amendment No 5 [InnoSkills–1]—

Page 8, lines 37 and 38 [clause 7(21), inserted definition of *South Australian Skills Guidelines*]—Delete the definition and substitute:

South Australian Skills Standards or *Standards* means the South Australian Skills Standards prepared under section 26, as in force from time to time;

The feedback received as part of the consultation process indicated the term 'guidelines' was confusing to stakeholders, who often view the documents as being optional or best practice guidelines rather than standards. The use of 'standards' provides clarity that the document must be complied with. The term 'standards' is widely employed in the employment, skills and training sector. Other examples are Standards for Registered Training Organisations, National Standards for Group Training Organisations, the Fair Work Commission employment standards are examples. There are 18 consequential amendments as a result of this change.

Amendment carried.

The Hon. D.G. PISONI: I move:

Amendment No 6 [InnoSkills–1]—

Page 9, after line 4—Insert:

(1) Section 4(1)—after the definition of *Territory* insert:

TEQSA means the Tertiary Education Quality and Standards Agency established under the *Tertiary Education Quality and Standards Agency Act 2011* of the Commonwealth;

The Tertiary Education Quality and Standards Agency has been established since the introduction of the current act and is referenced in the amended act. This amendment provides a definition of the TEQSA.

Amendment carried; clause as amended passed.

Clause 8.

The Hon. D.G. PISONI: I move:

Amendment No 7 [InnoSkills–1]—

Page 9, after line 28—Insert:

(2) Section 5(2)(a)—delete 'National Protocols' and substitute:

Higher Education Standards

This is an amendment following on from amendment No. 2 to add a definition of Higher Education Standards and amendment No. 3 to remove the definition of National Protocols.

Amendment carried; clause as amended passed.

Clause 9.

The Hon. D.G. PISONI: I move:

Amendment No 8 [InnoSkills–1]—

Page 10, line 8 [clause 9, inserted section 6(3)(a)]—After 'pre-apprenticeships' insert:

or pre-traineeships

The bill currently refers to pre-apprenticeships but not pre-traineeships. It has been the practice in the past for pre-apprenticeships to cover courses that lead to both apprenticeship and traineeship pathways. The insertion of 'pre-traineeship' in this section provides greater clarity on the scope of these entry-level pathways. This is particularly important because this is responding to where the demand is coming from in some of the new industries in particular that are using the traineeship model as opposed to the apprenticeship model.

The Hon. Z.L. BETTISON: In regard to that, the minister alluded to the fact that this will encompass the area of flexibility that we talked about last night. Is micro-credentialing, as it is often referred to, incorporated in the term 'specified skill sets', or how do you think that will be elaborated in this clause?

The Hon. D.G. PISONI: That will be picked up by the reference to any other matter that the minister feels is needed, mainly because the national body is still defining the micro-credentialing. We are not in a position to actually confirm that ourselves because the micro-credential process is being managed nationally. Attending to this now means that once that is complete we will be able to immediately move forward. It will not hold us up at all. In regard to what is deemed a traineeship or an apprenticeship, whether it is counted by the NCVER is a matter for the NCVER.

Mr BOYER: With respect to clause 9 and the substitution of section 6—Declarations of trades and declared vocations, subsection (1) talks about the power the minister has upon recommendation from the commission to declare an occupation to be a trade or a declared vocation as the case requires. I was wondering whether the minister could give us an example of where that power may need be to used.

The Hon. D.G. PISONI: Last night, I used the example of the work that is being done by NECA and Larry Moore and John Adley at the CEPU and the Training and Skills Commission to develop a dual trade in refrigeration and electrical. Rather than needing two trades, two separate apprenticeships in order to have that dual trade qualification, the industry has been working together to remove duplication, because obviously there is duplication in the electrical trade and in a refrigeration trade. It removes the evaluation on-the-job training requirement so that it will be a five-year apprenticeship. That is going through the Training and Skills Commission at the moment. They will then bring that to me for it to be recommended to be a vocation.

Amendment carried.

The Hon. D.G. PISONI: I move:

Amendment No 9 [InnoSkills–1]—

Page 10, lines 10 and 11 [clause 9, inserted section 6(3)(c)]—Delete 'in a specified area in response to changing requirements of the trade or vocation'

The excessive detail in this section was determined to be confusing and ambiguous and would have potentially limited the ability to declare trades and vocations, for no purpose. This amendment reflects the increased breadth of higher qualifications that can be declared as pathways for an occupation. I used an example yesterday of the Diploma of Applied Technologies apprenticeship, a three-year apprenticeship, that has been declared.

Amendment carried; clause as amended passed.

Clause 10 passed.

Clause 11.

The Hon. D.G. PISONI: I move:

Amendment No 10 [InnoSkills–1]—

Page 11, lines 8 to 14 [clause 11, inserted section 7(f)]—Delete inserted paragraph (f) and substitute:

(f) to facilitate complaint handling, mediation and advocacy in relation to the resolution of disputes relating to apprenticeships and traineeships, vocational education and training or international education, and to otherwise assist in the resolution of such disputes (including by providing advocacy services for parties in proceedings before the SAET);

Amendment No 11 [InnoSkills–1]—

Page 16, line 9 to page 17, line 13 [clause 11, inserted section 19(1)]—Delete inserted subsection (1) and substitute:

(1) The Commission's functions are—

(a) to advise the Minister on—

(i) matters relating to the development, funding, quality and performance of vocational education and training and adult community education; and

(ii) strategies and priorities for workforce development in the State with the aim of supporting employment growth and investment in the State (including the recognition of skills and qualifications gained outside of Australia); and

(iii) the State's role as part of an integrated national system of education and training; and

(b) to regulate the State's apprenticeship and traineeship system; and

(c) to prepare the South Australian Skills Standards and other information for the purposes of this Act; and

(d) to undertake complaint handling and provide, where appropriate, mediation and advocacy services in disputes relating to apprenticeships and traineeships, vocational education and training, higher education or international education, and to otherwise assist in the resolution of such disputes (including by providing advocacy services for parties in proceedings before the SAET); and

(e) to monitor, and report to the Minister on, the state of vocational education and training and adult community education in the State, including the expenditure of public money in those areas; and

(f) to promote the development of investment, equity and participation in, and access to, vocational education and training and adult community education; and

(g) to promote pathways between the secondary school, vocational education and training, adult community education, and higher education sectors; and

(h) to enter into reciprocal arrangements with appropriate bodies with respect to the recognition of education and training; and

(i) to monitor, and make recommendations to the Minister on, the administration and operation of this Act; and

(j) such other functions as may assigned to the Commission by the Minister or by or under this or any other Act.

Amendments Nos 10 and 11 better delineate the role of the South Australian Training and Skills Commission and the South Australian Employment Tribunal (SAET) in relation to resolutions of disputes between parties to training contracts. The amendments make clear that the South Australian Training and Skills Commission will be responsible for complaint handling, mediation and advocacy, while the SAET will be responsible for conciliation. The amendments clarify the point of entry into the system of a stakeholder in the event that there is a dispute and will encourage mediation prior to any conciliation. The amendments amend the minister's functions to reflect these changes.

Mr BOYER: In clause 11, role of the minister, section 7, both paragraphs (b) and (c) talk about adult community education. Paragraph (c) in particular talks about, under functions of the minister, promoting, amongst other things, adult community education. I was wondering if the minister could talk about what he is doing to promote adult community education.

The Hon. D.G. PISONI: So you are actually talking about the clause, rather than the amendment. Does your question relate to the clause, rather than the amendment?

The CHAIR: It is probably best if we stick to the amendments.

Mr BOYER: I do not have questions on the amendment itself.

The CHAIR: What we will do is pass the amendments, hopefully, and then we can come back to the clause all over again. Shall we leave it till then?

Mr BOYER: That is fine.

Amendments carried.

The Hon. D.G. PISONI: I move:

Amendment No 12 [InnoSkills–1]—

Page 17, line 17 [clause 11, inserted section 19(2)(a)]—Delete 'skills boards' and substitute:

, skills

Amendment No 13 [InnoSkills–1]—

Page 19, line 14 [clause 11, heading to inserted Division 3]—Delete 'Guidelines' and substitute:

Standards

Amendment No 14 [InnoSkills–1]—

Page 19, lines 15 to 32 [clause 11, inserted section 26]—Delete inserted section 26 and substitute:

26—Commission to prepare South Australian Skills Standards

(1) The Commission must, in accordance with any requirements set out in the regulations, prepare and maintain standards for the purposes of this Act (the *South Australian Skills Standards*).

(2) The Commission may, in accordance with any requirements set out in the regulations, vary the South Australian Skills Standards (and must review the Standards at least every 5 years).

(3) The Commission must cause the South Australian Skills Standards, or the South Australian Skills Standards as varied, (as the case requires) to be published—

(a) in the Gazette; and

(b) on a website determined by the Commission.

(4) The South Australian Skills Standards, and any variation of the Standards, have effect from the day on which they are published in the Gazette.

(5) For the purposes of this section, a reference to a variation of the South Australian Skills Standards will be taken to include a reference to the substitution of the Standards.

Mr BOYER: Just a point of clarification: when do we get an opportunity to ask questions on other parts of clause 11, part 2—Role of minister?

The CHAIR: Once we have dealt with the amendments, we then come back to the clause as amended.

The Hon. D.G. PISONI: The industry skills boards have been replaced by differently named industry advice bodies such as current industry skills councils. The amendment reflects a broader scope of engagement by the commission and refers to the types of bodies that should be consulted, rather than the nature of those bodies. Feedback received as part of the consultation process indicates the term 'guidelines'—that is the guideline amendment.

Mr BOYER: I have what I think might be a helpful suggestion, Chair. We probably do not have a question on any amendments until amendment No. 20. The minister might like to move all the amendments up to there as a block.

The CHAIR: Alright, but we will still have to go through clause by clause. Thank you for that; it is helpful.

Amendments carried.

Mr BOYER: I might again ask the question I asked earlier about the roles of the minister and functions of the minister. I refer to clause 11, part 2, section 7—Functions of minister. Paragraphs (b) and (c) talk about adult community education. Can the minister tell us about the proposed changes to this act and what he is doing to promote adult community education and 'promote opportunities for adults to engage' in that in South Australia?

The Hon. D.G. PISONI: There is a role for adult education in the current act and the amendments do not change that. Any delivery of adult education, or the foundation skills in particular, are a matter of government policy.

Mr BOYER: I understand section 7(f) is one that was amended. The bit I am asking a question about it is at the end of that subsection in brackets and relates to advocacy services. My question to the minister is: given that the independent Training Advocate is being rolled into the commission proper, will the advocacy services in this subsection, which the minister has a role to provide, remain independent of the commission that you are creating? Will the advocacy role that will be available to people be part of the commission and less so part of what previously was the independent Training Advocate?

The Hon. D.G. PISONI: It will be managed by the commission and it will be managed through the separation of powers between the regulatory and the advocacy parts of the process.

Mr BOYER: Just to clarify, minister, you are confident that there will be no loss of the independence of the advocacy with the transition from the independent Training Advocate to the skills commission, insofar as this clause is concerned?

The Hon. D.G. PISONI: Yes; the advice is that the advocacy will continue. Obviously, we have defined the roles of the skills commission and the SAET. We expect that there will be more mediation outcomes through this change and SAET will play a smaller role than it has previously.

Mr SZAKACS: Further and in addition to your answer to the member for Wright in respect of those existing functions of the Training Advocate that will be maintained and carried on through these amendments, I am interested in the functions of the minister in relation to paragraph (f) and that is particularly the provision of advocacy services for matters that may be the subject of a proceeding before the SAET. I am interested in what you envisage to be likely in the provision of those advocacy services when matters are before the SAET as opposed to those matters that are currently the subject of advocacy by the Training Advocate.

The Hon. D.G. PISONI: There will be no change to the delivery of services. It will be managed by the commission. Of course, the commissioner's role, once appointed, will be to confirm those processes.

Mr SZAKACS: Just to clarify, the processes I understand but specifically when matters are subject to a dispute conciliation or mediation before the SAET, which is an independent statutory body from the existing commission or Training Advocate, will the provision of advocacy services to parties be in any way different from what they are now or will this confer a new obligation upon the minister in addition to the existing act?

The Hon. D.G. PISONI: The answer is there will be no difference.

Clause as amended passed.

Clause 12 passed.

Clause 13.

The Hon. D.G. PISONI: I move:

Amendment No 15 [InnoSkills–1]—

Page 20, lines 15 and 16 [clause 13, inserted section 45A(2)(c)]—Delete inserted paragraph (c) and substitute:

(c) has been certified by the Commission as competent in relation to the relevant trade.

Stakeholder feedback raised concerns that the concept of certification of proficiency of all types of skills in the act was confusing and did not sufficiently distinguish between apprenticeships and

traineeships and skills and experience obtained outside the training contract. Clauses throughout the bill have been amended to remove references to certificates of proficiency. In their place the amended bill provides the South Australian Skills Commission with the power to certify an individual's competence in a trade or a declared vocation whether obtained through completion of an apprenticeship or traineeship or other pathways declared under section 6 or through other training experiences. This is particularly important for the licensed trades.

Amendment carried; clause as amended passed.

Clause 14.

The Hon. D.G. PISONI: I move:

Amendment No 16 [InnoSkills–1]—

Page 20, line 38 [clause 14(4), inserted subsection (7)(b)]—Delete 'Guidelines' and substitute:

Standards

I did refer to this in my second reading speech. Basically, it is about the change of the terminology from 'guidelines' to 'standards'.

Amendment carried; clause as amended passed.

Clause 15 passed.

Clause 16.

The Hon. D.G. PISONI: I move:

Amendment No 17 [InnoSkills–1]—

Page 23, lines 22 to 24 [clause 16, inserted section 49(2)(c)]—Delete inserted paragraph (c) and substitute:

(c) the Commission certifies the apprentice or trainee under the contract as competent in relation to the relevant trade or declared vocation.

Again, I referred to this in my second reading speech. This is about the removal of certificates of proficiency.

The CHAIR: If you would like to move amendment No. 18 as well, we can pass them en bloc if you would like.

The Hon. D.G. PISONI: I move:

Amendment No 18 [InnoSkills–1]—

Page 24, lines 3 to 11 [clause 16, inserted section 49(5)]—Delete inserted subsection (5) and substitute:

(5) If the Commission is satisfied of the competence of an apprentice or trainee, or a former apprentice or trainee, the Commission may, on an application under this section or on its own motion, in accordance with any requirements set out in the South Australian Skills Standards—

(a) certify that the apprentice or trainee is to be taken to have completed the training required under the contract; and

(b) if the contract is still in operation—terminate the contract and relieve the parties to the contract of their obligations under the contract.

(5a) To avoid doubt, subsection (5) applies whether or not the relevant training contract is still in operation.

Mr BOYER: We might need your advice if we may. There is some concern on our side about where we are up to in the bill, as opposed to the amendments, in terms of when we jump out of those amendments once they are all dealt with. We have a number of questions on parts of the bill that we have not dealt with yet in the belief that we were going to get a chance after we had dealt with the amendments, and we basically have very few questions on those, once we get a chance to jump back into the bill.

The Hon. D.G. PISONI: If we miss anything out, we can just go back.

Mr BOYER: If you are okay with that. But I think we have some differing opinions about where we are up to. I know no-one is trying to do the wrong thing; it is where we are up to in the bill.

The Hon. D.G. PISONI: Can we go back to clause 11?

The CHAIR: It is difficult. Member for Wright, you had three questions on clause 11 and the member for Cheltenham had two. I am advised we can do it as long as we do it before we report progress. Just so we are clear, we have just passed clause 15. Clause 15 is standing as printed.

Apologies to everyone, we have just been discussing the process. I have been dealing with amendments in relation to each particular clause and then passing the clause as amended. That is what we have been doing. The opposition are indicating they have further questions on clause 11 as amended. That is possible prior to our agreeing to the title.

What I am going to suggest to the opposition is that from now on, as we work our way through, we deal with the amendments and each clause comprehensively. Is that a practical solution for you from here on? Bearing in mind that we will come back to clause 11, we are now up to clause 16. The minister just moved amendments Nos 17 and 18 standing in his name.

Amendments carried.

Mr BOYER: If I am looking at the bill correctly, in clause 16 section 49(6)(d) talks about a prescribed fee being payable, I think, for an application to vary a training contract. My question to the minister is: are both parties to the contract able to make that application, as in if it is the GTO, or whatever it might be, as well as the apprentice or trainee themselves?

The Hon. D.G. PISONI: I am advised that any party can submit an application, but the commissioner does not approve an application unless it is signed by all parties. That is the general practice.

Mr BOYER: What I am getting at is what the prescribed fee might be in terms of the amount, whether you know that. In the case of a trainee or an apprentice who might be one of the parties, who might be the party making the application, given that their wages are normally so much lower, what is their capacity to pay the prescribed fee, depending on what that might be?

The Hon. D.G. PISONI: Basically, the fee can be set at zero. That provision is in there to enable any decision to recover the cost of the process. It is intended that if there is a fee it would be cost recovery, but there is no compulsion to set a fee. It can be set at zero. That is something that would be done through consultation.

At the moment the government is throwing a lot of money into skills training and reducing costs for all those who participate. Again, it would be a matter for government policy if they decide to cost recover from that provision.

Clause as amended passed.

Clause 17.

The Hon. D.G. PISONI: I move:

Amendment No 19 [InnoSkills–1]—

Page 24, line 29 [clause 17, inserted section 49A(1)]—Delete 'Guidelines' and substitute:

Standards

I referred to this earlier. This is the change from the use of the term 'guidelines' to 'standards'.

Amendment carried.

The Hon. D.G. PISONI: I move:

Amendment No 20 [InnoSkills–1]—

Page 24, line 31 [clause 17, inserted section 49A(1)]—After 'total' insert:

or 25% of the term of the contract, whichever is the lesser

This refers to an amendment that came about through first being raised by the member for Ramsay in this place and then through consultation with industry. This caps the ability to extend a probation period to no longer than 25 per cent of the length of a training contract. Of course, I do remind the house that this extension of up to three months must be applied for; it is not automatic. The automatic default position for a standard apprenticeship or traineeship contract has a three-month probation period, and I ran through some of the reasons why this was recommended to have this flexibility for both the employer and the apprentice to make the process work.

Mr SZAKACS: Minister, in your comments around the rationale behind the amendment, you mentioned that this was in amongst other things a product of feedback from consultation that asked for greater flexibility for apprentices, amongst others. Who and which groups provided the feedback from the consultation that this was a degree of flexibility that apprentices needed? Could you name those groups that provided that specific feedback?

The Hon. D.G. PISONI: It was raised by the expert panel that Peter Nolan was a member of that started the process of the review.

Mr SZAKACS: Just to clarify, was there anything that arose from the consultation process that indicated that apprentices either needed or supported this clause for the purpose of greater flexibility?

The Hon. D.G. PISONI: The people I had consultation with used examples, and I raised those examples in my reply to the second reading contributions last night. There were distinct advantages for better outcomes through having this flexibility for both the apprentice and employer. Do not forget: when an employer moves into this space, they do not do it because they want it to fail; they do because they want it to work. They want the skills. They are prepared to participate in the skills training process. We have given them support to do that, with the $200 million that we are spending over four years. Obviously, we are also very keen to make sure that those who start continue. There are a number of issues that can even affect an apprentice's decision to sign on for four years or an employer's decision.

Surprisingly, one of the issues that was raised—and I cannot remember who raised it—was that sometimes the apprentice is forced to make a decision about moving into this contract or signing this contract even before they have an opportunity to go to TAFE because TAFE is not always as flexible as the non-government providers and cannot fit them in at a particular time, and they have to delay the start of their apprenticeship or traineeship. That is another example raised as to how this would help both the apprentice and the trainee.

This is about completions and outcomes and making sure that we can help people get the process started, whether that be an employer who is taking on an apprentice for the first time or, alternatively, an apprentice who has had some unforeseen circumstance that may have kept them away from work for an extended period of time.

Mr SZAKACS: You keep referring to Peter Nolan. I might ask you to clarify something around that in a latter clause to not cloud the issues on this one. Were any members of the expert panel or, to use your language, any of the people you met with as part of the consultation process representing solely the interests or the voice of apprentices? Were any members of that expert panel or members you met with part of the consultation representing solely apprentices? You have talked about apprentices wanting and needing this, but unless the apprentice has a voice at the table to tell you that, I am at a loss how you can determine whether that is truly what an apprentice is asking for or whether it is in fact someone else speaking for an apprentice.

The Hon. D.G. PISONI: I do not think anybody solely represents the interests of apprentices. Having trained 20 of my own, I know that you certainly are very focused on wanting to get the right outcome, and you do know what works. What needs to be remembered here is that South Australia is a small business state. Consequently, it is often a very personal relationship that employers have with their apprentices. I think group training organisations are very switched on as to what works for their apprentices and what their apprentices need. Whether or not apprentices want it is completely different from whether it supports apprentices.

This entire act is about supporting apprentices to get the skills that they need so they can be valued as employees. It can increase their salaries and their wages and opportunities because,

unfortunately, we inherited the highest number of people without tertiary education in mainland Australia. Of course, vocational education is tertiary education. One of the quickest and most effective ways of correcting that is to make sure people have the skills that industry needs so they can fill the demand that industry needs to grow.

Mr BOYER: What safeguards are in place to make sure that apprentices who are obviously a little bit more vulnerable at the negotiating table are not going to be taken advantage of by the ability, now, under the proposal in this bill to have their probation period doubled, in some cases, from what it is currently?

The Hon. D.G. PISONI: That obviously would be managed by the commission, but the good thing about this bill is that, for the first time, we have prohibited employers. So if an employer were in any way using any part of the bill for improper motives, it would be my expectation that the skills commission would deem them unfit to have apprentices immediately.

The Hon. Z.L. BETTISON: Minister, can I ask for some details? Can you provide examples in this area where not having this provision—the amended provision being the 25 per cent probation—has been an issue?

The Hon. D.G. PISONI: I think we have gone through that, both last night and again this morning. I want to give some interstate comparisons. In Queensland, the probation period may be extended past six months from the commencement of the training contract. In the Northern Territory they permit the qualification of level 3 to level 6 apprenticeships to be extended for not less than three months but not more than six months, beginning at the end of the nominal probationary period. They can actually go up to nine months, is how I read that.

New South Wales allows an extension of apprentice or trainee probationary periods up to a maximum of three months beyond the initial period. Again, we have an additional period that can be applied for, which is exactly what we are doing here. Victoria does not set an upper limit, so for probational periods for apprenticeship training schemes I am advised that there is no upper limit. What we are doing is not revolutionary. We are not reinventing the wheel here; it is common practice around Australia. It is happening in Labor states as well as Liberal-run states, so it has bipartisan support.

The criteria that the commission will use to assess applications to extend a probation period will be worked out in the development of the regulations and the relevant South Australian skills standard. There is currently a guideline that deals with probationary periods, and a similar standard will be developed to replace it. Again, it is nothing new. It is just adding additional flexibility, with the aim of increasing apprenticeship outcomes for apprentices and industry.

The Hon. Z.L. BETTISON: Minister, I did not get the chance to thank you for listening to what I said in my speech about my concern regarding the probation—and now, with this amendment, it has changed to 25 per cent. To clarify—because, as you said, it must not exceed six months—in a traineeship example, which we have all experienced here with trainees in our electorate offices, the 25 per cent would then stay at the three-month mark; is that correct?

The Hon. D.G. PISONI: I was advised that a 12-month traineeship—that is the one you are familiar with—actually has a two-month probation period, not a three-month period. It will enable it to go for three months, so it will not be any more than 25 per cent of the length of the contract.

Amendment carried.

Mr SZAKACS: Minister, under what circumstances or for which necessary reasons could you indicate that subsection (3) under this section would be exercised; that is, the specific gazetting of individual cohorts?

Sitting suspended from 17:59 to 19:30.

The ACTING CHAIR (Mr Cowdrey): We resume the committee. We are currently considering clause 17 as amended. I believe the member for Cheltenham had started a question. Perhaps, for the benefit of the committee, if you could repeat the question for us.

Mr SZAKACS: Minister, the question I had was in respect of clause 17 and new section 49A(3), which provides that the commission may, with gazettal, provide for a cohort of training contracts to be specifically extended. Could you explain under what circumstances you would consider it to be necessary or appropriate for the commission to do so?

The Hon. D.G. PISONI: I am sorry but I did not hear all your question.

Mr SZAKACS: Sorry, I will try again. This clause provides for, by gazettal, the commission's ability to extend a cohort of contracts and skills, in a blanket way, for the extension of the probationary period. Under what circumstances, or for what purpose, would the commission need to exercise this power?

The Hon. D.G. PISONI: I guess that is there after a consultation process. There is no desire to apply that clause, but it is there in case it is needed. As per the points I made earlier, we are trying to futureproof this as much as we can. We know that things are changing very fast in this space, with the changing economy. For example, we know that jobs in creative industries have grown 20 per cent in the past five years in Australia. What was seen as cottage industry not that long ago is now a major contributor to the GDP and one of the nine pillars of growth in the state government's growth plan for South Australia.

That is an example where there is not a vocational pathway that combines on-the-job and off-the-job training. Industry is calling for it. We are not sure what they want yet. We are not sure what we need to do to make that work, so that clause is there as a safety net or insurance to make sure there are no unintended consequences that may lead to the restriction of new pathways into vocational skills.

While I am on my feet, I just thought I would use the opportunity to expand on those who participated in the expert panel: Andrew Clarke, Master Plumbers SA; Peter Nolan; Clare Pollock from Flinders University; Renee Hindmarsh, who is a training advocate—and of course that covers the point you raised earlier about somebody who specifically represents apprentices; and Mark Glazbrook. They were the members of the expert panel who did the bulk of the grunt work to get this process going.

Mr SZAKACS: Your response is that this futureproofing came out of the consultation that occurred with that group of individuals. Did they provide to you any examples or advice outside their request for an open-ended capacity for the commission to determine a more lax period of probation for a certain cohort or class?

If they did not, did you ask them for examples, perhaps from other jurisdictions, as to why such a blanket futureproofing was required when the rest of the bill already provides, on a case-by-case scenario, the ability for the probationary periods to be increased by consent? There is a very specific difference here.

This is not by consent. This is a commission, which we will get to in a moment, that will wholly and solely be appointed by the minister. What we are asking here is for the ability for a commission to have a blanket approach to a whole category of contracts, on top of what is already a dramatic change in the way that probationary periods will be extended under the proposed bill.

The Hon. D.G. PISONI: I think what the clause attempts to do is make provision for any future changes that might happen in the Fair Work Act, for example. It may also enable a collective bargaining situation, where there might be a union that is working with an employer group or whatever to deliver, or work towards, a new industrial agreement for a traineeship or an apprenticeship, for example. Again, it may very well be, in a situation where you have industry and unions very keen on introducing a new pathway, enabling an efficient way of doing that when there is a consensus that this is what the industry needs and there has been involvement and participation of all those involved in getting the outcome.

Mr SZAKACS: I have to say that it is peculiar to think that a union, through enterprise bargaining, would want to unilaterally extend for an undefined period the probationary period without any caveat or protections thereafter. My final question in respect to this clause is: will there be guidelines that the commission will need to follow? Clause 1 of this section provides specifically that the extension by consent needs to be per the guidelines. This clause does not provide the guidelines

that need to be followed. My question is: are there guidelines and, if so, why is that not explicit in this clause? The second part of this question is: would you explain in detail what, by definition, a specific class of training contracts envisages?

The Hon. D.G. PISONI: Again, this is in the theme of flexibility and agility. It may very well be that the guidelines may be different for a different category. For example, it may be different for the new dual apprenticeships, the dual trades that we are working on. It may be different for the tech sector. What the bill aims to achieve is the ability for an expansion of the vocational education system through paid traineeships.

BAE in Britain, for example, for 30 years has had a six-year apprenticeship where you end up as an engineer. It is called a degree apprenticeship. We have started that process, working with Flinders University, I think it is, and a private provider and TAFE in delivering a set of units that are common in engineering regardless of what discipline of engineering you end up in. That can be done through a three-year apprenticeship, which actually gives you credit towards an engineering degree if you wish to do that.

Another classic example where guidelines may be different for a particular industry is the defence sector. I would hate to be in a situation where we do not have the ability to bring new higher apprenticeships into the defence sector that is going to be in this state for 50 years because we have only one set of guidelines that may not have anticipated the opportunities the defence sector was going to bring in upskilling South Australians so they could work in the defence sector. I get back to the premise of the bill and it is about ensuring that we can get as many people as possible into paid skills training.

Mr SZAKACS: Just to clarify, I appreciate your overall rhetoric around the system and I appreciate your passion around this, but my question was specific: will there be guidelines attached to the exercise of this power by the commissioner? And a very important question for the committee stage, because we cannot interrogate anywhere else, is: as the mover of the bill, how do you envisage, by definition, the class of training contracts? What does that mean? Please give any detail you can, because it is not defined.

The Hon. D.G. PISONI: The class will be determined at the time of the setting of the guidelines. I do not know that I can be clearer. This is a much higher status for vocational education than South Australia has ever had. This is lifting the status and the ability of the body that is responsible for vocational education—traineeships, apprenticeships and any other form of paid vocational pathway that we may develop over time—to be able to meet the needs of industry to make sure that people are being skilled in those areas.

We have been successful with our nation-leading growth and commencement of apprenticeships and traineeships because we have been agile and we have not had a one size fits all. We have not had boxes that employers must go to to change their business in order to meet the demands that are required in the box. We have actually delivered a very flexible system that is driven by industry and has engaged industry to participate in the skills training process. I have to say, the alternative to not being flexible is saying no to people who want to enter industry through skills training.

If I can paint a picture for you, many of the industries calling for vocational pathways now, in their infancy were built with people who had bachelor degrees and PhDs. Now those industries are so big that you do not actually need a PhD or a bachelor degree to participate in them and be a valuable contributor, but there are skill sets that you need. This ball of knowledge has been squeezed into a sausage, if you like, and we have sliced skill sets off the end and that is a skill set that can be delivered through a vocational education pathway. Then, that vocational education pathway is the start of someone's vocational education.

The ambition, of course, was for that cert III. Most people, particularly those of my vintage and similar, did the cert III and that was it. You did not think about going on to get more qualifications in the field in which you had your cert III when you did your apprenticeship. What we know from the research and from the work that the Training Skills Commission has done is that is not going to cut the mustard anymore. It is not going to keep people up to date with their skill levels. Putting any brake on the delivery of vocational education is not going to take South Australia into the 21st century.

That is the intent of this clause. There is nothing tricky about it. It is just about ensuring that there are guidelines and making sure those guidelines are tailored to the occupations or the industries where we are seeing the development of new pathways.

Mr BOYER: Minister, are you concerned at all that employers are going to take advantage of the ability to increase the probationary period, which is included in this bill, to six months in some cases, and the ability the bill is also going to provide, I understand, to terminate a contract at any time during that six months, without cause, in writing? Are you concerned that we are going to have employers just take advantage of those abilities that this might provide them without any good reason of actually needing to do so?

The Hon. D.G. PISONI: I do not understand what advantage there would be. Certainly there was no advantage in taking an apprentice on for three months or six months when I was doing it on a regular basis. You had the advantage when you were able to bill out their skills later on in the apprenticeship cycle. This is not automatic. You need to actually apply to the skills commission in order to get this extension. So the skills commission would need to be convinced that this is a requirement to save the apprenticeship. That is why it would be done.

My guess would be that it would be something that would be dealt with very early on in the process, once the process was started to lengthen a probationary period, and it would be based on the best outcome for the apprentice, because this is all about keeping apprentices in jobs and in apprenticeships.

Just say for some strange reason somebody had come up with a business model and worked out that they could make shitloads of money by having apprentices for six months and then sacking them, I do not think that they would continue to be a registered employer. They would actually quickly become a prohibited employer. So I thank the member for allowing me to clarify it and perhaps give it a bit of an animated explanation, but I can assure you this clause is all about saving apprenticeships.

Mr BOYER: I guess the advantage to the employer I was alluding to was that, if the probationary period were extended from three months to six months, they would have an additional three months in there in which they could terminate the contract without cause and just in writing. But my question here is: in that process that you explained about how the employer must actually make a case to the commission as to why the extended probationary period is necessary—and I think you said it would basically need to make a case that it was needed to save the apprenticeship—what voice, if any, does the apprentice actually have in that process?

I guess there can be situations where the employer thinks it's not going particularly well, so 'I need to keep my apprentice on probation for a longer period'. The apprentice says, 'I don't think that's necessary. It's going fine. I should be off my probation after three months and one day.' What is the mechanism for the apprentice to actually be heard so that their side of the case can be considered when the commission makes a determination?

The Hon. D.G. PISONI: The commission has a mediation role here, so that type of thing would be either done by agreement or mediation.

Mr BOYER: What mechanisms are there for the trainee in that mediation process to have some form of representation?

The Hon. D.G. PISONI: It all has not changed from what they have now.

Dr CLOSE: If we look at new subsection (3), there is a reference to the capacity of the commission to vary a specified class of training contracts in order to be able to extend the probationary period. I would like to understand what the parameters are in the definition of a specified class of contract. Could you rule out, for example, that all second-year apprentices could suddenly have a varied probationary period?

The Hon. D.G. PISONI: For the member's benefit, a second-year apprentice would not be in a probationary period. The probationary period starts when they start the apprenticeship, so there will be a first-year apprentice on probation for three months. That is the standard. The employer or the apprentice could apply to have that probationary period extended to six months but, again, that is an application process.

Dr CLOSE: If I can clarify, when I said second-year apprentice, I meant to say a two-year apprentice. When you have different classes of apprenticeships, could it be that for every apprenticeship that is of a certain length of time, the commission could simply by notice in *Gazette* vary the probationary period? If that is not the case, then could you give an example of what would be a case of a class of contract?

The Hon. D.G. PISONI: I did deal with this earlier. It is actually to deal with any changes in industrial relations. If changes in industrial relations changed the variation of that period, this clause enables that to be dealt with.

Dr CLOSE: Final question: is there any capacity for review, for appeal or for any mechanism, other than the fact that this power is being extended through this act, to prevent a decision that people might object to suddenly becoming law through simple gazettal?

The Hon. D.G. PISONI: I think we need to be realistic here. At the moment, the only alternative that the apprentice and the employer have is three months, and that is it. The reality of the matter is that if an employer is unsure about the apprentice, for whatever reason—and I have explained in earlier contributions I have made to this debate that it may very well be that there may have been leave without pay because of an accident or an illness in that three-month period.

At the moment, the only option that the employer has for not exercising their entitlement to a three-month probationary period working with that apprentice is to terminate the contract. That is the only option. This provision enables that employer to say, 'Look, I really like Louisa. She's a great apprentice, but she has only been here for six weeks. She had this awful situation and I want to help her through this, but I don't want to be forced to make that decision in six weeks' time. I would much rather know that she wants to be here and that I can make this work, so I need another three months.' That is a classic example of where I can see this being used.

You also have to put yourself in the position of a small employer who has been whingeing about not being able to get the right skills for their business. They have finally been convinced to take on an apprentice, but they think, 'Three months? I don't know if I'm ready to make a decision in three months. I have never done this before.' So their choice is to say, 'No, I'm not going to take the plunge,' or to know that they have the ability to apply for a three-month extension to make sure that they absolutely know they can commit to this, they can do this and they want this to happen.

This is actually about getting more apprenticeships in the system and saving more apprenticeships. I just do not understand the cynical view that seems to be expressed that every employer is a bastard and all they want to do is rip these kids off. That is not my experience at all. Employers take great pride in working alongside tradespeople who they have trained. I was at Axiom this week and you cannot bump into anybody running that place who did not start as an apprentice. They are so passionate about apprenticeships and traineeships. They have schools they go to and they say, 'We are ready for another one,' and off they come.

I can see in that situation they may rarely use that. As a matter of fact, they might be comfortable bringing forward the date for the probation period. They might be happy to do it within a couple of weeks. It might surprise those opposite that my boss signed me up in two weeks. He was so happy with what he got, he did not want me to get away. He signed me up in two weeks on my apprenticeship. I have my apprenticeship papers on the wall and the evidence of that. I can understand the questioning coming from those opposite, but I just want to assure them that this is actually a good thing. This is about making it easier for the process so we get better outcomes.

The Hon. Z.L. BETTISON: Minister, there seems to be a lack of clarity around new subsection (3) in regard to what the training contract of that class actually means. Can I suggest that between the houses you come back to us with clarification because it seems very unclear to us what you actually mean on that point. I am not asking you to labour it now, I am just asking if we could—

The Hon. D.G. PISONI: We can do that.

Clause as amended passed.

Clauses 18 and 19 passed.

Clause 20.

Mr BOYER: Minister, I accept that my reading of this clause might not be accurate, but how does this clause differ in terms of what, if any, supporting information or evidence needs to be provided to the commission to make a decision? How has that process, if at all, changed from the current situation?

The Hon. D.G. PISONI: There has been no change.

Clause passed.

Clause 21.

Mr BOYER: Minister, I see that clause 21 proposes to delete the entire section 22 and substitute it with the word 'provided'. I was wondering if you could explain to us—

The CHAIR: Sorry, clause 21 or amendment 21, to be clear?

Mr BOYER: Sorry, clause 21. Are we on amendment—

The CHAIR: No, we are on clause 21. I think you are talking to amendment 21.

Mr BOYER: No, I am not. If I am right, it is the top of page 27.

The CHAIR: Yes, sorry, continue.

Mr BOYER: Deleted section 52 dealt with functions around change of ownership and I understand they have not found their way back, from what I can see, into the proposed bill. I am just wondering what happened to those functions around change of ownership. They have been removed but not included anywhere else in the bill.

The Hon. D.G. PISONI: It will be brought back in in amendment No. 26 and clause 24, new section 54M(a). We were wondering if anyone was going to pick that up, so you get the prize.

Mr BOYER: One final question on clause 21, minister, and thank you for answering my question around the deleted section and change of ownership. My reading was that the deleted section may also have included information around it being an offence for undue influence or pressure to be applied to anyone to enter a training contract—or has that found its way into the bill elsewhere?

The Hon. D.G. PISONI: So part 4C, clause 31, new section 70G.

Clause passed.

Clause 22.

The Hon. Z.L. BETTISON: Minister, can you explain what the difference is between this amendment in clause 22:

> (2) If it is necessary for an apprentice or trainee to re-attend a course previously undertaken by the apprentice or trainee, the employer has a discretion as to whether time spent re-attending the course is to be taken into account for the purpose of determining the wages payable to the apprentice or trainee.

How does that differ from what is in the current act?

The Hon. D.G. PISONI: That was silent in the act. It was generally dealt with with the award, I am advised. That clarifies what I understand can happen in practice under the existing act. It just clarifies what happens in that situation. I am advised that it is the type of situation where there has been a difficult situation for an apprentice and an employer, where there may have been some reconciliation. If they were sick and they could not go, obviously they are entitled to sick pay and so forth. They would be given time—I think that tends to be what the practice is—on the boss's dime to go and finish off. However, if there were circumstances that were more to do with the poor behaviour of the apprentice, I think that what tends to happen, as I understand it, in industry is that apprentices may be prepared to do that study in their own time.

The Hon. Z.L. BETTISON: For the sake of clarification, minister, you said that this is new as an amendment as part of the whole bill; was there a specific employee association or other stakeholder that requested this?

The Hon. D.G. PISONI: We do have to correct my last answer. It was in the original bill. It is now in part 4, division 2, section 46(11). That is where it was before in the previous legislation. It is no change, so it is no wonder that it has been the practice in industry previously.

Clause passed.

Clause 23 negatived.

Clause 24.

The Hon. D.G. PISONI: I move:

Amendment No 22 [InnoSkills–1]—

Page 30, line 23 [clause 24, inserted section 54F(1)(b)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 23 [InnoSkills–1]—

Page 33, line 25 [clause 24, inserted section 54J(1)(a)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 24 [InnoSkills–1]—

Page 35, line 18 [clause 24, inserted section 54L(2)]—Delete 'expiry or termination' and substitute:

completion, expiry or termination (as the case requires)

Amendments carried.

The Hon. D.G. PISONI: I move:

Amendment No 25 [InnoSkills–1]—

Page 35, line 29 [clause 24, inserted section 54M(1)(a)]—Delete 'Guidelines' and substitute:

Standards

Mr SZAKACS: Minister, this I assume will be a similar response for a number of other terminology changes for amendments Nos 27 through to 35. I note the definitional change from 'guidelines' to 'standards'. Could you just explain the rationale and what that means in either practice or technicality?

The Hon. D.G. PISONI: I have done that several times during the debate but basically the feedback was that people were suggesting that 'guidelines' tended to be viewed as just that, not compulsory, not necessarily needed. In order to remove that ambiguous impression or that ambiguous view that 'guidelines' had become, we changed the word to 'standards'. We have done that right the way through wherever the word 'guidelines' was used.

I think it is important that people know where they stand and they know what the rules are and what the laws are. Removing the word 'guidelines' and replacing it with 'standards' makes it very clear and I think it also gives the Training and Skills Commission the authority it needs to do its work, because it does not need to explain to everybody who has breached the guidelines that, 'No, they are actually compulsory.' I think it makes the employer's life easier. It makes the trainees' life easier; they know what the expectation is. They know that what they are being asked to do is a standard and not a guideline. They know that if a standard is being breached, it is actually a breach of the act. This just spells it out and makes it very clear.

Amendment carried.

The Hon. D.G. PISONI: I move:

Amendment No 26 [InnoSkills–1]—

Page 36, after line 6—Insert:

54MA—Transfer of training contract where change of ownership of business

(1) A change in the ownership of a business (or part of a business) does not result in the termination of a training contract entered into by the former owner but, where a change in

ownership occurs, the rights, obligations and liabilities of the former owner under the contract are transferred to the new owner.

(2) If a training contract is transferred under this section, both the former owner and the new owner must, within 21 days of the transfer or assignment, notify the Commission in writing of the transfer.

Maximum penalty: $5,000.

Expiation fee: $315.

Amendment No 27 [InnoSkills–1]—

Page 36, line 11 [clause 24, inserted section 54N(1)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 28 [InnoSkills–1]—

Page 37, line 29 [clause 24, inserted section 54O(2)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 29 [InnoSkills–1]—

Page 38, line 28 [clause 24, inserted section 54P(3)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 30 [InnoSkills–1]—

Page 39, line 9 [clause 24, inserted section 54Q(1)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 31 [InnoSkills–1]—

Page 39, line 18 [clause 24, inserted section 54Q(3)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 32 [InnoSkills–1]—

Page 39, line 22 [clause 24, inserted section 54Q(4)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 33 [InnoSkills–1]—

Page 39, line 24 [clause 24, inserted section 54Q(5)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 34 [InnoSkills–1]—

Page 39, line 37 [clause 24, inserted section 54R(1)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 35 [InnoSkills–1]—

Page 40, line 30 [clause 24, inserted section 54T(1)]—Delete 'Guidelines' and substitute:

Standards

Amendment No 36 [InnoSkills–1]—

Page 40, after line 31 [clause 24, inserted section 54T]—Insert:

(1a) A training organisation or recognised higher education provider is substituted as the nominated training organisation for an apprentice or trainee if, in accordance with any requirements set out in the South Australian Skills Standards—

(a) the employer and the apprentice or trainee agree on which registered training organisation or recognised higher education provider (as the case requires) is to become the nominated training organisation for the apprentice or trainee; and

(b) the employer and the apprentice or trainee seek the acceptance of the registered training organisation or recognised higher education provider (as the case requires) in respect of the nomination; and

(c) the registered training organisation or recognised higher education provider (as the case requires) accepts the nomination and agrees to be the nominated training organisation for the apprentice or trainee.

Amendment No 37 [InnoSkills–1]—

Page 41, lines 24 to 29 [clause 24, inserted section 54W]—Delete inserted section 54W and substitute:

54W—Commission may notify certain bodies where contravention of Act

The Commission may, if satisfied that a registered training organisation or recognised higher education provider has contravened a provision of this Act, notify 1 or more of the following bodies of that fact:

(a) the Department;

(b) AQSA;

(c) TEQSA.

Amendments carried.

The ACTING CHAIR (Mr Cowdrey): The committee is now considering clause 24 as amended.

Mr BOYER: Broadly speaking, the concern from us on this side is that we appear to be moving away from a registration process for employers seeking to perhaps take on an apprentice or a trainee that takes a more in-depth look at whether or not they are appropriate to employ apprentices or trainees before that is done and moving now to a system where, whatever the act is, it means they would be a prohibited employer. It is already perpetrated.

They are then added to a prohibited list after the fact. Is that a fair assessment of what is happening here? How are the same protections that were in place under the existing act to make sure that the right employers were chosen or allowed to have apprentices and trainees preserved in the bill that you are proposing?

The Hon. D.G. PISONI: Do not forget that every business is subject to SafeWork SA. The registration for an employer for an apprentice obviously would not be given to anybody that was in breach of the SafeWork SA act. That would rule anybody out who was an unlawful employer or an employer who had a poor record when it came to occupational health and safety.

The registration process, as I understand it, is more about the ability of the employer to deliver the on-the-job training. Remember, it is a two-part training process: it is classroom and it is on the job. This system of a declaration for registration was recommended back in the review that the previous government undertook of the act in 2016. We are implementing that recommendation on the encouragement of those who participate in the skills and training sector.

When we came into office, some employers were saying, 'It is taking up to three months to get registered. I have said I am ready for an apprentice and it has taken three months.' We have been able to get that down to less than two weeks, but it is still a process that holds the process up. Other states like New South Wales, for example, are using the system of a declaration.

Why we are confident to do this is that 97 or 98 per cent of those businesses that were visited through the system that we have in place at the moment that the current act provides for got the tick of approval—they got passed—but there was no prohibited employer status in the current bill, I understand. So this actually strengthens the commissioner's ability to deal with any employer who is not fit to have an apprentice or does not have the ability to have an apprentice. They would then be given the title or the category of a prohibited employer.

Mr SZAKACS: Chair, I draw your attention to the state of the committee.

A quorum having been formed:

The Hon. D.G. PISONI: The key point here is that we really do want people in jobs as soon as possible. We are confident that we have protections in place to make sure they are getting the appropriate training. The more efficient registration system that we have been able to implement so far has actually seen 1,000 businesses in South Australia over the last two years take on apprentices

for the very first time. We want to improve those figures. We want to get people in apprenticeships and in jobs as soon as possible, and that is the motivation. The evidence we have is that this is a safe and reliable process based on what our physical visits established and experiences we have seen in states like New South Wales.

The Hon. Z.L. BETTISON: This change concerns me greatly, and it particularly concerns me because we are talking often—not always, but often—about young people. It may be the first time they enter a workplace as an apprentice or a trainee, and I am very concerned that we prohibit them after they have done the wrong thing.

What I am very concerned about is that the checks should be done prior to registration and maintained for prevention and to make sure the wrong people are not engaging people. Minister, as you know, I have some background with our screening system and particularly our working with children checks. I note it is often young people involved. Did you consider having people who have people come in as apprentices or trainees undergo a working with children check?

The Hon. D.G. PISONI: I think the concern that the shadow minister has is unfounded. The facts are that occupational health and safety is managed by SafeWork SA, so a 16 or 17 year old can go and work for a company without any checks from any other body. They can work doing the same thing, on-the-job training, on a shonky, dodgy arrangement where they are not getting qualified training, they are not getting accredited training, but they are doing the same on-the-job training that an apprentice would do. That can happen now.

What this simply does is enable the skills commission to have a registration process that is based on the ability of a business to manage on-the-job training. Do not forget that currently we have the Skilling South Australia program, with many of our support products that we offer. Businesses get inspections and visits from staff. The 200 staff in the skills unit visit those companies to work out what it is we can do to remove barriers and bring enablers in so they can get on board with apprentice training.

SafeWork SA provides for occupational health and safety. Every workplace should be safe and must be safe, and it is their role to do that. That is not the role of the registration process for employers. The role of the registration process for employers relates to their ability to deliver on-the-job training. I have just been advised that working alongside a child or supervising a child does not make the work child-related, according to the screening.sa.gov.au site from your previous department, shadow minister.

The Hon. Z.L. BETTISON: You say 'working alongside', but this person is responsible for the trainee and the apprentice. Perhaps you could clarify that for me while you are doing that. Can you clarify what will make an employer prohibited?

The Hon. D.G. PISONI: We have covered that. Some examples are, obviously, unlawful conduct and breaches of the industrial relations act. I also suggest that failure to offer on-the-job training would be another issue. It could be an employer who was not able to offer the full scope of on-the-job training that the apprentice would need to be suitably qualified at the end of that period.

That does not mean that the employer could not be a host employer managed by a GTO. This is where GTOs are very handy for small employers. They can have an apprentice for six months, 12 months, in their business and that apprentice could then move on to another business to gain the experience they need in other areas of the skill sets that they are developing through the apprenticeship. They probably would not be able to employ an apprentice directly in that case.

We have worked with the GTO sector and employers who want to get behind the apprenticeship system but know they do not have the full scope to have someone directly employed. It has been very successful.

Mr BOYER: Still on clause 24, but more specifically, 54C provides a mechanism for 'the application of a prohibited employer' or an application made by that employer, who may previously have been declared to be on the prohibited list, to appeal that finding. Can the minister tell us what involvement in the appeal process, as I understand it, the apprentice or trainee in this particular case may have to be a part of it?

If can use an example, the person now on the prohibited employers list previously had an apprentice or a trainee. For reasons of alleged poor conduct, behaviour or treatment of that apprentice or trainee they found themselves on the prohibited employers list. They appealed that and it is considered by the commission, I understand. What role is there for the apprentice or trainee who might have been involved in those allegations to be part of the appeal process and have their say about whether they believe that employer deserves to come off the banned list?

The Hon. D.G. PISONI: Obviously, that will require a set of standards. That will be one of the new commissioner's tasks, to design those standards. Whenever any penalty is imposed, it is standard practice that there is a pathway to appeal. I suspect some prohibited employers may be able to rehabilitate, and obviously they would work with the commission to do that.

I think the appeal process was probably more about a situation where there is a dispute. I am not a lawyer, but I am just imagining from my own business experience a dispute about what the commissioner might have imposed that the employer might not agree with. That would be a matter for SACAT, I would imagine.

The prohibited employer could also revoke it but apply conditions, so they might restrict some activities or some training. For example, they might say you will be a prohibited employer for a directly employed apprentice but you are not a prohibited employer for the purpose of being a host employer for a group training organisation because we know how good group training organisations are at managing their apprentices to make sure they get completions and make sure they get the training they need. That may very well be a basis for removal of a prohibited employer status, for example.

Mr BOYER: Minister, I would like to clarify your comments towards the end of that last answer about whether it is right that there are circumstances in which an employer might be on the prohibited employers list in one scenario but in the group training organisation scenario they might still be able to have an apprentice; is that correct?

The Hon. D.G. PISONI: I stand corrected. A restricted employer would mean in that situation that you would be able to be a host employer as a restricted employer, and that would be based on the comments I made earlier that your on-the-job training might not have the scope for a four-year apprentice to get all the on-the-job training they require in order to be satisfactorily qualified in the field they are studying.

Mr SZAKACS: We have heard a number of answers from the minister to questions from those on this side of the house regarding the old registration scheme. The minister has constantly pointed us back to the fact that, in his opinion, the registration scheme as we know it under the legislation is effectively to ascertain the availability of an employer to train or deliver on-the-job training.

But what he has failed to do through each question that has been put to him is to mention that the registration scheme under the current act also has a fit and proper test. I am not sure whether he has declined to answer or to discuss that because it is not something that is as palatable to these changes, but a fit and proper test for an employer to employ an apprentice is quite a fundamental position that the Labor opposition takes.

There is a raft of available remedies that the current act and the new bill provide for the revocation of such licensing, but to say the fit and proper test is no longer important is quite remarkable and not to talk about it is even more remarkable. So, minister, do you acknowledge that the current scheme, which this seeks to amend, has a fit and proper test and would you give some insight as to why a proactive fit and proper test for a prospective employer is no longer important?

The Hon. D.G. PISONI: As I said earlier, this was actually identified in the previous government's review of the act in 2016, and I am sure that review would have been well represented by the union movement in the outcomes that were recommended in that review.

The amendments do not diminish the robust protection of apprentices and trainees. Protections have been maintained through excluding prohibited employers from registering, allowing the making of regulations to address any deficiencies or identified risks among certain categories of employers, providing the South Australian skills commission with the discretion to refuse to register an employer if, in the circumstances, it is inappropriate to register them.

In addition, section 75 of the act makes it an offence for a person to make a statement that is false and misleading, whether by reason of inclusion or omission of any particular or any information provided under the act. The maximum penalty is $10,000. So I hope that clears it up. States like New South Wales, which have the model this amendment will move to, have a safe and proper environment for their apprentices who are getting the right training through this declaration process we are introducing in South Australia. It was recommended in the 2016 review.

I have to emphasise the fact that this registration would not apply to somebody taking on a young person at the same age without contractor training, and that is because SafeWork SA deals with the occupational health and safety issues. We have other acts of parliament. I am sure the Attorney-General would be able to advise the house of other acts of parliament for criminal acts that will protect employees in their place of work. This is about their ability to provide the on-the-job training.

Mr SZAKACS: I appreciate the minister's desire to make things a bit clearer, but it is just clear as mud. My question was: does this amendment revoke the fit and proper test under the current legislation?

The Hon. D.G. PISONI: The fit and proper test is part of checking for whether somebody should be prohibited or not.

Mr SZAKACS: I will take that as a resounding, 'Yes, it does.' Minister, I appreciate that the next couple of questions might not be available to you tonight. It would be great if they were. If not, would you take them on notice between the houses? In the last financial year, how many employers were denied registration or failed to be registered upon application? In addition to that, how many employers had their registration revoked?

The Hon. D.G. PISONI: We will see if we have the exact figures for you, but I have been advised that about 97 or 98 per cent get their registration. If we look at new registration applications declined in 2019-20, we had 'employer not licensed or registered to operate a business in South Australia'—and, obviously, that is something that would come up in the declaration process and the checks that the department would do—35 businesses. These are employers who were not registered to operate a business in South Australia—a bizarre situation that they would then attempt to employ an apprentice. So they are 35; nearly half of those who were denied were in that category.

'You have not responded to our request for contact to arrange to visit the worksite': my understanding is that the registration process does not stop the department from taking action if it wishes to visit a worksite. It does not stop them from doing that, and they are 14 at that level. I think that is another important point that it was something deliberate that the department has asked for that has been denied.

'The employer cannot provide relevant training in the vocation applied for': in other words, no such apprenticeship exists. Again, in that instance, 13 would be picked up through the self-declaration process in the assessment of that application. 'The employer has not responded to a request to contact the department to discuss the application': again, that would be picked up. I would imagine that this would happen either before or after an inspection, so the process may not have even started.

'The request for information has not been provided': there are seven at that level. 'The persons who are to supervise the work of the apprentices or trainees': I suspect that refers to them not having the qualification, or they felt that the supervision was inadequate for the skills training. Four of them were denied at that point. 'The employer has withdrawn the application': there are three in that category. 'Unwilling to employ and train for the full term of the contract': that is obviously a question that would be asked in the self-declaration, too. 'The employer does not have an office in South Australia': it is a bit hard to employ an apprentice in South Australia if you do not have a presence here in South Australia. So that gives you an idea.

Regarding your question about renewal of applications declined, 'an employer was not licensed or registered to operate a business in South Australia', they were denied renewal again. That is something that can be assessed through the registration process that we are proposing. 'An employer has not responded to requests to contact DIS to discuss the application again': there are nine at that level. Again, it does not require a visit to a business to achieve that outcome.

'You have not responded to our request to arrange for a worksite visit': there are six people in that instance. 'You have not responded to our request to make contact regarding your application to amend your scope': there is one person. 'The persons who are to supervise the workplace or trainee were not to satisfaction': obviously, there was not confidence by the department that there was somebody there who could actually do that.

I think that gives you an idea as to how so much of that assessment can be done through a signed declaration that has severe penalties if you leave things out by omission or you do not tell the truth. Attorney-General, I think there are even legal consequences out there for signing statutory declarations that are false.

The Hon. V.A. Chapman: Indeed.

The Hon. D.G. PISONI: So it is a pretty big sledgehammer, and the benefit to that, of course, is that it gets people into apprenticeships quicker, in safe environments that can actually deliver the skills training that industry requires.

Mr SZAKACS: May I clarify one point before I ask my final question? Minister, I am happy to check this in *Hansard*, but do the statistical numbers you just read out include employers who have failed to be registered as well as employers whose registration has been revoked? It was not clear from your answer, sorry.

The Hon. D.G. PISONI: That was new applications, and applications that had been renewed.

Mr SZAKACS: I asked whether you had with you the number of employers whose registrations had been revoked in the last financial year.

The Hon. D.G. PISONI: We can bring that back.

Mr SZAKACS: Thank you for your detailed answer. I appreciate that, but what has become abundantly clear from that answer is that under the amendments that you are proposing there will be hundreds of employers, not counting those who have had their registrations revoked, who have been disqualified for a variety of reasons and failed to be registered for a variety of reasons, including failing to meet a fit and proper test under the current legislation.

Under your scheme, we will have this laissez-faire approach where they will be given the capacity to employ young people—at times children and at other times young adults—and the only time that they will not have the capacity to do that is under two circumstances. One is in this fairyland that the minister proffers, where a declaration will cover the illegality, or otherwise, of employer behaviour. Because of course that works, does it not? Someone is going to say, 'I am a wage thief.' Someone is going to say, 'I run and don't respect safe systems of work under various pieces of legislation.' Sure, that will work.

The second is that everything will be fine until it is not. How serious does an event have to be for the minister to wear the blame, and wear on his scalp when something goes wrong under this scheme, that an employer has not failed a registration process but been caught out doing something wrong? How severe? How bad must something be before an apprentice suffers at the hands of the minister?

The Hon. D.G. PISONI: It is so sad that somebody hates the private sector so much. It is just extraordinary. The people who actually employ South Australians. What a cynical view of the wealth generators in this state we have from the member for Cheltenham. There are 9,406 applications currently registered. The declines that I just read into *Hansard* totalled 88—not hundreds, but 88. I do not know where you did your maths—not hundreds, mate.

Mr SZAKACS: Sorry, I am not a tradie like you.

The Hon. D.G. PISONI: Eighty-eight.

Mr SZAKACS: Not including those that had been revoked. Not including those that you are taking on notice that have been revoked.

The CHAIR: Member for Cheltenham, you have asked your question.

The Hon. D.G. PISONI: So you just made up that number? You have just made up the number of those that were revoked, have you? Just made that up? The facts are that this system works extremely well in New South Wales and it gets people into apprenticeships quicker.

It was recommended by the review that was put together by the previous Labor government in 2016. I can assure you it would have had plenty of union membership on that review and they recommended it. The only reason I can think that the member for Cheltenham is raising such concern about it is because it is not his idea. When it was the union's idea during that review in 2016, what a great idea. Now—

Mr SZAKACS: Glass jaw.

The Hon. D.G. PISONI: —we agree that it is a great idea.

The CHAIR: Member for Cheltenham—

The Hon. D.G. PISONI: What a great bit of work on that review you did in 2016; it is a pity it was not acted on.

The CHAIR: Minister, just for a moment, please. Member for Cheltenham, you were given great deference during your comments and opportunity to ask questions, so let's give the minister that same deference for his answer.

The Hon. D.G. PISONI: I think I can wrap up by saying that I have a different view of employers in South Australia from the member for Cheltenham.

Dr CLOSE: Minister, what will be the trigger for the commission to look at an employer and determine whether they are to become a prohibited employer? What is the mechanism to trigger that examination by the commission?

The Hon. D.G. PISONI: I think I covered this earlier, did I not, to a degree? I think there will be several trigger points. Obviously, a report form the RTO. Don't forget these apprentices go to RTOs, either on a block release or one day a week. Certainly, under our Skilling South Australia program we have additional resources in place to support apprentices. GTOs are aware.

If we saw that there were a lot of non-completions in that organisation or, regarding the debate we were having earlier about the ability to apply for the probation period to be extended, if we saw that the way that was being operated and those applications were being made was raising red flags, there would be a number of triggers that the very experienced skills commission would be able to identify.

We do have access to some wonderful technology now, artificial intelligence, that makes it much easier to identify people who are doing the wrong thing or people who are not meeting the expectations of the skills commission, and of course a complaint by an apprentice would also be acted on very quickly. There are various mechanisms that would trigger an investigation into an employer, if there were concerns, to see how they were operating as a registered employer of apprentices or trainees.

Dr CLOSE: Could the minister give some examples, or any examples, of feedback that he personally received from the union movement about this proposition?

The Hon. D.G. PISONI: We invited everybody to participate. We wrote to SA Unions. A submission is all we got from SA Unions. There was no request to meet from SA Unions, as far as I understand. We got a submission from the AMWU. I will let you know what their views are. I think I might be able to share that information with you.

The notes I have from SA Unions say they are supportive of the introduction of prohibited employer, despite concerns with employer registration. That is understandable. They are reflecting the views that you have been reflecting this evening.

We cannot seem to find a reference from any other union on that matter. Business SA was supportive of the registration process, and of course the expert panel was also supportive of that process. If we find something we will let you know.

The CHAIR: Between the houses, I take it, minister?

The Hon. D.G. PISONI: Yes.

Clause as amended passed.

Clause 25 passed.

Clause 26.

The Hon. D.G. PISONI: I move:

Amendment No 38 [InnoSkills–1]—

Page 42, line 25 [clause 26, inserted subsection (1a)]—Delete 'Guidelines' and substitute:

Standards

Amendment carried.

Mr BOYER: Minister, on my reading of the current act, and comparing it with the bill, it appears that a requirement that a suspension for serious misconduct under this section not last longer than seven days has been removed; is that correct? If I am wrong, where is that retained?

The Hon. D.G. PISONI: You will see that in section 64(2)(c).

Mr BOYER: It would appear that the requirement to notify the employment tribunal of a suspension for serious misconduct has been changed from 'immediately' in the current act to 'as soon as is reasonably practicable' in the bill. Can you explain to us why the change from 'immediately' to 'as soon as is reasonably practicable'?

The Hon. D.G. PISONI: It is just bringing it into modern practice. It means 'as soon as physically possible' basically. 'Immediately' is not always possible, but if 'as soon as physically possible' is possible then that is the expectation. It does not change the intent at all. There is still a requirement to do that at the earliest possible time.

Mr BOYER: Has the time frame in which an employer must notify an apprentice or trainee that they have suspended their apprenticeship or traineeship for serious misconduct changed or is it the same in the bill as it is in the existing act?

The Hon. D.G. PISONI: I am advised that there is no change.

Clause as amended passed.

Clauses 27 to 29 passed.

Clause 30.

The Hon. D.G. PISONI: I move:

Amendment No 39 [InnoSkills–1]—

Page 45, lines 22 to 24 [clause 30, inserted section 70B(1)]—delete 'if satisfied that an applicant for recognition of qualifications or experience in a particular trade or declared vocation (other than a prescribed vocation)' and substitute:

and in accordance with any requirements set out in the South Australian Skills Standards, and if satisfied that an applicant for recognition of qualifications or experience in a particular trade or declared vocation

Amendment No 40 [InnoSkills–1]—

Page 45, line 28 and 29 [clause 30, inserted section 70B(1)(b)]—Delete inserted paragraph (b) and substitute:

(b) certify to that effect.

Amendment No 41 [InnoSkills–1]—

Page 46, lines 3 to 7 [clause 30, inserted section 70B(3)]—Delete subclause (3)

Amendments carried; clause as amended passed.

Clauses 31 to 37 passed.

Schedule 1.

The Hon. D.G. PISONI: I move:

Amendment No 42 [InnoSkills–1]—

Page 52, lines 17 to 27 [Schedule 1, Part 2]—Delete Part 2

Amendment No 43 [InnoSkills–1]—

Page 56, line 7 [Schedule 1, clause 19(3)]—Delete 'Guidelines' and substitute:

Standards

Amendments carried; schedule as amended passed.

Clause 11—reconsidered.

The Hon. Z.L. BETTISON: Subsection (4) before us provides:

(b) up to 10 persons appointed by the Minister who, in the Minister's opinion, together have the abilities and experience required for the effective performance of the Commission's functions.

Minister, why have you removed union representation?

The Hon. D.G. PISONI: The bill does not change the fact that members of the commission are appointed by the minister. That is the case at the moment. The process for appointment has been amended to a broader merit-based appointment process regardless of association or connections of individuals.

As with the current act, the minister is required to ensure the commission members have the abilities and experience required for the effective performance of the commission's functions. The skills matrix has been developed to capture the optimal mix of strategic expertise, legal and economic leadership, project management, and regulatory and advocacy skills and experience that will be required of commission members.

The merit-based approach to selecting the commission members reflects and expands on the modern appointment process enacted in equivalent jurisdictions around Australia; for example, the New South Wales Skills Board Act 2013 establishes the New South Wales Skills Board, which requires members appointed by the minister to have sound knowledge of skills development and higher education, high levels of experience in market operations and a strong understanding of financial risk and project management.

In the Northern Territory, the Training and Skills Development Act 2016 establishes a nine-member commission, appointed by the minister, that is capable of representing the interests of industry and employers and has the knowledge of and experience in areas relevant to functions of the commission.

The approach to have a commissioner and a merit-based commission also reflects most up-to-date approaches taken at a national level with the introduction of the National Skills Commissioner supported by advisory committees through the National Skills Commissioner Act 2020. In this example, the act gives the minister the power to appoint each member of the advisory committee, with members only being appointed if the minister is satisfied they have appropriate qualifications, knowledge or experience.

Similarly, the National Vocational Education and Training Regulator Amendment Act 2020 proposes that the Australian Skills Quality Authority's current three-commissioner leadership structure is replaced with a single national VET regulator CEO, supported by a 10-member advisory panel.

The Hon. Z.L. BETTISON: Minister, anyone who has spent time in this chamber knows how you feel about unions. You have made it very clear time and time again that you do not support people's right to organise and be represented. Who apart from you wanted unions not to be represented on the commission?

The Hon. D.G. PISONI: I covered that in my previous answer. The fact is that this is modern practice. There are no organisations that are represented on the skills council. It is purely a skills

matrix that will be used to develop the skills that the skills commission needs to carry out its function. You will also notice that there is no requirement in the bill for somebody from an employer organisation to be appointed to the skills commission either. I think it is fair to put that on the record because it is consistent with the motivation for updating the act to work as modern acts and modern boards and commissions work around Australia.

The Hon. Z.L. BETTISON: Minister, that may well be your rationale as to why you have chosen this course, but I think you have made clear many, many times what your ambitions were going to be. My final question for this clause is at (4)(b). It says up to 10 persons are appointed by the minister to the commission. Why is there no minimum number of people to be part of the commission? Why is there no minimum?

The Hon. D.G. PISONI: There is no particular reason. I do not know that there is minimum in the current act. I am not sure that there is, but I think that it reflects the ability for there to be some flexibility for any future cabinet to decide on the size of that commission. We have put a restriction on the maximum size and there is no minimum currently.

That has been confirmed: it is no change from what was there originally. I think the original act was 2008. It would have been the Labor government at that time, I think, that put that act in. There is no change in the way the process is, but I can guarantee and assure the house that chairs of industry skills councils will occupy eight of those seats on that commission, as they do now.

Mr SZAKACS: Minister, I want to talk specifically about your comments around the need for a merits-based board. I note that under the current act the Governor, upon your recommendation, appoints nine of the 11 nominees. You are burdened with the obligation to appoint one after consultation with the United Trades and Labor Council (SA Unions) and one with Business SA. Nine of 11 are appointed by you. My question to you is: from a merits perspective and from a skills perspective, what does the current board lack, and taking that into account, how bad must the exercise of your judgement have been in the appointment of those nine of 11 members?

The Hon. D.G. PISONI: I will take that as a comment.

Mr SZAKACS: Minister, you may take that as a comment, but I will ask you to clarify because it was most definitely a question.

The Hon. D.G. PISONI: It was a slag; I am not going to respond.

The CHAIR: I do not want to get into a slanging match.

Mr SZAKACS: I will ask the minister to withdraw.

The CHAIR: Ask the question. Perhaps rephrase the question, member for Cheltenham.

Mr SZAKACS: I will ask the minister to withdraw his comments.

The Hon. D.G. PISONI: I did not say he was a slag: I said that was a slag.

The CHAIR: No, you said it was a slag. I do not think that is—

The Hon. D.G. PISONI: If he wants to ask a question without a personal inflection, then I will answer it, but if he wants to put a barb in the end, I am going to ignore it. I will take it as a comment. So it is up to him how he wants to conduct himself.

The CHAIR: Okay, so here we are. We are very nearly at the end of this and the member for Cheltenham I think has asked a question.

Mr SZAKACS: I am back on my feet and I will ask the minister to withdraw.

The CHAIR: What did the minister say that so offended you?

Mr SZAKACS: Slag.

The CHAIR: Well, he did not—

The Hon. D.G. PISONI: I did not call him a slag.

The CHAIR: No, you did not; that is right. I do not feel the need for the minister to withdraw that, member for Cheltenham. Please ask your question.

Mr SZAKACS: Thank you. You are welcome to take the comment. I was trying to give you the benefit of the doubt, questioning your decision-making capacity as the minister to appoint nine of 11 people to a board who have failed so dismally from a merits perspective. My question is: has a merits or gap analysis of skills been undertaken and, if not, why not?

The Hon. D.G. PISONI: We are not suggesting it is lacking skill sets at the moment. This will simply clarify the skill sets the government believes are required in order for the skills commission to do its job.

There is no doubt that the Training and Skills Commission, as it stands, has done an exceptional job. I am not aware of new apprenticeships and traineeships being declared in previous years at such a rate as they are being declared under this new commission. We have direct industry connection, we are getting our intelligence almost from the factory floor. All we are doing is bringing the skills commission up to a national standard, and we are removing any obligation for somebody to be appointed to that board on advice from a body that may not be as relevant now, whether that be Business SA or SA Unions.

The fact is that there are far more people, particularly in the private sector, employed; I think union membership in the private sector is about 9 per cent. I know that organisations like Business SA do not represent the volume of businesses that they do represent, and why should we be putting a prequalification on somebody joining that board because they might be a member of a particular club or association?

This is modern practice. It is about getting the best skills on the board. Again, the process came out of the advice of the expert panel that helped us develop the process to where it is now.

Mr SZAKACS: This is my final question, Chair; thank you for your indulgence. Minister, you have summarised just how well a job this board is doing, the commissioner is doing, because of the delivery of X, Y and Z that you have walked us through ad infinitum tonight. At the same time you are cutting your nose off to spite your face in tinkering with a board that, in your own definition, is performing exceptionally. It seems illogical to do that at this juncture.

Your reflections on Business SA and SA Unions are also interesting. I am not sure whether this is something you express privately to Business SA, about their lack of footprint in respect to representing businesses, particularly small and medium-sized businesses, in the state. Likewise with SA Unions, it might be an unfortunate and inconvenient truth to the minister, but there are over 200,000 union members in this state. It is the largest single membership-based organisation not only in this state but in this country, and for the minister to sit there with a straight face and say that trying to keep the representatives of 200,000 workers, members, off a board is anything other than rank ideology is ridiculous.

The CHAIR: There was no question contained in that, as far as I could tell, member for Cheltenham.

Mr SZAKACS: It was a question more in the form of a statement.

The CHAIR: Okay; we will take it as a statement.

Mr BOYER: Minister, was any specific feedback given during the consultation period by any of the stakeholders who were part of that consultation that requested that the independent Training Advocate be abolished and, if so, who provided that feedback?

The Hon. D.G. PISONI: The Training Advocate's role is not being abolished. It is being merged with the skills commission. Obviously, feedback from consultation identified that there is currently confusion in relation to dispute resolution and educating parties about apprenticeships and traineeships. The overlap between certain functions performed by the Office of the Training Advocate and those of both the Training and Skills Commission and the department through delegation from the Training and Skills Commission was also identified as a source of confusion by various stakeholders.

The amended structure will assist in modernising the state's vocational education and training system, lifting the status of apprenticeships and traineeships, increasing industry leadership and accountability. This amendment structure will also provide for a single point of accountability. Business SA would have written, I think, to the Leader of the Opposition and the Hon. Clare Scriven in the other place supporting the amalgamation of the Training and Skills Commission and the Training Advocate. There are others that I cannot bring to hand at the moment, but we will see if we can provide those to you later.

Mr BOYER: Minister, why is the requirement for any direction that you or any future minister may give to the commission to be printed in the annual report and not tabled in parliament, as I understand is usually the case with any directions given by ministers to bodies like that?

The Hon. D.G. PISONI: There is no requirement for it to be in the annual report at the moment. The annual report is published in parliament.

Mr BOYER: Minister, in regard to remuneration of members of the commission, I understand they will be entitled to remuneration, but allowances and expenses will also be determined by you as the minister. Can you tell us what the remuneration for commission members might be?

The Hon. D.G. PISONI: It will be in accordance with the DPC circular, as is the normal practice.

Dr CLOSE: Minister, many pieces of legislation that establish important commissions or boards or committees have a skills and experience matrix as part of the legislation so that, in the minister contemplating appointing people to positions on the commission in this case, they are doing so against a skills matrix so as to make sure that there is a range of experience and skills represented. That clearly is not in this piece of legislation. Has that been considered in the process? Has anyone suggested that? Have you considered it and discounted it, or might you be open to such an amendment?

The Hon. D.G. PISONI: I have already approved a skills matrix, and I would be happy to provide it. I have already approved it. I have signed off on a skills matrix in anticipation.

Dr CLOSE: But it is not in the legislation. You have some sort of policy that you have decided upon, or is it somewhere in the legislation and I have overlooked it?

The Hon. D.G. PISONI: I can table it now if you wish; it is here.

Dr CLOSE: No, I am wondering about the status of the document, sorry. You are saying you have a skills matrix but it does not appear in the legislation; is that correct?

The Hon. D.G. PISONI: Again, getting back to the need for this to be a piece of legislation that enables an agile skills training system in South Australia so that we can expand the opportunities for vocational education, those things may change over time. So what we have tried to do is enable the legislation to be the spine that is needed for the Training and Skills Commission to operate and for skills training to continue to grow in South Australia but be agile enough to be responsive to industry very quickly. That is the reason why it is not in the legislation.

Basically, there is a reference in the act that up to 10 persons appointed by the minister who 'in the minister's opinion', together with 'abilities and experience required for the effective performance of the Commission's functions'. This is really about getting the best possible outcomes and enabling the commissioner to do their job with an appropriately staffed commission.

Dr CLOSE: I ask that the skills matrix that has been approved be tabled, as was offered by the minister.

The Hon. D.G. PISONI: We are happy to do that.

The CHAIR: Are we tabling it now, minister, or in due course?

The Hon. D.G. PISONI: We can table it now; we have it here.

The CHAIR: Right, let's do it. I think we are at a point where I can put the question that clause 11 as amended be agreed to.

The committee divided on the clause as previously amended:

Ayes 23
Noes..... 20
Majority..... 3

AYES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.
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.	

NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I. (teller)	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.	Picton, C.J.	Stinson, J.M.
Szakacs, J.K.	Wortley, D.	

PAIRS

Gardner, J.A.W.	Piccolo, A.

Clause as previously amended thus passed.

Title passed.

Bill reported with amendment.

Third Reading

The Hon. D.G. PISONI (Unley—Minister for Innovation and Skills) (21:34): I move:

That this bill be now read a third time.

The house divided on the third reading:

Ayes 23
Noes..... 20
Majority..... 3

AYES

Basham, D.K.B.	Chapman, V.A.	Cowdrey, M.J.
Cregan, D.	Duluk, S.	Ellis, F.J.
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.	Treloar, P.A.	van Holst Pellekaan, D.C.
Whetstone, T.J.	Wingard, C.L.	

NOES

Bedford, F.E.	Bettison, Z.L.	Bignell, L.W.K.
Boyer, B.I. (teller)	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.	Picton, C.J.	Stinson, J.M.
Szakacs, J.K.	Wortley, D.	

PAIRS

Gardner, J.A.W.	Piccolo, A.

Third reading thus carried; bill passed.

At 21:39 the house adjourned until Thursday 10 September 2020 at 11:00.